

Article 6
Evidence
[Right to Present Evidence]

International Antidumping Code:

6 (a) The foreign suppliers and all other interested parties shall be given ample opportunity to present in writing all evidence that they consider useful in respect to the antidumping investigation in question. They shall also have the right, on justification, to present evidence orally.

U.S. Treasury Regulations:

Section 14.8 (a) gives interested persons an opportunity to make written submissions regarding Tentative Determinations. The Secretary of the Treasury retains the discretion (1) if an opportunity for oral presentation will be accorded, and (2) to whom it will be accorded.

S. 1726 (90th Congress):

The Bill provides that both importers and domestic industries shall receive a fair hearing in any antidumping proceeding, and shall have at any oral hearing the right to counsel, to present evidence, to confront interested parties, and to conduct whatever cross-examination may be required for a full and fair disclosure of pertinent facts. Section: 6 [212(d) and (h)].

General Comment on Article 6:

While Code Standards regarding treatment of evidence are similar to current Treasury Regulations in many respects and can be conformed with by Treasury and Tariff Commission administrative regulations, they should be compared with the provisions of S. 1726 because of a number of significant differences based on the practical experiences of industry in antidumping cases are reflected therein.