

**WORLD TRADE
ORGANIZATION**

G/SG/N/1/ISR/2/Suppl.1
14 January 2009

(09-0121)

Committee on Safeguards

Original: English

**NOTIFICATION OF LAWS, REGULATIONS AND ADMINISTRATIVE
PROCEDURES UNDER ARTICLE 12.6 OF THE AGREEMENT**

ISRAEL

Supplement

The following communication, dated 5 January 2009, is being circulated at the request of the Delegation of Israel.

With reference to the provisions of Article 12.6 of the Agreement on Safeguards, please find enclosed an unofficial translation of the fourth edition of Israel's *Trade Levies Law (5768-2008)*.

The Government of Israel has undertaken a review of this law in order to ensure its compliance with relevant WTO Agreements.

Israel's Trade Levies Law (Amendment No. 4), 5768-2008

1. Amendment of Law's Name

In the Trade Levies Law, 5751-1991¹ (hereinafter – The Main Law), in the name of the law, after "Trade Levies" import and "Safeguard Measures".

2. Amendment of Section 1

In Section 1 of the Main Law:

- (1) The definition "the director" will be followed by:
 - "World Trade Organization Agreement" – the Agreement Establishing the World Trade Organization, as signed in Marrakech on 15 April 1994;
 - "the Agriculture Agreement" – the Agreement on Agriculture, provided as Appendix A1 of the World Trade Organization Agreement;
 - "goods" – including raw materials and unprocessed agriculture products;

- (2) The definition "the Minister" will be replaced with:
 - "the Minister" – notwithstanding the provisions of any enactment, as specified below, as the case may be:
 - (1) For purposes of Chapter B – any Minister in his jurisdiction;
 - (2) For purposes of Chapter B2, regarding anything concerning unprocessed agriculture products – the Minister of Agriculture and Rural Development;
 - (3) For purposes of Chapter B2, regarding anything concerning goods that are not unprocessed agriculture products and for purposes of the other provisions of this law – the Minister of Industry, Trade and Labor."

3. Amendment of Section 2

In Section 2 (a) of the Main Law, paragraph (3) will be replaced with:

"(3) Safeguard of domestic production of agriculture products specified in Appendix XLII of the World Trade Organization Agreement, against injury caused or likely to be caused by competing imports, pursuant to the provisions of the chapter dealing with special safeguard measures in the Agriculture Agreement;"

4. Addition of Chapter B2

Section 3A of the Main Law will be followed by:

¹ Statute Book 5751, p. 38; 5765, p. 662.

**"Chapter B2: Safeguard Measures
Title A: Definitions**

Definitions - 3B In this Chapter –

"Safeguard Measures" – safeguard levy or import quota, as defined in Title E;

"increased imports", of goods – as defined in Section 3C(b)(1);

"similar goods", in respect of imported goods and "competent authority" of a foreign country – as defined in Section 4;

"imported goods" – goods imported to Israel in respect of which an application was submitted pursuant to the provisions of Section 3C(a);

"competing goods", in respect of imported goods – goods constituting a direct substitute for imported goods which are not similar goods;

"the Commissioner" – anyone who was appointed pursuant to Section 5, and for purposes of goods which are unprocessed agriculture products – a person of knowledge and expertise in economics and foreign trade who was appointed by the Minister of Agriculture and Rural Development;

"serious injury" – as defined in Section 3C(b)(2);

"interested party" – any of the following:

- (1) A producer, exporter or importer of imported goods as well as an organization in which such producers, exporters or importers are members;
- (2) A producer in Israel of goods which are similar to the imported goods or of goods competing with the imported goods, as well as an organization, including a corporation lawfully founded, in which such producers are members;
- (3) A competent authority in the exporting country of the imported goods;

"an involved party" – as defined in Section 3G;

"domestic industry", regarding similar goods to imported goods or s competing goods with imported goods – all producers in Israel of such similar or competing goods or part of said producers whose overall production constitutes a major proportion of the total domestic production of the similar or competing goods.

Title B: Inquiry Proceedings

Application to Carry Out an Inquiry due to Increased Imports - 3C.

(a) A domestic industry of similar goods to imported goods or of competing goods with imported goods or anyone representing it (in this Title – the Complainant), is entitled to submit to the Commissioner, a written application to carry out an inquiry, due to the fact that increased imports of goods and the conditions of import thereof caused or are likely to cause serious injury to the domestic industry (in this Chapter – application to carry out inquiry).

(b) An application to inquire shall include information and evidence as to each of the following and additional information that the Minister may determine, provided that they can be obtained with reasonable effort:

- (1) The existence of a substantial increase in the volume of imports of goods, in absolute or relative terms to production or consumption in Israel of similar goods to the imported goods or of competing goods with the imported goods (in this Chapter – increased imports);
- (2) The existence of an overall and substantial injury or likelihood of such injury (in this Chapter – serious injury) to the domestic industry of the goods similar to the imported goods or of competing goods with the imported goods;

- (3) The existence of a causal link between the increased imports and the serious injury to the domestic industry.
- (c) The application to carry out an inquiry shall be submitted with plans for facilitating adjustment of the domestic industry to the competitive conditions with the imported goods.
- (d) Should the Commissioner determine that an application to investigate does not include all the information and evidence required pursuant to subsections (b) and (c), he shall inform the complainant to that effect, in writing, and allow him to submit the missing information or evidence within 15 days from the date of receiving the notification; the Commissioner may, at the complainant's request, extend said period for an additional period not exceeding 15 days; should such information and evidence fail to be submitted to the Commissioner within the period set for that purpose by the Commissioner, the complaint will be deemed cancelled by the complainant, however, this will not prevent the complainant from submitting a new complaint in the same matter.

Initiating an Investigation - 3D.

- (a) Should an application to carry out an inquiry be submitted, the Commissioner shall initiate an inquiry regarding the application, if he finds, after examining the information and evidence included in the application, including the accuracy and reliability thereof, as well as additional information available to him, that there is adequate *prima facie* evidence to fulfill that stated in Section 3C(b).
- (b) The Commissioner's decision, pursuant to subsection (a) shall be made within 30 days from the date of submission of the application to carry out an inquiry, and if additional information and evidence have been submitted to the Commissioner pursuant to Section 3C(d) – within 20 days from the date of submission thereof.
- (c) The Commissioner may, under special circumstances, initiate an inquiry on his own initiation, notwithstanding the submission of an application to carry out an inquiry, provided that he finds that there is adequate *prima facie* evidence to fulfill that stated in Section 3C(b); the provisions of this chapter shall apply to such investigation, *mutatis mutandis*.

Notification of the Commissioner of Initiating an Investigation - 3E.

- (a) Should the Commissioner decide, pursuant to the provisions of Section 3D, not to initiate an inquiry, he shall notify the complainant to that effect, in writing, noting his reasons.
- (b) Should the Commissioner decide, pursuant to the provisions of Section 3d, to initiate an inquiry, he shall notify, in writing, within five days from the date of his decision, to the complainant and to the competent authorities in the exporting countries of the imported goods which are a party to the inquiry and also to any other interested party whose name has been indicated in the application to carry out an inquiry; the notification shall include the details indicated in subsection (c), and a copy of the complaint and of the Commissioner's decision to initiate an inquiry shall be attached thereto.
- (c) The notification as stated in subsection (b) shall include the nature of the complaint, the name of complainant, the type of imported goods, the exporting country of the imported goods and the date of opening the investigation;
- (d) The notification as stated in subsection (b) shall be published, within the time stated in the aforementioned subsection, in two daily newspapers with a large circulation in Israel and on the website of the Ministry of Industry Trade and Labor; the publication shall include an invitation to an interested party to contact the Commissioner, within seven business days from the date of publication

in said newspapers, with a request to receive, in the manner and at the time determined by the Minister, a copy of the complaint and of the Commissioner's decision to initiate an inquiry.

Response Document - 3F.

- (a) (1) An interested party shall be entitled to submit to the Commissioner its response to the complaint, in writing, within 30 days from the date on which it was presented with a copy of the complaint and of the Commissioner's decision to initiate an inquiry pursuant to the provisions of Section 3E(b) or (d), as the case may be; the response shall contain information and evidence in any matter pertaining to the investigation (in this Chapter – a Response Document) and the interested party shall send a copy thereof to the complainant.
- (2) The Minister may determine the details of information and evidence that an interested party must include in the response document.
- (b) The complainant may submit to the Commissioner its response to the response document, in writing, within 20 days from the date it was presented with the response document; the complainant shall send a copy of such response to any interested party that submitted a response document pursuant to subsection (a).
- (c) The Commissioner may, due to special reasons that shall be recorded, extend the periods stated in subsections (a) or (b) for an additional period not exceeding 21 days, and he may also shorten said periods should he be of the opinion that there exist special circumstances justifying such action.

Rights of an Interested Party and of a Competent Authority in an Exporting Country - 3G.

- (a) The Commissioner may invite any interested party submitting a response document pursuant to the provisions of Section 3F as well as the complainant (in this Chapter – an involved party) to also present its claims orally, as submitted in writing; the Commissioner may also invite a competent authority in the exporting country of the imported goods to present its claims orally, even if it has not submitted a response document thereby.
- (b) The Commissioner shall enable an involved party in the inquiry, upon its request, and also to a competent authority in the exporting country of the imported goods even if it has not submitted a response document thereby, at its request, to see any information in his possession pertaining to the inquiry, provided that it is not confidential information as defined in Section 32B as applied in Section 3I.

Preliminary Decision regarding Imposing Temporary Guarantee - 3H.

- (a) The Commissioner may, at any stage following the expiration date of submitting a response document pursuant to Section 3F(a), reach a preliminary decision according to which, due to the *prima facie* existence of increased imports, serious injury to the domestic industry and a causal link, as stated in Section 3C(b), there is a need to provide temporary guarantee to prevent an injury which is likely to be caused to the domestic industry during the inquiry, that shall be difficult to repair without the temporary guarantee.
- (b) Should the Commissioner decide in his preliminary decision that it is necessary to provide a temporary guarantee, he shall determine in his decision the rate of the guarantee required, in his opinion, to prevent the injury as stated in subsection (a) and the period of time for which it shall be

deposited, provided that it does not exceed 200 days; the Commissioner shall notify the director as to his decision as close as possible to the date of making this decision.

(c) The Commissioner shall notify his preliminary decision within five days from the date of making it to a notified party as well as to a competent authority in the exporting country of the imported goods even if has not submitted a response document.

(d) Should the Commissioner notify the director as stated in subsection (b), the director shall demand from any importer of the imported goods, a guarantee at the rate notified by the Commissioner, and he shall instruct that the release of said goods be delayed from the supervision of the Customs Authority until deposit of the guarantee.

(e) An appeal of the Commissioner's preliminary decision pursuant to the provisions of this section shall be submitted to the Administrative Law Court within 15 days from the date on which the appellant learned of the decision.

Applicability of Provisions from Chapter 3 regarding the Inquiry - 3I.

The provisions of Sections 31, 32, 32A, 32B and 32C(a) will apply, for purposes of an inquiry pursuant to this chapter, *mutatis mutandis* and with the following changes:

- (1) In Section 32(b), at the introduction, "pertaining to an import price or an export price" shall read "pertaining to increased imports";
- (2) In Section 32A(b), the words "with consultation with the chairman of the Advisory Committee" – shall not be read.

Title C: Commissioner's Findings, Conclusions and Recommendations

Conclusion of Inquiry and Submission of Findings, Conclusions and Recommendations - 3J.

(a) The Commissioner shall conclude the inquiry and shall submit to the Minister, no later than 215 days from the date of initiating the inquiry, the inquiry findings and his reasoned conclusions and recommendations (in this Chapter – the inquiry findings), and *inter alia* –

- (1) Conclusions regarding the existence of increased imports including in relation to the average amount of imported goods during the last three representative years and regarding the existence of serious injury to the domestic industry and a causal link, as stated in Section 3C(b);
- (2) Recommendations regarding –
 - (a) The necessity of taking safeguard measures, in view of the conclusions as stated in paragraph (1), for the benefit of the economy in its entirety and in order to facilitate the adjustment of the domestic industry to competitive conditions with the imported goods;
 - (b) The type of safeguard measure that shall be taken, its rate, conditions, applicability and period of validity; the Commissioner's recommendation regarding taking safeguard measure of a quota type to restrict import of goods, shall include a recommendation regarding the manner of allocation of said quota among the exporting countries of the imported goods.

(b) Upon submission of the inquiry findings pursuant to the provisions of subsection (a), the Commissioner shall submit the inquiry findings to an involved party and also to a competent authority in the exporting country of the imported goods, subject to the provisions of Section 32B as applied in Section 3I.

Determining the Existence of Serious Injury - 3K.

(a) When the Commissioner comes to determine the existence of serious injury to a domestic production industry, he shall consider, *inter alia*, the following:

- (1) The volume of increased imports and the import conditions of the imported goods;
- (2) The impact of the increased imports on the price in Israel of goods, which have been produced in Israel, which are similar goods to the imported goods or of competing goods with the imported goods; for this purpose, the Commissioner shall examine, *inter alia*, whether the price of the imported goods is significantly lower in comparison with such similar or competing goods;
- (3) The impact of the increased imports on the domestic industry; for this purpose the Commissioner shall examine all the economic factors and indexes pertaining to the domestic industry, and *inter alia*, the impact on sales, profits, output, market share, productivity and employment of the domestic industry.

(b) The Commissioner shall base his determination regarding the existence of a threat to serious injury as stated in Section 3C(b)(2) on facts, and not merely on conjecture or a remote possibility; when coming to determine the existence of threat to serious injury, the Commissioner shall consider, in addition of the considerations stated in subsection (a), *inter alia*, the following:

- (1) The rate of increase in the volume of import of the imported goods;
- (2) A possibility for an increase in the volume of increased imports due to a possible increase in the production capacity of the imported goods.

Determining the Existence of Causal Link - 3L.

The Commissioner, when coming to determine the existence of a causal link between the increased imports and the serious injury to the domestic industry, he shall examine all the evidence pertaining to the issue that are available to him; in addition, the Commissioner will examine any other known factor, other than the increased imports, which caused injury to the domestic industry at that time.

Title D: Taking Safeguard Measures

Minister's Decision to Take Safeguard Measures - 3M.

(a) Should the Commissioner submit the inquiry findings to the Minister pursuant to Section 3J, and according to his conclusions, there exist increased imports, serious injury to the domestic industry and a causal link, as stated in Section 3C(b), the Minister shall submit the inquiry findings to the Finance Minister and shall decide, within 40 days from the date he was presented therewith, whether to take, by order, safeguard measures pursuant to the provisions of Title E (in this Chapter – order imposing safeguard measures), or not to take such measures, taking into consideration, *inter alia*, arguments relating to the economy as a whole, and for purposes of this matter, the Minister is entitled to take into consideration Israel's trade relations with foreign countries.

(b) Should the Minister decide, pursuant to subsection (a) to impose a safeguard levy pursuant to the provisions of Section 3P, he shall forward his decision to the approval of the Finance Minister; should the Finance Minister approve the Minister's decision, or should he fail to notify the Minister as to the refusal to approve it within 15 days from the date of forwarding the notification thereto, the Minister shall impose, within five days, a safeguard levy.

(c) A notification as to the Minister's decision pursuant to subsection (a) shall be submitted to a involved party and to a competent authority in the exporting country, within five days from the date of making the decision not to issue an order imposing safeguard measures, or from the date of issuing the order, as the case may be.

Repeated Safeguard Measures - 3N.

(a) Notwithstanding the provisions of Section 3M, the Minister shall not decide to take safeguard measures as stated in the foregoing section for purposes of imported goods in respect of which a previous order was issued which imposes safeguard measures, unless a period equal to half the validity period or a period of two years has elapsed from the expiration date of the previous order, the latest of the two.

(b) Notwithstanding the provisions of subsection (a), the Minister may take repeated safeguard measures for a period not exceeding 180 days notwithstanding the expiration of the period set in the foregoing subsection, provided that all the following are met:

- (1) At least one year has elapsed from the date of expiration of the previous order;
- (2) No safeguard measures have been taken in respect of imported goods more than twice in the five years preceding the date of the decision to take repeated safeguard measures.

Title E: Type of Safeguard Measures, Applicability, Rate and Validity

Type of Safeguard Measures and Applicability - 3O.

(a) The following are the safeguard measures that the Minister is entitled to take by order imposing a safeguard levy:

- (1) A safeguard levy pursuant to Section 3P;
- (2) A quota for limiting the import of goods pursuant to Section 3Q (in this Chapter – import quota).

(b) The safeguard measures shall be at the rates required to prevent the serious injury to the domestic industry and to enable the domestic industry to adjust to the competitive conditions with the imported goods.

(c) The safeguard measure shall apply to a certain type of imported goods in respect of which there have been increased imports as determined by order imposing safeguard measures, to certain imported goods in respect of which there have been increased imports or to imported goods from a certain country in respect of which there have been increased imports.

Safeguard Levy - Rate and Goods for which it shall be Paid - 3P.

- (a) A safeguard levy shall be at a rate of the imported goods' value, at a fixed amount or according to a different calculation, and for a period of time not exceeding the period set in Section 3Q, as the Minister determined by order imposing safeguard measures.
- (b) An order imposing safeguard measures as stated in subsection (a) (in this Chapter – Order Imposing Safeguard) shall apply to the goods specified therein which shall be released from the supervision of the customs authority from the date of the commencement of the order and during the validity period thereof.
- (c) Notwithstanding the provisions of subsection (b), should there be deposited a temporary guarantee on the date of commencement of the order, pursuant to Section 3H, the order shall also apply to goods released from the supervision of the customs authority prior to the date of commencement of the order but following the deposit of the guarantee.

Import Quota - Rate and Manner of Distribution - 3Q.

- (a) The import quota shall be at a rate determined by the Minister by order imposing safeguard measures, in consultation with the Finance Minister, and such that shall not be less than the average quantity of imported goods during the last three representative years preceding the date of imposing the quota, as determined in the inquiry findings as stated in Section 3J(a) (in this section – representative previous period); however, the Minister may determine by order an import quota at a rate lower than such average quantity, if it is required in view of the inquiry findings.
- (b) The order imposing safeguard measures as stated in subsection (a) (in this Chapter – order imposing import quota) shall specify the manner of allocation of the import quota among the exporting countries of the imported goods; such manner of allocation shall be made after an attempt has been made to reach an agreement concerning the manner of allocation with such countries that have a substantial share in the volume of imports of the imported goods; however, should such attempt to reach an agreement is not practical, the quota shall be allocated among the exporting countries of the imported goods, relative to their share in such volume of imports of the imported goods during a previous representative period and taking into consideration factors that affect or might affect the import of same goods.
- (c) The Minister may determine by order imposing an import quota, the manner of allocation of import quotas among the exporting countries of the imported goods not pursuant to subsection (b) if he deems fit that it is appropriate to do so due to the existence of an exceptional increase, in a previous representative period, in the volume of imports of the imported goods from a particular exporting country relative to the increase in the volume of imports of the imported goods from other exporting countries, pursuant to the investigation findings as stated in Section 3J(a), provided that such distribution is made in an equitable manner under the circumstances towards the exporting countries of the imported goods.

Validity Period of an Order Imposing Safeguard Measures - 3R.

An order imposing safeguard measures as stated in Section 3M shall be valid for a period of four years from the date of commencement thereof, unless the order specifies a shorter period or the period has been shortened or extended pursuant to the provisions of Title F; in the calculation of such four-year period, the period during which a temporary guarantee has been deposited pursuant to the provisions of Section 3H(b) shall be included.

Progressive Liberalization in the Safeguard Measures Imposed for a Period Exceeding One Year - 3S.

Should a validity period exceeding one year be determined in the order imposing safeguard measures, the order shall specify liberalization in the safeguard measure imposed therein, which shall be gradually applicable during the validity period thereof.

Forfeiture of Temporary Guarantee - 3T.

The provisions of Section 32W shall apply, *mutatis mutandis*, to the matter of temporary guarantee deposited in respect of goods regarding which an order imposing a safeguard levy is applicable as stated in Section 3M(b).

Title F: Re-Examination and Validity Extension

Re-Examination - 3U.

Should a validity period exceeding three years be set by order imposing safeguard measures, the Commissioner shall re-examine, during the validity period of the order and no later than the date on which half of said period has elapsed, whether it is appropriate to maintain the order, cancel it or liberalize the safeguard measure imposed therein by increasing the pace of the gradual liberalization set therein, pursuant to the provisions of Section 3S, taking into account the following considerations:

- (1) The impact of the safeguard measure on the domestic industry; for that purpose the Commissioner may examine, *inter alia*, the factors and indexes as stated in Section 3K(a)(3);
- (2) The progress made in the implementation of the adjustment plan attached to the application to investigate pursuant to Section 3C(c).

Application to Extend an order - 3V.

(a) Anyone entitled to submit an application pursuant to the provisions of Section 3C(a) is entitled to submit to the Commissioner a reasoned application, in writing, to extend an order imposing safeguard measure due to the fact that the expiration of the order might lead to the continuation or recurrence of increased imports and to serious injury to the domestic industry.

(b) An application to extend such order as stated in subsection (a) shall be submitted to the Commissioner at least six months prior to the expiration of the order, and regarding an order whose validity period does not exceed two years – at least three months prior to the date of expiration thereof; the complaint shall submit information regarding the progress in the implementation of the adjustment plan attached to the application to carry out an inquiry pursuant to Section 3C(c).

(c) Should a complaint be submitted to the Commissioner pursuant to this section, the order imposing the safeguard measure shall be valid until the Minister makes a decision pursuant to the provisions of Section 3X.

The Commissioner's Handling of an Application to Extend an Order - 3W.

(a) Should a request be submitted to extend the validity of an order imposing a safeguard measure pursuant to Section 3V, the Commissioner shall decide, within 21 days from the date of submission of the request, whether there is *prima facie base* for the request.

(b) Should the Commissioner decide pursuant to the provisions of subsection (a) that the request does not have *prima facie* base, he shall notify the complainant to that effect, in writing, noting his reasons.

(c) Should the Commissioner decide, pursuant to the provisions of subsection (a) that the complaint has *prima facie* base, the following provisions shall be applicable:

- (1) The Commissioner shall inform to that effect, in writing, within five days from the date of his decision, the applicant, an involved party, any interested party indicated in the request and a competent authority in the exporting country of the imported goods, and a copy of the request and of the Commissioner's decision shall be attached to the notification; the Commissioner may publish a notification as stated in Section 3E(d) which includes an invitation to an interested party not indicated in the request to contact the Commissioner, within seven business days from such date of publication in the newspapers, requesting to receive, in the manner and at the time determined by the Minister, a copy of the request and of the Commissioner's decision;
- (2) Anyone receiving, pursuant to the provisions of paragraph (1), a copy of the request and of the Commissioner's decision, may submit his repose, in writing, to the request, within 30 days from the date he was presented with such copy;
- (3) The Commissioner shall examine the request and submit the inquiry's findings to the Minister within 155 days from the date of his decision as stated in this subsection.

Minister's Decision on the Application to Extend an Order - 3X.

(a) The Minister shall decide within 15 days from the date he was presented with the inquiry findings pursuant to Section 3W(c)(3), taking into account the considerations stated in Section 3M(a), whether to maintain the order imposing a safeguard measure, cancel it or extend the validity thereof by an additional period, provided that the total of the entire validity period of the order does not exceed eight years; should the Minister decide to extend the validity of the order, the provisions of Sections 3R and 3S shall apply to the matter of the extension period.

(b) A notification as to the Minister's decision pursuant to subsection (a) shall be submitted, within five days from the date of making it, to a competent authority in the exporting country of the imported goods, to the applicant and to a notified party, together with the inquiry findings.

Applicability of Provisions - 3Y.

The authorities granted to the Commissioner pursuant to this chapter, including in the matter of imposing temporary guarantee, shall be granted to him also in respect of a re-examination procedure and in respect of handling applications to extend an order pursuant to this Title.

Title G: Miscellaneous Provisions

Applicability of Miscellaneous Provisions from Chapter C - 3Z.

The provisions of Sections 32HH, 32II, 32JJ and 32KK shall apply, *mutates mutandis*, to the matter of the Commissioner's authorities, proceedings and notifications pursuant to this chapter.

Validity of Laws - 3AA.

The provisions of this chapter shall apply in addition of that is stated in every law."

5. Amendment of Section 4

In Section 4 of the Main Law, the definitions "World Trade Organization Agreement", "the Agriculture Agreement" and "goods" shall be deleted.

6. Amendment of Section 44

In Section 44 of the Main Law, "rates of fees he paid" will be followed by "anyone submitting an application pursuant to the provisions of Titles B or F of Chapter B2".

7. Amendment of Section 45

In Section 45 of the Main law, "safeguard levy" will be followed by "protection levy".

8. Amendment of Section 52

In Section 52(a) of the Main Law, in paragraph 2, "questionnaire or calculation pursuant to Section 32" will be replaced by "a reply to the questionnaire pursuant to Section 32 or pursuant to said section as applied in Section 3I".

9. Amendment of Section 63

In Section 63(c) of the Main Law, "Chapter C" shall be replaced with "Chapters B2 and C" and at the end shall read "should in such treaties special provisions be set regarding safeguard measures applying to imports of goods from a particular country, the Minister may determine in regulations for the execution of the provisions of Chapter B2, that the provisions of same chapter shall apply to the import of goods from that same country, with the changes deriving from the provisions of that treaty".

10. Commencement and Transition Provision

(a) The commencement of this law is 30 days from the date of publication thereof (in this section – commencement date).

(b) The provisions of Section 2(a)(3) of the Main Law as worded on the commencement date shall continue to apply to proceedings that have begun pursuant to the same section prior to the commencement date.
