



Trade Remedies in Jordan

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Outline

- *The law and the Authority*
- *The Jordanian Experience*
- *Substantive requirements for applying a safeguards investigation*
- *Investigation process*
- *The final determination*
- *Judicial review*



The Law and the Authority

- **National Production Protection Law No. 21 of 2004**
 - *Anti Dumping and Anti Subsidies Regulation No.26 of 2003*
 - *National Production Protection Regulation No.55 of 2000*

- **National Production Protection Directorate |NPPD|**
 - *Established in 2000*
 - *A directorate within the Ministry of Industry and Trade*



The Jordanian Experience

- **All cases investigated in Jordan were Safeguards:**
 - *Preferred by the Industry as it is directed against all sources of an imported product*
- **18 cases on the following products :-**
 - *Biscuits/ Cooking appliances/ Cooking ovens/ Electric accumulators/ Insecticides/ Audio Cassette/ Footwear/ Ceramic tiles (2)/ Sanitary wares/ White Cement/Clinker Cement/ Steel/A4 paper/ Aluminum/ Pasta/ Sweetened Soda drinks*
- **Seven positive determinations**
 - *Biscuits / Insecticides / Footwear / Ceramic Tiles / Sanitary Wares / Steel / Audio Cassette*



Substantive requirements to impose a safeguards measure

- **Likeness of products:** *The imported products should be similar or directly competitive to the domestic product.*
- **Increase of imports :** *Absolute and relative to domestic production.*
- **Serious injury or threat thereof:** *Assessment of production, sales, productivity, profits and losses, market share, labor, and inventory.*
- **Casual link:** *Non attribution of other injury factors other than the increase.*
- **Public interest:** *Consumer rights and the treasury.*



Investigation Procedures Under Jordanian Law

➤ Filing of the petition:

- *The safeguards petition must be filed by the domestic industry or a major proportion of the industry representing not less than 25% of the overall production.*
- *Self initiation is permitted.*
- *Must contain evidence that the domestic industry has been or threatened to be seriously injured by imports.*
- *NPPD should examine the petition and have 14 days to make its recommendation to the Minister subject to extension for an additional 14 days (28 days in total).*
- *If the recommendation is positive the Minister issues the decision to initiate the investigation.*
- *NPPD should publish the initiation announcement in two daily newspapers and should notify the WTO.*



Investigation procedures under Jordanian Law- *Cont.*

➤ Initiation of the investigation:

- *Initiation of the investigation upon the issuance of Minister's decision to initiate the investigation.*
- *Initiation date is the publication date in two daily newspaper.*
- *The possibility of applying a provisional measure not more than 200 days.*
- *Investigation process and deadlines are set in the initiation announcement, and usually it sets 28 days to request participation from all interested parties and to receive questioners, and 2 months to submit written submissions in favor or against the petition.*



Investigation procedures under Jordanian Law- *Cont.*

➤ The investigation:

- *Verification visits to domestic industry and importers premises to verify data in the petition and the questioners.*
- *Information gathering such as questioners to consumers and distributors.*
- *Public hearings: procedures are set by NPPD, cross examination is usually allowed, to be followed by a written submission within a week from hearings date.*



Investigation procedures under Jordanian Law- Cont.

➤ The final determination:

- *Recommendation to Minister to impose a final Safeguards Measure in the form of tariff increase or a quota.*
- *Minister issues a recommendation to the Tariff Council.*
- *Tariff Council issues the final decision subject to approval by the Council of Ministers.*
- *Measure duration is 4 years.*



Judicial Review

- *Decisions of the Council of Ministers may be appealed to the Administrative Court within 60 days from its issuance date.*
- *Only final decisions can be appealed*
- *Court reviews procedural violations*



THANK YOU!