

Measures that the Union may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures.

Codification

2014/0164(COD) - 28/05/2014 - Legislative proposal

PURPOSE: codification of Council Regulation (EC) No 452/2003 of 6 March 2003 on measures that the Community may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: Council Regulation (EC) No 452/2003 has been substantially amended several times. It is recalled that in 1987, the Commission decided to instruct its staff that all acts should be codified after no more than ten amendments, stressing that this is a minimum requirement. The Edinburgh European Council in December 1992 confirmed the importance of codification as it offers certainty as to the law applicable to a given matter at a given time.

The European Parliament, the Council and the Commission agreed, by an interinstitutional agreement dated 20 December 1994, that an accelerated procedure may be used for the fast-track adoption of codification instruments.

CONTENT: in the interests of clarity and transparency of Union law, the purpose of this proposal is to **undertake a codification of Council Regulation (EC) No 452/2003** on measures that the Community may take in relation to the combined effect of anti-dumping or anti-subsidy measures with safeguard measures.

The new Regulation will supersede the various acts incorporated in it; it fully preserves the content of the acts being codified and hence does no more than bring them together with only such formal amendments as are required by the codification exercise itself.

The proposed Regulation establishes specific provisions to enable the Commission, where it considers it appropriate, to take action to avoid that a combination of anti-dumping or anti-subsidy measures with safeguard tariff measures on one and the same product could place an undesirably onerous burden on certain exporting producers seeking to export to the Union, which may have the effect of denying them access to the Union market.

The Commission may consider it appropriate to: (i) amend, suspend or repeal antidumping and/or anti-subsidy measures or: (ii) provide for exemptions in whole or in part from any anti-dumping or countervailing duties which would otherwise be payable, or: (iii) adopt any other special measures.

Any suspension or amendment of, or exemption from, anti-dumping or anti-subsidy measures should be granted only for a limited period of time.