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Canada

Trade Policy Monitoring

Canada Changes Anti-Dumping and Countervailing Duty Law

2000

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Report Highlights:

Changes to Canada's trade remedy system, namely the Special Import Measures Regulations and Canadian International Trade Tribunal Rules, came into force on April 15, 2000. The changes are intended to improve the efficiency, fairness and transparency of Canada's trade remedy system and ensure that Canadian producers have an effective remedy against the injurious effects of dumped and subsidized imports.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Ottawa [CA1], CA

Changes Made to Canada's Anti-Dumping and Countervailing Duty Law

The following is taken from an April 7, 2000 Finance Canada news release. Begin text.

Canadian Finance Minister Paul Martin announced that improvements to Canada's trade remedy system will come into force on April 15, 2000. These changes are contained in Bill C-35 – *An Act to Amend the Special Import Measures Act and the Canadian International Trade Tribunal Act* – and related amendments to the Special Import Measures Regulations and Canadian International Trade Tribunal Rules.

"The changes in Bill C-35 will improve the efficiency, fairness and transparency of Canada's trade remedy system," said Minister Martin. "At the same time, they will ensure that Canadian producers continue to have an effective remedy against the injurious effects of dumped and subsidized imports."

The changes introduced in this legislation include:

- rationalizing the investigative functions of the Canada Customs and Revenue Agency (CCRA) and the Canadian International Trade Tribunal (CITT) to better reflect their respective areas of expertise;
- enhancing procedural fairness and transparency by harmonizing the way in which the CCRA and CITT treat the disclosure of confidential information;
- new penalty provisions to deter any unauthorized disclosure or misuse of confidential information provided in the context of *Special Import Measures Act* (SIMA) investigations;
- allowing expert witnesses to play a more effective role in CITT inquiries; improving the provisions that govern price undertakings, which are sometimes used as an alternative to the imposition of anti-dumping or countervailing duties;
- requiring the CITT to cumulate the injurious effects of dumping or subsidizing from more than one country;
- clarifying the public interest provisions under which the CITT can consider broader economic concerns related to the imposition of anti-dumping duties or countervailing duties; and
- technical changes to clarify existing provisions of the SIMA and the *Canadian International Trade Tribunal Act*.

The entry into force of this legislation will mark the completion of the SIMA review exercise, which began in May 1996, when Minister Martin asked the House of Commons Standing Committee on Finance and the House of Commons Standing Committee on Foreign Affairs and International Trade to jointly review the operation of the SIMA. The recommendations resulting from this review are set out in the December 1996 Report on the Special Import Measures Act. End text.

For more information, please visit consult the news release at the Department of Finance's website:
<http://www.fin.gc.ca/newse00/00-027e.html>

Or, alternatively, the Canada Customs and Revenue Agency website:

<http://www.ccra-adrc.gc.ca>

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