

Dumping and Countervailing Duties Amendment Act Commencement Order 1994

PURSUANT to section 1(2) of the Dumping and Countervailing Duties Amendment Act 1994, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following order.

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1 Title

This order may be cited as the Dumping and Countervailing Duties Amendment Act Commencement Order 1994.

2 Commencement of Dumping and Countervailing Duties Amendment Act 1994

The Dumping and Countervailing Duties Amendment Act 1994 shall come into force on the 1st day of January 1995.

MARIE SHROFF,

Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order brings into force, on 1 January 1995, the Dumping and Countervailing Duties Amendment Act 1994. The Act and a number of other Acts that come into force on 1 January 1995 give effect to provisions of the various trade agreements that form part of the Agreement establishing the World Trade Organization. The Act implements provisions of the Uruguay Round Agreement on Subsidies, the Uruguay Round Agreement on Anti-Dumping Measures, and the Uruguay Round Agreement on Agriculture.

The principal amendments relate to the following matters:

- (a) A number of the functions formerly exercised by the Minister of Commerce will be exercised by the Secretary of Commerce:
- (b) In the case of subsidies, the principal Act is extended to apply in relation to provincial, State, municipal, local, and regional Governments, and to trading blocs and representative agencies:
- (c) New requirements are imposed in relation to applications for investigations under the principal Act, including requirements relating to the level of support for investigations:
- (d) The matters to which, under section 8 of the principal Act, regard must be had in determining material injury to an industry are changed:
- (e) Section 12 of the principal Act relating to preliminary determinations is repealed:
- (f) Anti-dumping and countervailing duties will cease to be payable 5 years after a determination of material injury or 5 years after a reassessment following a review of the imposition of such duties, whichever is later.