

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLES 18.5 AND 32.6 OF THE AGREEMENTS**

TURKEY

Supplement

The following communication, dated 6 May 2002, has been received from the Permanent Mission of Turkey.

**REGULATION CONCERNING ADDENDUM OF ARTICLE TO
REGULATION ON THE PREVENTION OF UNFAIR COMPETITION
IN IMPORTS**

(Official Gazette No.24743, dated 2/5/2002)

ARTICLE 1- The following Article is added to Regulation on the Prevention of Unfair Competition in Imports published in the Official Gazette no.23861, dated 30/10/1999.

"Addendum 1- In dumping investigations with regard to imports from non-market economy countries, where if the producer(s) subject to the investigation in the country concerned demonstrate(s) in accordance with the criteria set out below on the basis of sufficient evidence that market economy conditions prevail, in respect of the manufacture and sale of the product under investigation, for these producer(s) Article 5 of Regulation will apply in the determination of normal value.

(a) if the firm is making its decisions regarding prices, costs and inputs including raw materials, cost of technology and labor, output, sales and investment in response to market signals reflecting supply and demand, and without significant State interference in this regard, and costs of major inputs substantially reflect market values,

(b) if the firm has accounting system on which financial statements and basic accounting records rest, which is independently audited in line with international accounting standards,

(c) if the production costs and financial situation of the firm are not subject to significant distortions sourcing from the non-market economy system, in particular in relation to depreciation of fixed assets, other write-offs, barter trade and payment via compensation of debts,

(d) if the firm is subject to bankruptcy and property laws which guarantee legal certainty and stability for its operations, and

(e) if exchange rate conversions are carried out at the market rate.

this producer will be accepted to operate under market economy conditions.”

Entry Into Force

ARTICLE 2- This Regulation shall enter into force on the date of its publication.

Implementation

ARTICLE 3- The provisions of this Regulation shall be implemented by the State Minister whom the Undersecretariat for Foreign Trade is attached to.
