

# **Countervailing and Anti-Dumping Duties Regulations 1997**

## **Table of Contents**

### **Enacting Formula**

### **Part I PRELIMINARY**

#### **1 Citation and commencement**

#### **2 Definitions**

### **Part II PETITIONS**

#### **3 Contents of petition**

#### **4 Notification of receipt of petition**

### **Part III INVESTIGATION PROCEDURES**

#### **5 Scope of investigation to be determined**

#### **6 Evidence in petition**

#### **7 Furnishing of information in petition**

#### **8 Notice of initiation of investigation**

#### **9 Gathering of information and questionnaires**

#### **10 Preliminary determination**

#### **11 Notice of preliminary determination**

#### **12 Provisional measures**

#### **13 Final determination**

**14 Undertakings and suspension of investigation**

**Part IV INJURY DETERMINATIONS**

**15 Determination of injury**

**16 Causation**

**17 Threat of material injury**

**18 Material retardation**

**19 Cumulation in countervailing duty investigation**

**20 Cumulation in anti-dumping duty investigation**

**Part V SUBSIDIES AND DUMPING**

**21 Specificity and contingency of subsidy**

**22 Calculation of countervailable subsidy**

**23 Establishing the countervailing duty rate**

**24 De minimis level of countervailable subsidy**

**25 Negligible volume of subsidised or dumped imports**

**26 Relevant period for anti-dumping duty investigation**

**27 Determining normal value under section 15(2) of the Act**

**28 Selecting third country under section 15(2)(a) of the Act**

**29 Determining cost of production and constructed value under section 15 of the Act**

**30 Transactions not in ordinary course of trade**

**31 Establishing dumping margins**

**32 Adjustments to ensure fair comparison between normal value and export price**

**33 Limited examination**

**34 Rate of countervailing subsidy on goods from non-market economy country**

**35 Dumping margin for goods from non-market economy country**

## **Part VI REVIEWS**

**36 Review by Minister**

**37 Expedited review of countervailing duty for exporters not examined**

**38 Expedited review of anti-dumping duties for new exporters**

**39 Extension review**

**40 Refund review**

## **Part VII GENERAL**

**41 Information from interested parties**

**42 Information from industrial users, etc.**

**43 Verification of information**

**44 Determination on facts available**

**45 Meeting of interested parties**

**46 Disclosure of facts under consideration**

COUNTERVAILING AND ANTI-DUMPING DUTIES ACT 1996  
(ACT 33 OF 1996)

COUNTERVAILING AND ANTI-DUMPING DUTIES REGULATIONS 1997

In exercise of the powers conferred by section 46 of the Countervailing and Anti-Dumping Duties Act 1996, the Minister for Trade and Industry hereby makes the following Regulations:

PART I

PRELIMINARY

**Citation and commencement**

1. These Regulations may be cited as the Countervailing and Anti-Dumping Duties Regulations 1997 and shall come into operation on 25th April 1997.

**Definitions**

2.—(1) For the purposes of the Act and these Regulations,

“producer” means —

- (a) in relation to any manufactured goods, the producer, manufacturer or processor of the goods; and
- (b) in relation to unmanufactured raw goods, the person who obtains such goods directly by the undertaking of any agricultural, mining or fishing operation.

(2) In these Regulations,

“subsidised imports” means imports with respect to which a countervailable subsidy is provided.

PART II

PETITIONS

**Contents of petition**

3.—(1) A petition requesting that a countervailing or an anti-dumping duty

investigation be initiated shall contain the following information:

- (a) the name and address of the petitioner;
- (b) a description of the volume and value of the domestic production of the like goods by the petitioner;
- (c) the identity of the domestic industry on behalf of which the petition is submitted, including the names and addresses of the producers of the like goods in the domestic industry (or associations of domestic producers of the like goods) and a description of the volume and value of domestic production of the like goods accounted for by such producers;
- (d) a complete description of the goods that defines the requested scope of the investigation, including technical characteristics and uses of such goods and the current applicable Singapore tariff classifications;
- (e) the name of the country in which the goods are produced and, if such goods are imported from a country other than that in which they are produced, the name of the intermediate country;
- (f) the name and address of each party the petitioner knows is producing the goods for export or is exporting to Singapore and, in relation to a countervailing duty petition, is receiving a countervailable subsidy or, in relation to an anti-dumping duty petition, is selling the goods at prices below the normal value, as the case may be;
- (g) any factual information, particularly documentary evidence, relevant to the alleged countervailable subsidy or dumping, including —
  - (i) in relation to a countervailing duty petition, the authority which provided the countervailable subsidy and the manner in which the countervailable subsidy is provided and an estimate of the value of the countervailable subsidy to producers or exporters of the goods; or
  - (ii) in relation to an anti-dumping duty petition —
    - (A) information on prices at which the goods in question are sold when destined for consumption in the domestic market of the country of origin or export or, where appropriate, information on the prices at which the goods are sold from the country of origin or export to a third country, or on the constructed value of the goods;
    - (B) information on export prices to Singapore or, where