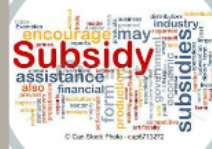




RA 8751
COUNTERVALUING DUTY
ACT OF 1999

AUGUST 7, 1999
AUGUST 31, 1999

- It amended section 302 of the TCCP.



Preventing Know-How from Walking Out the Door in China: Protection of Trade Secrets

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What articles may be covered by a countervailing action?

A. ADMINISTRATIVE REVIEW

1. SUNSET REVIEW - may be initiated by any interested party upon your own motion of the commission before the sunset date.
2. INTERIM REVIEW - conducted by the commission, inotopropra, or upon the direction of the secretary or upon petition of any interested party to determine whether:
 - a. The imposition of the countervailing duty is no longer necessary to offset subsidization, taking into consideration: the need to protect the existing domestic industry against dumping, or
 - b. The existing duty is not sufficient to counteract the subsidization which is causing injury.

At least 1 year should have elapsed since imposition of the countervailing duty before an interim review can be initiated.

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OBJECTIVES:

At the end of our report, students should be able to:

- Define the terms regarding on subsidies and countervailing measures
- Know the scope and coverage,
- The elements of countervailing
- Familiarize its legislation and procedures
- Differentiate anti-dumping from countervailing measures.

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Definitions of terms:

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[Country of export]

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Subsidy

Refers any specific assistance directly or indirectly provided by the government of the country of export or origin in respect of the product imported into the Philippine

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Actionable Subsidies

also known as “yellow” subsidies, are those falling under the definition of subsidy describe above, which are neither non actionable nor prohibited subsidies.

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non actionable subsidies

otherwise known as “green” subsidies are those which are permitted as they are of a general nature.

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Prohibited subsidies

also known as “red” subsidies. i.e.; those that are contingent on export performance, and subsidies that are contingent on the use of domestic over imported goods.

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Country of export

is the country from where the allegedly subsidized products was shipped to the Philippines, regardless of the location of the seller.