

3. Dumping

This is the practice of selling goods in a foreign market at prices below the normal value of the goods. Where this causes or threatens to cause damage to domestic industry, the importing country may impose an anti-dumping duty on those goods.

4. Subsidies and Countervailing Duties

A subsidy is money granted, directly or indirectly, by the government of a country on the manufacture, production or export of a product. Where a subsidy has been paid, the importing country may level a countervailing duty equal in amount to the subsidy, provided the subsidy causes or threatens to cause material injury to domestic production. Note that the WTO prohibits granting subsidies contingent on export performance or on the use of domestic over imported products.

5. Import and Export Restrictions

Trade law agreements seek to ban the imposition of qualitative restrictions on either imports or exports. Such restrictions include quotas, import or export licences and other measures, although they do not usually include duties, taxes or other financial charges.

6. Government Procurement

NAFTA requires the states parties to the agreement to open up government procurement to bids from corporations and individuals in other NAFTA states. This means that in certain circumstances federal government departments may be prevented from awarding a contract without seeking bids ("single sourcing"). Mexican and U.S. bids would have to be accorded the same treatment as Canadian ones. Procurement may also be subject to the WTO.

7. Technical Barriers to Trade

For trade law purposes, a technical regulation is a mandatory rule setting out product characteristics, production methods or related processes. A standard is essentially the same thing, but is not mandatory. Trade law requires that neither create unnecessary barriers to trade.

8. Intellectual Property Rights

Intellectual property rights are covered by both the WTO and NAFTA. They can be subject to the "most favoured nation" and "national treatment" obligations.