



Global Trade News Alert Belgium

EU adopts tougher rules for trade defence legislation

In the midst of growing challenges to global trade, and following the endorsement of the European Parliament, new rules will come into effect in the first half of June 2018 (after their publication in the Official Journal) to strengthen the EU's anti-dumping and anti-subsidy legislation.

The new rules respond to a need, expressed by many stakeholders, to modernise the EU's legislation to impose anti-dumping and anti-subsidy duties. Tougher tools will allow the European Commission to impose higher tariffs and in a quicker manner.

The most significant changes to current legislation are:

- Shorter investigations, with a maximum duration of 14 months instead of 15 months;
- Provisional duties could be imposed seven months after initiation, instead of nine months;
- Higher duties made possible due to the partial removal of the 'lesser duty rule' in certain cases;
- Increased transparency and predictability, with pre-disclosure requirements for interested parties;
- Better access for SMEs and trade unions.

The EU's departure from the 'lesser duty rule' will allow it to impose higher duties when the prices of raw materials are distorted. According to the European Commission's estimations, this would be the case in approximately half of its anti-dumping decisions.

The EU's reform complements the recently published amendments to anti-dumping methodology with regard to countries affected by significant market distortions, such as China (see [New EU Anti-Dumping Rules in force: Implications for China](#)).

Deloitte's Global Trade Advisory specialists have hands-on experience and are part of a global network of professionals who can anticipate changes in the global trade landscape, and provide clients with expertise in strategic and technical aspects of trade defence matters.

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