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駐歐盟兼駐比利時代表處經濟組 函

受文者：經濟部國際貿易局

發文日期：中華民國110年1月19日
發文字號：比貿字第1100000032號
速別：速件
密等及解密條件或保密期限：
附件：如文（比貿1100000032_Attach1.pdf）

主旨：有關因應英國脫歐，歐盟現行反傾銷與反補貼措施之適用方式及複查之可能性，請查參。

說明：

- 一、依據歐盟本(110)年1月18日第C18號公報辦理。
- 二、查英國脫歐之緩衝期業於上(109)年12月31日屆期。歐盟於本年1月18日發布旨揭公告(如附件)，重點如次：
 - (一)歐方現行所有反傾銷及反補貼措施自本年1月1日起，僅適用於歐盟27個會員國所進口之產品，而倘係自本年首日起仍在進行之調查所衍生之措施(按：例如課徵臨時稅)，亦僅適用於歐盟27個會員國所進口之產品。
 - (二)另在不影響Regulation (EU) 2016/1036第11(3)條及Regulation (EU) 2016/1037第19條規定之情況下，倘任何利害關係人提出請求，並能以證據證明相關措施若係以排除英國後之資料為基礎，結果將有重大不同，執委會將對相關反傾銷或反補貼措施展開複查。換言之，倘僅憑英國脫歐為由，而未能提出前述額外證據，即不足以啟動複查。

經濟部
國際貿易局

國際貿易局 110/01/20



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三、另查，我國目前未有任何正經歷歐盟反補貼調查程序或任何適用反補貼措施之產品，然目前適用歐盟反傾銷措施或仍受調查中之我國產品如下：

(一)適用歐盟反傾銷稅措施之產品：

1、熱軋不鏽鋼板/捲產品(Stainless steel hot-rolled flat products (SSHR))：HS codes 7219 11、7219 12、7219 13、7219 14、7219 22、7219 23、7219 24、7220 11 及7220 12，最終措施實施日期為上年10月8日。

2、不鏽鋼管對口熔焊接頭(tubes and pipe fittings of stainless steel (butt-welding fittings))：歐盟產品稅號 CN codes ex 7307 23 10及ex 7307 23 90 (Taric codes 7307 23 10 15、7307 23 10 25、7307 23 90 15及7307 23 90 25)〉，最終措施實施日期為106年1月28日。

(二)刻正受調查中之產品：冷軋不鏽鋼板產品(Stainless steel cold-rolled flat products，歐盟產品稅號CN codes 7219 31 00、7219 32 10、7219 32 90、7219 33 10、7219 33 90、7219 34 10、7219 34 90、7219 35 10、7219 35 90、7219 90 20、7219 90 80、7220 20 21、7220 20 29、7220 20 41、7220 20 49、7220 20 81、7220 20 89、7220 90 20及7220 90 80)。

四、依據Regulation (EU) 2016/1036第11(3)條及Regulation (EU) 2016/1037第19(1)條規定，除歐盟執委會得自主啟動或由會員國提出申請就持續實施反傾銷或反補貼措施之必要性進行複查外，倘前述最終措施已實施至少一年以上之合理期間，期中複查申請亦得由具備充分證據，而能實質證明其必要性之出口商、進口商、歐盟境內生產商、產

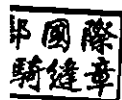
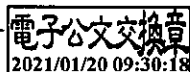
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品來源國或產品出口國提出。另有關期中複查之程序與時程，係分別規定於Regulation (EU) 2016/1036第11(5)條及Regulation(EU) 2016/1037第22(1)條(按：多數係準用調查程序之規定)，併請卓參。

正本：經濟部國際貿易局

副本：中華民國全國工業總會



Notice regarding the application of anti-dumping and anti-subsidy measures in force in the Union following the withdrawal of the United Kingdom and the possibility of a review

(2021/C 18/11)

On 31 January 2020, the United Kingdom withdrew from the Union. The Union and the UK jointly agreed on a transition period during which the UK remained subject to Union law ending on 31 December 2020 ⁽¹⁾. The end of the transition period has the following consequences for existing trade defence measures and ongoing investigations. All anti-dumping and anti-subsidy measures in force apply from 1 January 2021 only to imports into the twenty-seven Member States of the European Union. Should any investigations pending on 1 January 2021 lead to measures, these will apply only to imports into the twenty-seven Member States of the European Union ⁽²⁾.

Aspects of EU trade defence in relation to Part 3 of the Withdrawal Agreement and the Ireland/Northern Ireland Protocol will be the subject of a separate notice.

Furthermore, without prejudice to Article 11 (3) of Regulation (EU) 2016/1036 ⁽³⁾ and Article 19 of Regulation (EU) 2016/1037 ⁽⁴⁾, the Commission gives notice that it is also prepared to review anti-dumping and anti-subsidy measures where any interested party so requests and submits evidence that the measures would have been significantly different if they had been based on information excluding the United Kingdom. In this regard, the withdrawal of the UK *per se*, in the absence of any such additional evidence, is not a sufficient basis for a review to be initiated. Interested parties are invited to visit the DG Trade's trade defence website for further information: <https://ec.europa.eu/trade/policy/accessing-markets/trade-defence/>

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- ⁽¹⁾ Council Decision (EU) 2020/135 of 30 January 2020 on the conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community (OJ L 29, 31.1.2020, p. 1).
- ⁽²⁾ As to safeguards, there is only one existing measure (on certain steel products) and it continues to apply as of 1 January 2021 only to imports into the twenty-seven Member States of the European Union, although at an adjusted level and also, as from this date, against imports from the United Kingdom (see Commission Implementing Regulation (EU) 2020/2037 of 10 December 2020 amending Implementing Regulation (EU) 2019/159 imposing definitive safeguard measures against imports of certain steel products (OJ L 416, 11.12.2020, p. 32).
- ⁽³⁾ Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 21).
- ⁽⁴⁾ Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union (OJ L 176, 30.6.2016, p. 55).