

# Procedure file

| Basic information  |                                |                     |
|--|--------------------------------|---------------------|
| CNS - Consultation procedure<br>Regulation   | <a href="#">1994/0231(CNS)</a> | Procedure completed |
| Protection against subsidised imports from countries non members of the EC, Uruguay round        |                                |                     |
| Subject<br>6.20.01 Agreements and relations in the context of the World Trade Organization (WTO) |                                |                     |

| Key players                   |   |   |            |
|-------------------------------|---|---|------------|
| European Parliament           | Committee responsible                   | Rapporteur                                | Appointed  |
|                               | <b>RELA</b> External Economic Relations |   | 04/11/1994 |
|                               |   | PSE <a href="#">RANDZIO-PLATH Christa</a> |            |
|                               | Committee for opinion                   | Rapporteur for opinion                    | Appointed  |
|                               | <b>BUDG</b> Budgets                     |   | 03/11/1994 |
|                               |   | V <a href="#">MÜLLER Edith</a>            |            |
| Council of the European Union | Council configuration                   | Meeting                                   | Date       |
|                               | Health                                  | <a href="#">1823</a>                      | 22/12/1994 |

| Key events |   |                              |         |
|------------|---|------------------------------|---------|
| 05/10/1994 | Legislative proposal published                                  | COM(1994)0414                | Summary |
| 14/11/1994 | Committee referral announced in Parliament                      |                              |         |
| 12/12/1994 | Vote in committee   |                              | Summary |
| 12/12/1994 | Committee report tabled for plenary, 1st reading/single reading | <a href="#">A4-0108/1994</a> |         |
| 14/12/1994 | Debate in Parliament  |                              |         |
| 14/12/1994 | Decision by Parliament  | T4-0184/1994                 | Summary |
| 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        | 1994/0231(CNS)               |
| Procedure type             | CNS - Consultation procedure |
| Procedure subtype          | International agreement      |
| Legislative instrument     | Regulation                   |
| Legal basis                | EC before Amsterdam E 113    |
| Stage reached in procedure | Procedure completed          |

### Documentation gateway

|   |  |            |    |         |
|---|--|------------|----|---------|
| Legislative proposal  | COM(1994)0414  | 05/10/1994 | EC | Summary |
| Committee report tabled for plenary, 1st reading/single reading | <a href="#">A4-0108/1994</a><br><a href="#">OJ C 018 23.01.1995, p. 0019</a> | 12/12/1994 | EP |         |
| Text adopted by Parliament, 1st reading/single reading          | T4-0184/1994<br><a href="#">OJ C 018 23.01.1995, p. 0054-0069</a>            | 14/12/1994 | EP | Summary |

### Final act

[Regulation 1994/3284](#)  
[OJ L 349 31.12.1994, p. 0022](#) Summary

## Protection against subsidised imports from countries non members of the EC, Uruguay round

This proposal for a regulation sought to implement the new agreement on subsidies and countervailing measures, which was concluded as part of the negotiations of the Uruguay Round. The regulation transposed into Community legislation this new agreement which contained new detailed rules relating to subsidies and investigations in respect of countervailing duties. The main changes comprised clarifications and amendments to the following: - definition of a subsidy (financial contribution from the public authorities which conferred a benefit to the recipient enterprise); - the notion of a subsidy which was liable for countervailing measures (list of conditions under which these measures applied, particularly as regards agriculture - "green box"); - the amount of subsidy which was liable for countervailing measures (the calculation was made in accordance with the principle of "the benefit conferred to the recipient"); - the injury to Community industries; - the initiation of a procedure for the application of countervailing measures and the definition of the conditions under which investigations could be initiated; - the conclusion of the investigations (within 12 months); - the undertakings (institution of a definitive duty by the Community in cases of breach of the undertakings, but importers rights were preserved by a system of re-examination); - negligible volumes of imports and subsidies were to be considered de minimis if their amount was less than 1% ad valorem; - restitution of measures and re-examination; - circumvention; - sampling for countervailing duties; - lack of cooperation on the part of an exporter country and the confidential handling of investigations; - link between countervailing measures and multilateral solutions in order that only measures of one type were taken in respect of the product concerned. ?

## Protection against subsidised imports from countries non members of the EC, Uruguay round

Parliament approved the Commission's proposal subject to the seven amendments it had introduced. These modifications seek: - to reduce from 18 months to 13, as from the initiation of the investigation, the time limit for closing the procedure when the amount of the subsidy is "de minimis", or when the volume of imports is negligible; - to set the time limit for closing investigations at 13 months after the date of their initiation, apart from when special circumstances apply; - to make it clear that when determining the Community interest it is necessary to take into account the different interests at stake, including those of the workers concerned; - to provide for consultation with workers' representative associations in order to supplement the information being provided to the Commission that the measures being imposed are in accordance with Community interests; - 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 each year the Commission submits to Parliament and the Council a report on the measures which apply to the provision of protection 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. ?

## Protection against subsidised imports from countries non members of the EC, Uruguay round

Regulation (EC) No 3284/94, which was adopted by the Council of Ministers, seeks to implement the new agreement on subsidies and countervailing measures, which was concluded as part of the negotiations of the Uruguay Round. It transposes into Community legislation the agreement which contains new detailed rules relating to subsidies and investigations in respect of countervailing duties. The main changes comprise clarifications and amendments to the following: - definition of a subsidy (financial contribution from the public authorities which confers a benefit to the recipient enterprise); - the notion of a subsidy which is liable for countervailing measures (list of conditions under which these measures apply, particularly as regards agriculture - "green box"); - the amount of subsidy which is liable for countervailing measures

(the calculation is made in accordance with the principle of "the benefit conferred to the recipient"); - the injury to Community industries; - the initiation of a procedure for the application of countervailing measures and the definition of the conditions under which investigations may be initiated; - the conclusion of the investigations (within 12 months if possible, and in any case within a time limit of 13 months after the initiation of the investigation); - the undertakings (institution of a definitive duty by the Community in cases of breach of the undertakings, but importers rights are preserved by a system of re-examination); - negligible volumes of imports and subsidies are to be considered de minimis if their amount is less than 1% ad valorem; - restitution of measures and re-examination; - circumvention; - sampling for countervailing duties; - lack of cooperation on the part of an exporter country and the confidential handling of investigations; - link between countervailing measures and multilateral solutions in order that only measures of one type are taken in respect of the product concerned. The Regulation enters into force on 1.01.1995 (apart from specific derogations) and shall be applicable in all Member States. ?