

[AS PASSED BY THE SENATE]

A

BILL

to amend the Anti-Dumping Duties Ordinance, 2000

WHEREAS it is expedient to amend the Anti-Dumping Duties Ordinance, 2000 (LXV of 2000), for the purposes hereinafter appearing;

It is hereby enacted as follows:-

1. Short title and commencement.- (1) This Act may be called the Anti-Dumping Duties (Amendment) Act, 2009.

(2) It shall come into force at once.

2. Amendment of section 64, Ordinance LXV of 2000,- In the Anti-Dumping Duties Ordinance, 2000 (LXV of 2000), in section 64,-

(a) for sub-section (1), the following shall be substituted, namely:-

"(1) The Federal Government may, by notification in the official Gazette,-

(a) **establish an Appellate Tribunal consisting of three persons, one of such persons being a retired judge of the Supreme Court of Pakistan, who shall also be its Chairman and two persons of known integrity having experience and expertise in the fields of economics, international trade related issues and matters related to customs law and practice; or**

(b) designate an existing Tribunal to be the Appellate Tribunal for the purposes of this Ordinance.

Explanation.- For the purpose of sub-section (1), the expression "existing Tribunal" means any Tribunal established by the Federal Government under any law for the time being in force."; and

(b) sub-section (3) shall be omitted.

STATEMENT OF OBJECTS AND REASONS

An amendment to Section 64 seeks to empower an existing tribunal to entertain appeals against the decisions of the NTC. The Anti-dumping Duties Ordinance, 2000, decrees the creation of an Appellate Tribunal to hear appeals against the decisions of the NTC. According to the Ordinance, such a tribunal is to be headed by a retired judge of the Supreme Court assisted by two members. Given the high costs involved in establishing and maintaining such a tribunal, an amendment to Section 64 is being sought to empower an existing tribunal to entertain appeals against the decisions of the NTC if need arises. This amendment will give the Federal Government the policy space to either empower an existing tribunal to hear appeals against the NTC or appoint a serving or retired, or is qualified to be, a judge of Supreme Court as the head of the Tribunal who may be assisted by two experts as and when an appeal is filed.

2. The Bill seeks to achieve the aforesaid objectives.

Ch. Ahmed Mukhtar
Minister-in charge