

9.3 Newcomers

Where any new exporting producer in India provides sufficient evidence to the Commission that

- it did not export to the Community the product concerned during the investigation period (1 October 2001 to 30 September 2002).
- it is not related to any of the exporters or producers in India which are subject to the anti-subsidy measures imposed by this proceedings.
- it has actually exported to the Community the products concerned after the investigation period on which the measures are based, or it has entered into an irrevocable contractual obligation to export a significant quantity to the Community.

then the Council, acting by simple majority on a proposal submitted by the Commission after consulting the advisory Committee, may amend by adding that new exporting producer to the list.

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Newcomer provision