Basic information

1994/0230(CNS) CNS - Consultation procedure Regulation	Procedure completed
Protection against dumped imports from countries not members of the European Community, Uruguay Round **Subject** 2.60.02 Dumping, monopolies 6.20.01 Agreements and relations in the context of the World Trade Organization (WTO)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
RELA External Economic Relations	RANDZIO-PLATH Christa (PSE)	04/11/1994

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	MÜLLER Edith (V)	03/11/1994

Council of the European Union

Council configuration	Meetings	Date
Health	1823	1994-12-22

Key events

Date	Event	Reference	Summary
05/10/1994	Legislative proposal published	COM(1994)0414	Summary
14/11/1994	Committee referral announced in Parliament		
12/12/1994	Vote in committee		
12/12/1994	Committee report tabled for plenary, 1st reading/single reading	A4-0108/1994	
14/12/1994	Debate in Parliament		
22/12/1994	Act adopted by Council after consultation of Parliament		
22/12/1994	End of procedure in Parliament		
31/12/1994	Final act published in Official Journal		

Technical information	
Procedure reference	1994/0230(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Regulation
Legal basis	EC Treaty (before Amsterdam) E 113
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0108/1994 OJ C 018 23.01.1995, p. 0019	12/12/1994	
Text adopted by Parliament, 1st reading/single reading		T4-0183/1994 OJ C 018 23.01.1995, p. 0054-0066	14/12/1994	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1994)0414	05/10/1994	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1994/3283
OJ L 349 31.12.1994, p. 0001 Summary

Protection against dumped imports from countries not members of the European Community, Uruguay Round

1994/0230(CNS) - 22/12/1994 - Final act

The Council of Ministers adopted Regulation (EC) No 3283/94, which seeks to implement the new anti-dumping agreement concluded as part of the negotiations of the Uruguay Round and to enable the Community to protect itself from imports which are subject to dumping by countries which are not members of the European Union. The present Regulation transposes into Community legislation the new agreement which contains new detailed rules on all aspects of anti-dumping. The main changes comprise clarifications and amendments to the following: - start-up costs (exporter undergoing

production start-up); - the normal value to be taken into consideration for countries which have no market economy (exporters are given 10 days to submit comments on the choice of a similar country); - fair comparison; - the closing of investigations (if possible within 12 months and in any case 15 months after the investigation has opened); - the breach or termination of undertakings (institution of a definitive duty in case of breach of undertakings, though importers rights are preserved); - negligible import volumes (threshold below which the Community cannot take measures: proceedings cannot be initiated against countries whose imports represent a market share of less that 1%, unless these countries collectively account for 3% of Community consumption); - retroactivity (there is a need to provide for those cases where an importer would import a substantial quantity of products before duties are imposed); - the restoration of anti-dumping duties (application of the principle of "duty as a cost"); - the undertaking to accept responsibility for anti-dumping duties (new calculation of dumping margins); - the means of circumvention (conventional or not) are reappraised; - the suspension of anti-dumping measures; - the suspension of the customs assessment process for the registration of imports (mechanism by which imports are registered by customs up until the moment when a decision is taken concerning the suspension of measures relating to the said imports); - the Community interest (which is to be taken into account in a more structured context). The Regulation shall enter into force on 1.01.1995.

Protection against dumped imports from countries not members of the European Community, Uruguay Round

1994/0230(CNS) - 05/10/1994 - Legislative proposal

This proposal for a regulation sought to implement the new anti-dumping agreement concluded within the framework of the Uruguay Round negotiations and to enable the Community to protect itself from imports which were subject to dumping by countries which were not members of the European Union. This regulation transposed into Community legislation the new agreement, which contained new detailed rules on all aspects of anti-dumping. The main changes comprised clarifications and amendments to the following: - start-up costs (exporter undergoing production start-up); - the normal value to be taken into consideration for countries which had no market economy (exporters were given 10 days to submit comments on the choice of a similar country); - fair comparison; - the closing of investigations (within 12 months); - the breach or termination of undertakings (institution of a definitive duty in case of breach of undertakings, through importers' rights were preserved); - negligible import volumes (threshold below which the Community could not take measures); - retroactivity (to provide for those cases where an importer would import a substantial quantity of products before duties were imposed); - the restoration of anti-dumping duties (application of the principle of "duty as a cost"); - the undertaking to accept responsibility for anti-dumping duties (new calculation of dumping margins); - the means of circumvention, conventional or not; - the suspension of anti-dumping measures; - the suspension of the customs assessment process for the registration of imports (mechanism by which imports were registered by customs up until the moment when a decision was taken concerning the suspension of measures relating to the said imports); - the Community interest (which was to be taken into account in a more structured context).

Protection against dumped imports from countries not members of the European Community, Uruguay Round

1994/0230(CNS) - 14/12/1994 - Text adopted by Parliament, 1st reading/single reading

Parliament approved the Commission's proposal, subject to the eight amendments it had introduced. These sought: - to limit the duration of the provisional duties to 15 months after undertaking the procedure; - to establish that the investigation shall be closed 15 months after it has opened, and that definitive measures shall be adopted, or in the absence of measures; - to set the time limit for closing the investigations to 18 months, unless special circumstances apply; - to limit to 15 months, after undertaking the procedure, the possible extension to the application of provisional duties; - to ensure that the workers concerned shall be consulted in order to determine whether it is in the Community interest that the measures are adopted; - to provide for the consultation of workers' representative associations in order to determine the Community interest; - to make it compulsory that requests from parties be heard when the said requests mention the particular reasons for such a hearing; - to ensure that the Commission submits each year to Parliament and to the Council a report on the measures which can be applied to protect against subsidized imports from countries which are not members of the European Union; - to set the date of entry into force of the Regulation for 1.01.1995.