



Customs Duties (Dumping and Subsidies) Act 1969

1969 CHAPTER 16

Principal provisions as to anti-dumping duties

1 Charge of anti-dumping duties

- (1) Where it appears to the Board of Trade—
 - (a) that goods of any description are being or have been imported into the United Kingdom in circumstances in which they are under the provisions of this Act to be regarded as having been dumped ; and
 - (b) that, having regard to all the circumstances, it would be in the national interest; they may exercise in such manner as they think necessary to meet the dumping the power described in subsection (3) below, subject however to the restriction imposed by subsection (3)(b) on the exercise of the power as regards treaty countries
- (2) For the purposes of this Act imported goods shall be regarded as having been dumped—
 - (a) if the export price from the country of origin is less than the fair market price there (whether the country of exportation is the same or a different country); or
 - (b) if the export price from the country of exportation (if a different country) is less than the fair market price there
- (3) The power which the Board of Trade may exercise where this subsection applies is a power by order to impose on goods of a description specified in the order a duty of customs chargeable on the importation of the goods into the United Kingdom at a rate specified in the order; but an order made in the exercise of the power—
 - (a) shall include in the matters by reference to which the description of goods is framed either the country of origin or the country of exportation ; and
 - (b) shall not impose a duty on any goods as goods of which the country of origin, or country of exportation, is a treaty country (that is to say, a country in relation to which Her Majesty's Government in the United Kingdom is for the time being bound under the provisions of the General Agreement on Tariffs and

Status: This is the original version (as it was originally enacted).

Trade concluded at Geneva in the year 1947), unless the Board of Trade are satisfied that the case is within subsection (4) below.

- (4) For a case to be within this subsection the effect of the dumping must be such as either—
- (a) to cause or threaten material injury to an established industry in the United Kingdom, or materially retard the establishment of an industry in the United Kingdom ; or
 - (b) to cause or threaten material injury to an established industry in another treaty country which is the country of origin of any like goods (that is, any identical or comparable goods) imported into the United Kingdom.
- (5) Subject to subsection (3)(a) above, an order made in the exercise of the power described in that subsection may include such provisions with respect to the description of the goods chargeable with duty and with respect to the cases in which duty is chargeable as may appear to the Board of Trade to be required for the purposes of this Act, including provisions limiting the description of the goods by reference to the particular persons or organisations by whom the goods were produced or who were concerned with the production of the goods in some specified manner.