



Media Release

GOVERNMENT MOVES TO STRENGTHEN LEGISLATION TO PROTECT LOCAL INDUSTRIES

21 June, 2021 The Fair Trading Unit (FTU) of the Ministry of Trade and Industry (MTI) has commenced work to modernize Anti-Dumping and Countervailing Duties Legislation for Trinidad and Tobago as part of the MTI's wider efforts to strengthen the country's legislative framework to support trade and business.

This initiative involves amendments to the Anti-Dumping and Countervailing Duties Act (the Act) and the accompanying Regulations and Subsidies Regulations as this legislation helps to safeguard local businesses and consumers from unfair foreign trade. More specifically, it prohibits the practice of 'dumping' where goods are sold to countries below market value. Dumping is harmful to domestic producers as their products are unable to compete with the artificially low prices imposed by the imported goods. Domestic producers or the local industry that are affected by the dumped products may submit a complaint to the Anti-Dumping Authority (the Permanent Secretary of MTI).

The FTU assists the Anti-dumping Authority in conducting investigations of dumping or subsidization of imports which cause or threaten to cause damage to the local industry for the products. If the complaint provides sufficient evidence of dumping; injury to the local industry; and a causal link between the dumping and injury, an investigation may be initiated by the Anti-Dumping Authority. At the conclusion of its investigation, the Unit submits its findings to the Anti-Dumping Authority, who would then make a determination based on the findings of the investigation.

The Ministry of Trade and Industry is the government entity responsible for implementing the Fair Trading Legislation and Trade Remedies Legislation including Anti-dumping and Countervailing Legislation. Current Anti-dumping and Countervailing Legislation requires updating to strengthen the investigative and enforcement powers of the Unit to allow action to be taken against errant foreign exporters engaged in dumping. Amendments are also required to allow for the effective implementation of the Act as well as to ensure that Trinidad and Tobago meets its obligations under regional and international trade agreements including the World Trade Organization's (WTO) *Agreement on the Implementation of Article VI of the General Agreement on Tariffs and Trade (1994) (the AD Agreement)* and the *Agreement on Subsidies and Countervailing Measures*.

In this regard, an international Consultant has been retained by the MTI to draft the required legislative amendments. The consultant will work with MTI's legal team and other stakeholders expected to be impacted by the legislation to:

- Review the Act, the Regulations and the Subsidies Regulations to determine gaps that prevent the effective implementation of the legislation and identify inconsistencies with the AD Agreement and the WTO Agreement on Subsidies and Countervailing Measures.
- Prepare a legislative brief containing recommend amendments to address the gaps and inconsistencies identified and justify the proposed amendments;
- Conduct stakeholder consultations;
- Prepare a draft Amendment Bill for presentation to the Cabinet

This project is one of several being implemented under the Strengthening of the Single Electronic Window for Trade and Business Facilitation Programme. Other legislation being updated under the Programme to improve the ease of doing business include the Electronic Transactions Act, Data Protection Act, Standards Act, Metrology Act and the introduction of legislation to give effect to Trinidad and Tobago's obligations under the Trade Facilitation Agreement of the World Trade Organization.

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