

Abstract

The decree is containing provisions designed to ensure implementation of the trade remedies measures act (law n°15-09 published in Official journal n° 5956 of June, 30, 2011) in line with Morocco's obligations under WTO agreements.

The decree defines the methodologies and modalities to calculate the dumping margin and the amount of subsidy and the different adjustments to introduce by the investigating authority to calculate the antidumping and the countervailing duties. It develops also the parameters and economic index that shall be assessed in order to determinate material injury or threat-of and causal link between material injury and dumped or subsidized imports.

Regarding safeguard measures, the decree lays down criteria on which the assessment of increasing imports shall be founded and the parameters that must be taken into account to determine the serious injury or the threat-of and the causal link.

With respect to investigation process, the provisions of the decree define (i) the periods of data collection, (ii) the modalities and the minimum standards that a complaint shall fulfil in order to be accepted, (iii) the information and structures of the public notices provided for in that trade remedies law, (iv) the modalities in realizing investigation including verifications, (v) the nature of facts available that can be used in cases of non-cooperation and (vi) the modalities regarding public hearing.

As for the implementation of duties, the decree provide for that the duties shall be imposed by a joint decision of the Minister of Trade, Minister of Finances and the relevant Minister responsible of the products under investigation.