



**Republika e Kosovës**  
**Republika Kosovo-Republic of Kosovo**  
*Kuvendi - Skupština - Assembly*

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**Law No. 03/L-097**

**ON ANTI-DUMPING AND COUNTERVAILING MEASURES**

**Assembly of Republic of Kosovo,**

Based on Article 65 (1) of Chapter IV of the Constitution of the Republic of Kosovo, and

For the purpose of establishing the legal basis for the imposition of anti-dumping measures against dumped imports and countervailing measures against subsidized imports in a manner that complies with the rules and requirements of the European Union and the World Trade Organization,

Hereby adopts:

**LAW ON ANTI-DUMPING AND COUNTERVAILING MEASURES**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**The Purpose, Scope, Application**

1. This law establishes the legal basis for the imposition of anti-dumping measures on or with respect to an imported good that has been exported to the customs territory of Kosovo at a price that is below its normal value if the importation of such good into the customs territory of the Republic of Kosovo is causing material injury to the concerned Kosovo Industry.

2. This law also establishes the legal basis for the imposition of countervailing duties on an imported good that is benefiting from one or more specific subsidies granted, directly or indirectly, by a foreign government or public authority for the manufacture, production, export or transport of such good if the importation of such good into the customs territory of the Republic of Kosovo is causing material injury to the concerned Kosovo Industry.

3. Any such measure or duty shall only be imposed after the conduct of a procedure that complies with the procedural requirements established by or pursuant to this law. The terms of any such measure or duty shall comply with the applicable substantive requirements established by or pursuant to this law.

4. This law shall in all cases and all times be interpreted and applied, and all investigations and procedures shall be conducted, in a manner that is consistent with the rules and requirements, including the procedural requirements, of Council Regulation (EC) No. 384/96 of the European Union and Council Regulation (EC) No 2026/97 of the European Union, including any existing or future amendments to those regulations; provided, however, that references in those regulations to “Community”, “Community Industry”, or “Commission” shall, for the purposes of this law, be respectively interpreted to mean “Kosovo”, “Kosovo Industry”, and “Evaluation Commission”; references to “Council”, “a Member State” or “Member States” shall all be interpreted to mean the Government of Kosovo; and references to the “Official Journal of the European Communities” shall be interpreted to mean the Official Gazette of the Republic of Kosovo; all references to the “Advisory Committee” shall be disregarded.

5. The requirements established by the Antidumping Agreement and the Agreement on Subsidies and Countervailing Measures of the World Trade Organization shall also be taken into account when interpreting and applying this law.

## **Article 2** **Definitions**

1. For the purpose of interpreting and applying the present law, the following defined terms shall- whenever used in the present law - have the indicated meaning unless the context within which such term appears clearly intends another meaning:

1.1. **EU Anti-Dumping Regulation** – Council Regulation (EC) No. 384/96 of 22 December 1995, as amended.

1.2. **EU Anti-Subsidy Regulation** – Council Regulation (EC) No. 2026/97 of 6 October 1997, as amended.

1.3. **Dumped Good** – a good that is exported to Kosovo at a price that is less than its Normal Value.

1.4. **Subsidized Good** – a good the manufacture, production, export or transport of which has benefited from a Specific Subsidy granted, directly or indirectly, by a foreign government or public authority.

1.5. **Anti-dumping measure**- a measure that is imposed on a Dumped Good to compensate for the difference between the price at which such Dumped Good is exported to Kosovo and its Normal Value.

1.6. **Countervailing Duty** - a duty imposed for the purpose of offsetting any specific subsidy benefiting a Subsidized Good that is imported into Kosovo.

1.7. **Injury** – shall have the meaning established in Article 3 of the EU Anti-Dumping Regulation with respect to a Dumped Good and in Article 8 of the EU Anti-Subsidy Regulation with respect to a Subsidized Good.

1.8. **Export Price** – shall have the meaning established in Article 2(B) of the EU Anti-Dumping Regulation.

1.9. **Investigation** – an investigation conducted by the Ministry pursuant to this law to determine the presence, level and effect of dumped or subsidized imports;

1.10. **Kosovo Industry** – all Kosovo producers of Like Goods, or those Kosovo producers that collectively have an output of Like Goods that constitutes more than fifty percent (50%) of the total output of Like Goods in Kosovo; provided, however, that a Kosovo producer of Like Goods who is related to an exporter or importer of, or is itself an importer of, the imported good that is allegedly being dumped or subsidized shall not be considered as a member of the Kosovo Industry for the purposes of this definition. Article 4(2) of the EU Anti-Dumping Regulation shall be applied when determining whether a Kosovo producer is “related” to an exporter or importer of the good that is allegedly being dumped or subsidized.

1.11. **Evaluation Commission** – the Evaluation Commission for Special Import Measures established by Article 16 of this law.

1.12. **Dumping Margin** - the percentage by which the Normal Price of a Dumped Good exceeds its Export Price, as determined in accordance with Article 2(D) of the EU Anti-Dumping Regulation.

1.13. **Ministry**- the Ministry of Trade and Industry.

1.14. **Interested Parties** – exporters, importers and foreign producers of the Good Under Investigation; any business or trade associations if a majority of its members are producers, exporters or importers of the Good Under Investigation; the exporting country’s government; Kosovo producers of Like Goods; any business or trade association if a majority of its members produce a Like Good in Kosovo.

1.15. **Like Good** – a good that is identical – alike in all respects – to the imported good that is allegedly being dumped or subsidized, or - in the absence of such a good – another good that – although not alike in all respects – has characteristics that closely resemble the imported good that is allegedly being dumped or subsidized.

1.16. **Good Under Investigation** - an imported good that is subject to an investigation that has been commenced under the authority of this law.

1.17. **Subsidy** – has the meaning established in Article 2 of the EU Anti-Subsidy Regulation.

1.18. **Specific Subsidy**- shall have the meaning established in Article 3 of the EU Anti-Subsidy Regulation.

1.19. **Country** - any state or Customs Area, whether a member or not of the WTO.

1.20. **Normal Value** - the value of the imported good determined in accordance with Article 2.A of the EU Anti-Dumping Regulation.

1.21. **WTO** - the World Trade Organization.

## **CHAPTER II DUMPED IMPORTS**

### **Article 3 Anti dumping measures**

Anti-dumping measures may be imposed by the Government on any good that has been determined by the Evaluation Commission to be a Dumped Good if the Evaluation Commission has also determined, in accordance with Article 3 of the EU Anti-Dumping Regulation, that its importation into the customs territory of the Republic of Kosovo causes or threatens to cause injury to the concerned Kosovo Industry.

### **Article 4 Dumped Goods**

An imported good shall be considered a Dumped Good if, after the conduct of an investigation in accordance with the requirements of this law, it is determined that such good is being exported to Kosovo at a price that is less than its Normal Value.

**Article 5**  
**Normal Value**

The Evaluation Commission shall determine the Normal Value of the imported good that is allegedly being dumped in accordance with Article 2(A) of the EU Anti-Dumping Regulation.

**Article 6**  
**Export Price**

The Evaluation Commission shall determine the Export Price of the imported good that is allegedly being dumped in accordance with Article 2(B) of the EU Anti-Dumping Regulation.

**Article 7**  
**Comparing the normal value with export price**

The Evaluation Commission shall make a fair comparison between the Export Price and the Normal Value of the imported good that is allegedly being dumped in accordance with Article 2.(C) of the EU Anti-Dumping Regulation.

**Article 8**  
**Dumping Margin**

1. The Evaluation Commission shall determine the Dumping Margin, if any, in accordance with Article 2(D) of the EU Anti-Dumping Regulation.

**CHAPTER III**  
**SUBSIDIZED IMPORTS**

**Article 9**  
**General Principle**

A countervailing duty may be imposed by the Government for the purpose of offsetting any Specific Subsidy if the Evaluation Commission has determined that such Specific Subsidy has been granted, directly or indirectly, by a foreign government for the manufacture, production, export or transport of any imported good, and the Evaluation Commission has also determined, in accordance with Article 8 of the EU Anti-Subsidy Regulation, that the importation of that good into the customs territory of Kosovo is causing material injury to the concerned Kosovo Industry.

**Article 10**  
**Determining subsidy**

A Subsidy shall be deemed to exist if, after the conduct of an investigation complying with the requirements of this law, it is determined that the Subsidy meets the definition specified in Article 2 of the EU Anti-Subsidy Regulation.

**Article 11**  
**Subsidies Subject to Countervailing Duties**

1. Only Specific Subsidies are subject to countervailing duties. Article 3 of the EU Anti-Subsidy Regulation shall govern the determination as to whether a Subsidy is a Specific Subsidy.
2. Notwithstanding the foregoing, any subsidy exempted by Article 4 of the EU Anti-Subsidy Regulation shall not be subject to countervailing duties.
3. Any determination concluding that a Subsidy is a Specific Subsidy that is subject to countervailing duties shall be clearly substantiated on the basis of positive evidence.

**Article 12**  
**Calculation of the amount of the countervailable subsidy**

The amount of countervailable subsidies, for the purposes of this law, shall be calculated in terms of the benefit conferred on the recipient which is found to exist during the investigation period for subsidization. Normally this period shall be the most recent accounting year of the beneficiary, but may be any other period of at least six months prior to the initiation of the investigation for which reliable financial and other relevant data are available.

**Article 13**  
**Calculation of the benefit of the subsidy to the recipient**

1. To calculate the benefit of the Subsidy to the recipient, the following rules shall apply:
  - 1.1. the provision by a government of equity capital shall not be considered to confer a benefit, unless the investment can be regarded as inconsistent with the usual investment practice (including for the provision of risk capital) of private investors in the territory of the country of origin and/or export;
  - 1.2. a loan by a government shall not be considered to confer a benefit, unless there is a difference between the amount that the firm receiving the loan pays on the government loan and the amount that the firm would pay for a comparable commercial loan which the firm could actually obtain on the market. In that event the benefit shall be the difference between these two amounts;

1.3 . a loan guarantee by a government shall not be considered to confer a benefit, unless there is a difference between the amount that the firm receiving the guarantee pays on a loan guaranteed by the government and the amount that the firm would pay for a comparable commercial loan in the absence of the government guarantee. In this case the benefit shall be the difference between these two amounts, adjusted for any differences in fees;

1.4. the provision of goods or services or purchase of goods or services by a government shall not be considered to confer a benefit, unless the provision is made for less than adequate remuneration or the purchase is made for more than adequate remuneration. The adequacy of remuneration shall be determined in relation to prevailing market conditions for the product or service in question in the country of provision or purchase (including price, quality, availability, marketability, transportation and other conditions of purchase or sale).

#### **Article 14**

##### **General principles on the calculation of the amount of countervailable subsidies**

1. The amount of countervailable subsidies shall be determined per unit of the subsidized product that is exported to the customs territory of the Republic of Kosovo. In establishing this amount, a deduction may be made from the total subsidy for the following items:

1.1. any application fee, or other costs necessarily incurred in order to qualify for, or to obtain, the subsidy;

1.2. export taxes, duties or other charges that are levied by a government on the export of the good that are specifically intended to offset the subsidy;

2. If an interested party claims such a deduction, it must prove that the claim is justified.

3. Where the subsidy is not granted by reference to the quantities manufactured, produced, exported or transported, the amount of the countervailable subsidy shall be determined by allocating the value of the total subsidy, as appropriate, over the level of production, sales or exports of the products concerned during the investigation period for subsidization.

4. Where the subsidy can be linked to the acquisition or future acquisition of fixed assets, the amount of the countervailable subsidy shall be calculated by spreading the subsidy across a period which reflects the normal depreciation of such assets in the industry concerned. The amount so calculated which is attributable to the investigation period, including that which derives from fixed assets acquired before this period, shall be allocated in accordance with Article 3. Where the assets are non-depreciating, the subsidy shall be valued as an interest-free loan, and be treated in accordance with subparagraph 1.2 of Article 13 of this law.

5. Where a subsidy cannot be linked to the acquisition of fixed assets, the amount of the benefit received during the investigation period shall in principle be attributed to this period, and

allocated as described in paragraph 3, unless special circumstances arise justifying attribution over a different period.

## **CHAPTER IV DETERMINATION OF INJURY**

### **Article 15 Determination of injury to the concerned Kosovo Industry**

Determination of injury to the concerned Kosovo Industry shall: in the case of alleged dumping, be determined by the Evaluation Commission in accordance with the rules established by the Article 3 of the EU Anti-Dumping Regulation; and, in the case of alleged subsidization, be determined by the Evaluation Commission in accordance with the rules established by Article 8 of the EU Anti-Subsidy Regulation.

## **CHAPTER V INVESTIGATION AUTHORITIES**

### **Article 16 Evaluation Commission for Special Import Measures**

1. There shall be established an Evaluation Commission for Special Import Measures (“Evaluation Commission”) that shall be responsible for conducting all investigations, and making all determinations under this law.
2. The Evaluation Commission shall consist of one duly qualified representative from each of the following public authorities:
  - 2.1. Ministry of Trade and Industry;
  - 2.2. Ministry of Economy and Finance;
  - 2.3. Ministry of Agriculture, Forestry and Rural Development;
  - 2.4. Ministry of Energy and Mining;
  - 2.5. Ministry of Foreign Affairs; and
  - 2.6. Kosovo Customs Service.



3. The Ministry of Trade and Industry shall be responsible for chairing the Evaluation Commission and providing an administrative secretariat to support the work of the Evaluation Commission.

4. The Evaluation Commission shall have the authority to adopt and promulgate secondary legislation under this law; provided that all such secondary legislation shall be consistent with the purposes and requirements of this law. The Evaluation Committee may also adopt rules governing its internal operations.

5. The Evaluation Commission may engage, in accordance with the Law on Public Procurement, such outside experts as may be needed by the Evaluation Commission to assist it with the conduct of an investigation and/or the reaching of a determination governed by this law.

## **CHAPTER VI INVESTIGATION**

### **Article 17**

#### **Initiation and conduct of an investigation**

1. The initiation and conduct of an investigation into alleged dumping shall be done in accordance with Articles 5 and 6 of the EU Anti-Dumping Regulation.

2. The initiation and conduct of an investigation into alleged subsidization shall be done in accordance with Articles 10 and 11 of the EU Anti-Subsidy Regulation.

### **Article 18**

#### **Public dossier**

1. The Evaluation Commission shall, for any investigation or review, create and maintain at the secretariat in the Ministry a publicly available dossier on such investigation or review that shall contain all documents and materials, with the exception of any documents or materials containing information that is required to be maintained as confidential by Article 19 of the EU Anti-Dumping Regulation or Article 29 of the EU Anti-Subsidy Regulation. Such dossier shall be supplemented from time-to- time by:

1.1. any public report concerning the investigation or review;

1.2. materials, including questionnaires, answers to questionnaires and written notes presented to the Evaluation Commission;

1.3. information prepared or obtained by the Commission, including any report on a verification that has been conducted;

- 1.4. all other documents relating to the review or investigation.
2. This dossier will be made available to interested parties at any stage in the course of, or after the conclusion of, an investigation or review.

**Article 19**  
**Temporary Measures**

1. The Government may impose temporary measures during the conduct of an investigation into alleged dumping, but only when such action is recommended by the Evaluation Commission and such action complies with the requirements of Article 7 of the EU Anti-Dumping Regulation.
2. The Government may impose temporary measures during the conduct of an investigation into alleged subsidization, but only when such action is recommended by the Evaluation Commission and such action complies with the requirements of Article 12 of the EU Anti-Subsidy Regulation.

**CHAPTER VII**  
**TERMINATING AN INVESTIGATION**

**Article 20**  
**Agreements Terminating an Anti-Dumping Investigation**

1. The Evaluation Commission may terminate a dumping investigation with respect to the goods of a specific exporter, without the imposition of temporary or definitive duties on such goods, if the Evaluation Commission receives a satisfactory voluntary agreement from such exporter to revise its prices or to cease exports to Kosovo at dumped prices, if the Evaluation Commission is satisfied that the implementation of that agreement will eliminate the injurious effects of the dumping on the concerned Kosovo Industry.
2. Price increases under such an agreement shall in no case be higher than necessary to eliminate the dumping margin, and shall be less than the dumping margin if such a smaller price increase would be adequate to eliminate the injury to the concerned Kosovo Industry.
3. The provisions of Article 8 of the EU Anti-Dumping Regulation shall govern such agreements.

**Article 21**  
**Agreements Terminating an Anti-Subsidy Investigation**

1. The Evaluation Commission may terminate an anti-subsidy investigation with respect to the goods of a specific exporter, or the goods from of a specific country of origin and/or export, without the imposition of temporary or definitive duties on such goods, if the Evaluation Commission receives a satisfactory voluntary agreement under which:

1.1 the country of origin and/or export agrees to eliminate the subsidy or take other measures countering its effects; or

1.2. an exporter agrees either to revise its prices or to cease exports to Kosovo during any period such exports benefit from a countervailable subsidy, if the Evaluation Commission is satisfied that the implementation of that agreement will eliminate the injurious effects of on the concerned Kosovo Industry. Price increases under such an agreement shall in no case be higher than necessary to offset the amount of countervailable subsidies, and shall be less than the amount of countervailable subsidies if such a smaller price increase would be adequate to eliminate the injury to the concerned Kosovo Industry.

2. Article 13 of the EU Anti-Subsidy Regulation shall govern such agreements.

**Article 22**  
**Termination of an Investigation without Imposition of Measures**

1. The Evaluation Commission may terminate an anti-dumping investigation without the imposition of anti-dumping duties or measures in accordance with paragraphs 1-3 of Article 9 of the EU Anti-Dumping Regulation.

2. The Evaluation Commission may terminate an anti-subsidy investigation without the imposition of countervailing duties in accordance with Article 14 of the EU Anti-Subsidy Regulation.

**Article 23**  
**Public notification for investigation closure without imposing measures**

The Evaluation Commission shall promptly publish a notice in the Official Gazette with respect to any decision to terminate an investigation without imposing measures; such notice shall describe the Evaluation Commission's reasons for such decision, but shall not disclose any information that is required to be maintained as confidential.

## **CHAPTER VIII IMPOSITION OF DEFINITIVE DUTIES; RETROACTIVITY**

### **Article 24**

#### **Imposition by the Government of definitive duties**

1. The Government of the Republic of Kosovo may impose definitive anti-dumping duties or measures on a good that the Evaluation Commission has determined to be a Dumped Good if it receives a proposal from the Evaluation Commission recommending such action. Both the proposal and the imposition of such definitive duties by the Government shall comply with paragraphs 4-6 of Article 9 of the EU Anti-Dumping Regulation.
2. The Government of the Republic of Kosovo may impose definitive countervailing duties on a good that the Evaluation Commission has determined to be benefiting from one or more countervailable subsidies if it receives a proposal from the Evaluation Commission recommending such action. Both the proposal and the imposition of such definitive duties by the Government shall comply with Article 15 of the EU Anti-Subsidy Regulation.

### **Article 25**

#### **Retroactivity**

1. Temporary anti-dumping measures and definitive anti-dumping measures shall only be applied to Dumped Goods that enter the customs territory of Kosovo after the date on which a decision has been taken pursuant to, as the case may be, paragraph 1 of Article 19 or paragraph 1 of Article 24 of this law; unless an exception described in paragraphs 2-5 of Article 10 of the EU Anti-Dumping Regulation applies.
2. Temporary countervailing duties and definitive countervailing duties shall only be applied to Subsidized Goods that enter the customs territory of Kosovo after the date of on which a decision has been taken pursuant to, as the case may be, paragraph 2 of Article 19 or paragraph 2 of Article 24 of this law; unless an exception described in paragraphs 2-5 of Article 16 of the EU Anti-Subsidy Regulation applies.

## **CHAPTER IX DURATION, REVIEWS AND REIMBURSEMENT**

### **Article 26 Duration**

Notwithstanding any other provision of this law, an anti-dumping or anti-subsidy measure shall remain in force only as long as, and to the extent that, it is necessary to counteract dumping or countervailable subsidies that cause injury to the concerned Kosovo Industry.

### **Article 27 Review of the Expiration of Anti-Dumping Measures or Countervailing Duties**

1. A definitive anti-dumping or anti-subsidy measure shall expire five (5) years from its imposition or five (5) years from the date of the most recent review by the Evaluation Commission that has covered the concerned dumping or subsidization and the injury to the concerned Kosovo Industry, unless it is determined in a review that the expiration of the measure would likely lead to a continuation or recurrence of the concerned dumping or subsidization and the injury to the concerned Kosovo Industry.
2. A review of the expiration of such a measure may be initiated by the Evaluation Commission on its own initiative or upon a request made by or on behalf of the concerned Kosovo Industry, and the concerned measure shall remain in force while such review is being conducted.
3. The initiation and conduct of a review of the expiration of an anti-dumping measure shall be done in compliance with paragraph 2 of Article 11 of the EU Anti-Dumping Regulation.
4. The initiation and conduct of a review of the expiration of countervailing duties shall be done in compliance with paragraphs 2-4 of Article 18 of the EU Anti-Subsidy Regulation.

### **Article 28 Interim Reviews**

1. Interim reviews of an anti-dumping measure shall be initiated and conducted in accordance with paragraph 3 of Article 11 of the EU Ant-Dumping Regulation.
2. Interim reviews of a countervailing duty measure shall be initiated and conducted in accordance with Article 19 of the EU Ant-Subsidy Regulation.

### **Article 29**

#### **Countervailing Duties: Availability of Accelerated Reviews for Certain Exporters**

Any exporter of a good that is subject to definitive countervailing duties but who was not individually investigated during the original investigation for reasons other than a refusal to cooperate with the Evaluation Commission shall be entitled to an accelerated review in accordance with Article 20 of the EU Anti-Subsidy Regulation.

### **Article 30**

#### **Antidumping Measures: Reviews for New Exporters**

If definitive anti-dumping measures have been imposed on a certain good from a certain country of export, and a new exporter in that country – i.e. an exporter that was not exporting the good to Kosovo during the period of investigation on which the measures were based – begins exporting the good to Kosovo, a review shall be carried out by the Evaluation Commission for the purpose of determining such exporter's individual Dumping Margin. Such review shall be conducted in accordance with paragraph 4 of Article 11 of the EU Anti-Dumping Regulation.

### **Article 31**

#### **Refund of Collected Anti-Dumping Duties or Countervailing Duties**

1. The provisions of paragraph 8, Article 11, of the EU Anti-Dumping Regulation shall govern the refund of anti-dumping duties.
2. The provisions of Article 21, of the EU Anti-Subsidy Regulation shall govern the refund of countervailing duties.

### **Article 32**

#### **Other provisions on reviews and refunds**

1. With respect to reviews and refunds related to antidumping measures, the provisions of paragraphs 5, 6, 9 and 10 of Article 11 of the EU Anti-Dumping Regulation shall be applied.
2. With respect to reviews and refunds related to countervailing duties, the provisions of Article 22 of the EU Subsidy Regulation shall be applied.

### **Article 33**

#### **Circumvention**

1. Antidumping measures that have been imposed pursuant to this law may be extended to imports from third countries of like goods, or parts thereof, when the Evaluation Commission, after due investigation, determines that circumvention of such antidumping measures is taking

place. The provisions of Article 13 of the EU Anti-Dumping Regulation shall govern the conduct of such investigations.

2. Countervailing duties that have been imposed pursuant to this law may be extended to imports from third countries of like goods, or parts thereof, when the Evaluation Commission, after due investigation, determines that circumvention of such countervailing duties is taking place. The provisions of Article 23 of the EU Anti-Subsidy Regulation shall govern the conduct of such investigations.

### **Article 34 Verification Visits**

1. The Evaluation Commission may, if it considers such action appropriate, carry out verification visits to examine the records of importers, exporters, traders, agents, producers, trade associations and organizations, to verify information provided to it on subsidization or dumping and injury.

2. In an anti-dumping investigation, the rules established by Article 16 of the EU Anti-Dumping Regulation shall be applied.

3. In an anti-subsidy investigation, the rules established by Article 26 of the EU Anti-Subsidy Regulation shall be applied.

### **Article 35 Sampling**

1. In cases where the number of complainants, exporters or importers, types of goods or transactions is large, the Evaluation Commission's investigation may be limited to:

1.1 a reasonable number of parties, goods or transactions by using samples that are statistically valid on the basis of information available at the time of the selection; or

1.2 the largest representative volume of the production, sales or exports that can reasonably be investigated within the time available.

2. In an anti-dumping investigation, the rules established by Article 17 of the EU Anti-Dumping Regulation shall be applied.

3. In an anti-subsidy investigation, the rules established by Article 27 of the EU Anti-Subsidy Regulation shall be applied.

**Article 36**  
**Non-Cooperation**

1. In an anti-dumping investigation, the rules established by Article 18 of the EU Anti-Dumping Regulation shall be applied in the event of non-cooperation by an interested party.
2. In an anti-subsidy investigation, the rules established by Article 28 of the EU Anti-Subsidy Regulation shall be applied in the event of non-cooperation by an interested party.

**CHAPTER X**  
**CONFIDENTIALITY, DISCLOSURE AND FINAL PROVISIONS**

**Article 37**  
**Confidentiality and Disclosure**

1. In an anti-dumping investigation, the rules established by Articles 19 and 20 of the EU Anti-Dumping Regulation shall govern matters relating to confidentiality and disclosure.
2. In an anti-subsidy investigation, the rules established by Articles 29 and 30 of the EU Anti-Subsidy Regulation shall govern matters relating to confidentiality and disclosure.

**Article 38**  
**Court Review**

Any interested party, part of an investigation proceeding, review or refund, shall have the right to file a complaint with the Supreme Court requiring the Supreme Court of Kosovo to review any action or decision of the Evaluation Commission or the Government. Such a complaint shall be filed within the forty five (45) calendar day period beginning on the day the interested party received notice of such action or decision.

**Article 39**  
**Entry into force**

This law shall enter into force (15) days after its publication in to Official Gazette of Republic of Kosovo.

**Law No. 03/L-097**  
**01 April 2010**

**President of the Assembly of the Republic of Kosovo**

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**Jakup KRASNIQI**