

Anti-Dumping Practice within 167th Article of the Constitution: Current Practice Examples/ Anayasanın 167. Maddesi Kapsamında Anti-Dumping Uygulaması: Güncel Uygulama Örnekleri

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ABSTRACT

The taxation authority was granted by the 1982 Constitution to the Grand National Assembly of Turkey, the legislative body. According to the third paragraph of 73th Article of the Constitution by the legislative body, taxes, due, fee et. financial obligations may be put into law, changed or abolished. In addition to this situation, the Council of Ministers, which is the executive body has been given the authority to set and remove additional financial obligations except for such as taxes financial obligations in accordance with 167th Article of the Constitution. This authority includes import, export and other foreign trade transactions, provided that foreign trade is in the interest of the country's economy. The anti-dumping duty imposed by the Council of Ministers on imports is the best example of this practice in order to prevent cheaper sale of imported goods against goods produced in the domestic market. The aim of anti-dumping is to protect the domestic producers against cheap imported products. When each country approaches its situation in terms of its own interests, anti-dumping practices will prevent the unjustified profits that results from unfair competition between countries. With this application, the productions of the countries in the internal market will be protected from material damages and will not be devoid of potential assets such as employment, growth, public revenues in the national economy. This study will give information about the anti-dumping practice in 167th Article of the Constitution and will try to be concrete with the help of examples which are valid in many countries of the world.

KEYWORDS 167th Article of the Constitution; Anti-dumping; Additional financial obligations

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