

公告

最新消息

經濟部國際貿易局 函

110年7月9日

機關地址：臺北市湖口街1號

承辦人：高金鈴

聯絡電話：(02)23977227

電子郵件：kag@trade.gov.tw

示  
蔡文若

10541

台北市松山區復興北路 369 號 6 樓之 7

受文者：台灣鋼線鋼纜工業同業公會

發文日期：中華民國110年7月5日

發文字號：貿多字第1100350494號

速別：普通件

密等及解密條件或保密期限：

附件：如文(請至附件下載區下載<https://att.trade.gov.tw/>，識別碼：4QSWE)

主旨：有關歐盟貿易救濟措施規範自本(110)年1月1日起，在英國北愛爾蘭之適用情形，請查照並轉知會員廠商。

說明：

一、依據駐歐盟兼駐比利時代表處經濟組本(110)年6月28日比貿字第1100000421號函辦理(如附件1)。

二、歐盟執委會本年6月25日發布第C248號公報(如附件2)略以：

(一)自本年1月1日起北愛爾蘭非屬歐盟及其成員國，北愛爾蘭市場及其業者不再被視為歐盟市場及歐盟業者；惟依據愛爾蘭/北愛爾蘭議定書第5(4)條規定，歐盟貿易救濟措施規範仍繼續於北愛爾蘭適用至113年底止。

(二)北愛爾蘭之進口商依歐盟貿易救濟措施所繳交之反傾銷或平衡稅，得分別依歐盟反傾銷規章第11(8)條及反補貼規章第21條之規定請求退還。(註：防衛措施未有相關退還規定。)

正本：台灣鋼線鋼纜工業同業公會

副本：中華民國全國工業總會、財團法人中華民國紡織業拓展會(均含附件)、本局局長室、副局長室、貿易服務組、雙邊貿易二組、綜合企劃委員會、駐歐盟兼駐比利時代表處經濟組

局長 江文若

檔		保存年限
號	/ /	

## 駐歐盟兼駐比利時代表處經濟組 函

機關地址：Square de Meeus 27, Brussels  
承辦人：陳邑瑄  
電話：32-2-2872843  
Email：yihsuanchen@moea.gov.tw

受文者：經濟部國際貿易局

發文日期：中華民國110年6月28日  
發文字號：比貿字第1100000421號  
速別：普通件  
密等及解密條件或保密期限：  
附件：如文 (比貿1100000421\_Attach1.pdf)

主旨：歐盟公告歐盟貿易防衛法制及措施自本(110)年1月1日起  
在北愛爾蘭之適用方式，請查參。

說明：

- 一、依據歐盟本年6月25日第C248號公報辦理。
- 二、查歐盟貿易防衛法制及措施自本年首日起停止在英國之適用，惟依據愛爾蘭/北愛爾蘭議定書第5(4)條，歐盟貿易防衛法制自該日起，仍持續適用於北愛爾蘭。
- 三、另查，英國退出歐盟協議聯合委員會109年12月17日修正前述議定書之決定，就歐盟貿易防衛法特定條文適用北愛爾蘭之方式設立規範。歐盟執委會嗣於本年6月25日就前述適用方式摘要發布公告(如附件)，重點略以：
  - (一)北愛爾蘭在歐盟貿易防衛法制下非屬歐盟或其會員國之一部分；北愛爾蘭之市場及位於其境內之業者亦不被視為歐盟之會員國市場及位於歐盟境內之業者。然依據愛爾蘭/北愛爾蘭議定書第5條，歐盟防衛措施適用北愛爾蘭自歐盟境外(包含英國其他地方)進口之貨品。
  - (二)業在北愛爾蘭依前述規範於清關時繳交反傾銷或平衡稅

經濟部  
國際貿易局

國際貿易局 110/06/29



1107020614

之進口商僅得分別依歐盟反傾銷規章第11(8)條及反補貼規章第21條之規定請求退稅。

正本：經濟部國際貿易局

副本：中華民國全國工業總會、駐英國代表處經濟組

電子公文交換章  
2021/06/29 08:08:09

邦國際  
騎縫章



## V

*(Announcements)*PROCEDURES RELATING TO THE IMPLEMENTATION OF THE COMMON  
COMMERCIAL POLICY

## EUROPEAN COMMISSION

**Notice on the application of the trade defence legislation and measures of the European Union in  
Northern Ireland from 1 January 2021**

(2021/C 248/03)

As recalled in the notice of 18 January 2021 <sup>(1)</sup>, the trade defence legislation and measures of the European Union ceased to apply in the United Kingdom as of 1 January 2021. However, Article 5(4) of the Protocol on Ireland/Northern Ireland (IE/Ni Protocol) <sup>(2)</sup>, which applies as from that date <sup>(3)</sup>, provides that the trade defence legislation continues to be applicable to and in the United Kingdom in respect of Northern Ireland. The IE/Ni Protocol is subject to periodic consent of the Northern Ireland Legislative Assembly, the initial period of application extending to 4 years after the end of the transition period <sup>(4)</sup>.

The IE/Ni Protocol, as amended by Decision No 3/2020 of the Joint Committee of 17 December 2020 <sup>(5)</sup>, provides for the application of certain provisions of EU law concerning trade defence to and in the United Kingdom in respect of Northern Ireland, subject to the Explanatory Notes included in Annex 2 to the IE/Ni Protocol by that Decision. The situation can be summarised as follows.

The United Kingdom in respect of Northern Ireland is not part of the Union or a Member State within the meaning of the Union trade defence legislation. The market of and the economic operators located in Northern Ireland are considered to be the market of and economic operators located in a country not member of the European Union. However, the Union's trade defence measures are applicable on goods brought into Northern Ireland from outside the Union (including from other parts of the UK), in accordance with the provisions of Article 5 of the IE/Ni Protocol, as further specified by Decision No 4/2020 of the Joint Committee of 17 December 2020 <sup>(6)</sup>.

Lastly, importers that paid Union anti-dumping or countervailing duties on the importation of goods that were customs cleared in Northern Ireland in accordance with the above mentioned legislation made applicable in respect of Northern Ireland by the IE/Ni Protocol may only ask for a refund of such duties pursuant to Article 11(8) of Regulation (EU) 2016/1036 or Article 21 of Regulation (EU) 2016/1037, respectively.

---

<sup>(1)</sup> 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 (OJ C 18, 18.1.2021, p. 41).

<sup>(2)</sup> Read in conjunction with Annex 2, point 5 ("Trade defence instruments"), of that Protocol.

<sup>(3)</sup> Article 185 of the Withdrawal Agreement.

<sup>(4)</sup> Article 18(5) of the IE/Ni Protocol.

<sup>(5)</sup> Decision No 3/2020 of the Joint Committee established by 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 of 17 December 2020 (OJ L 443, 30.12.2020, p. 3).

<sup>(6)</sup> Decision No 4/2020 of the Joint Committee established by 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 of 17 December 2020 (OJ L 443, 30.12.2020, p. 6).