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DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 2550 OF 2024

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

In accordance with the provisions of the Anti-Dumping Regulations ("ADR") of the International Trade Administration Commission of South Africa ("the Commission"), any definitive anti-dumping duty shall be terminated on a date not later than five years from the date of imposition, unless the authorities determine, in a review initiated before that date on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry, that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and injury.

The Commission hereby notifies all interested parties that, unless a duly substantiated request is made by or on behalf of the Southern African Customs Union ("SACU") industry, indicating that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and injury, the following anti-dumping duties will expire during 2025:

PRODUCT	COUNTRY	RATE OF ANTI-DUMPING DUTY	DATE OF IMPOSITION OF THE DUTY	DATE OF EXPIRY OF DUTY	DATE OF SUBMISSION
Clear Float Glass	Saudi Arabia	23.9%	07/02/2020	06/02/2025	06/08/2024
Clear Float Glass	United Arab Emirates	16.8%	07/02/2020	06/02/2025	06/08/2024
Soda Ash	United States	40.00%	30/03/2020	29/03/2025	29/09/2024
Clear Float Glass	Egypt	27.26%	14/08/2020	13/08/2025	13/02/2025
Gypsum Plasterboard	Thailand	45%	28/08/2020	27/08/2025	27/02/2025
Gypsum Plasterboard	Indonesia	34.6%	28/08/2020	27/08/2025	27/02/2025
Wire ropes	United Kingdom	76.17%	24/12/2020	23/12/2025	23/06/2025
Wire ropes	China	113.25	24/12/2020	23/12/2025	23/06/2025
Wire Ropes	Germany	93%	24/12/2020	23/12/2025	23/06/2025

PROCEDURAL FRAMEWORK

The Commission will conduct its investigation in accordance with the relevant sections of the International Trade Administration Act ("ITA Act") and the ADR, with due regard to the World Trade Organisation Agreement on Implementation of Article VI of the GATT 1994 ("the Anti-Dumping Agreement"). The ITA Act and the ADR are available from the Commission's website (www.itac.org.za) or from the Trade Remedies section, on request.

Manufacturers of the subject products listed above in the SACU, who wish to submit a request for the duty to be reviewed prior to the expiry thereof, are requested to do so within the time limit set out below. In the instances where no replies are received from the SACU manufacturers within these time limits, the Commission will recommend the termination of the duties on the date of expiry.

SACU manufacturers, who submit a request within the time limit indicated in the section "Procedures and Time Limits" below, are requested to submit duly substantiated information indicating that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and material injury to the Commission, on the dates as specified below:

PRODUCT	**COUNTRY**	**DATE OF IMPOSITION OF THE DUTY**	**DATE OF SUBMISSION**
Clear Float Glass	Saudi Arabia and United Arab Emirates	07/02/2020	06/08/2024
Soda Ash	United States	30/03/2020	29/09/2024
Clear Float Glass	Egypt	14/08/2020	13/02/2025
Gypsum Plasterboard	Indonesia and Thailand	28/08/2020	27/02/2025
Wire Ropes	China, Germany and United Kingdom	24/12/2020	23/06/2025

The Commission will consider the information submitted in order to determine whether *prima facie* evidence exist to justify the initiation of a review. Should the Commission decide to initiate a review, notice will be given in the *Government Gazette* and other parties, being exporters and importers of the subject products, will be requested to comment and provide information.

CONFIDENTIAL INFORMATION

Please note that if any information is considered to be confidential, a non-confidential version of the information must be submitted for the public file simultaneously with the confidential version. In submitting a non-confidential version, the following rules are strictly applicable, and parties must indicate:

- where confidential information has been omitted and the nature of such information;
- reasons for such confidentiality;
- a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- In exceptional cases, where information is not susceptible to summary, a sworn statement setting out the reasons why it is impossible to comply should be provided.

A sworn statement is defined as a written sworn statement of fact voluntarily made by an affiant or deponent under an oath or affirmation administered by a person authorized to do so by law. Such statement is witnessed as to the authenticity of the affiant's signature by a taker of oaths, such as a Commissioner of Oaths or Notary Public. An affidavit is a type of verified statement or showing, or in other words, it contains verification, meaning it is under oath or penalty of perjury and this serves as evidence to its veracity and is required for court proceedings.

Please note that the Commission will not accept a sworn statement signed by a representative, as defined in the ADR, of the interested party concerned.

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless indicated to be confidential and filed together with a non-confidential version, will be placed on the public file and be made available to other interested parties.

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If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the Commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is *confidential by nature* or is *otherwise confidential* and, any such claims must be supported by a written statement, in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made setting out reasons why it is impossible to comply with these requirements.

Regulation 2.3 of the ADR provides as follows:

"The following list indicates "information that is by nature confidential" as per section 33(1) (a) of the Main Act, read with section 36 of the Promotion of Access to Information Act (Act 2 of 2000):

(a) management accounts;
(b) financial accounts of a private company;
(c) actual and individual sales prices;
(d) actual costs, including cost of production and importation cost;
(e) actual sales volumes;
(f) individual sales prices;
(g) information, the release of which could have serious consequences for the person that provided such information; and
(h) information that would be of significant competitive advantage to a competitor.

Provided that a party submitting such information indicates it to be confidential."

ADDRESS

The requests by manufacturers in the SACU of the subject products, and the duly substantiated information indicating what the effect of the expiry of the duties will be, must be submitted in writing to the following address or on the emails below:

Physical address

The Senior Manager: Trade Remedies I
International Trade Administration Commission
Block E – Uuzaji Building
The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

Postal address

The Senior Manager: Trade Remedies I
Private Bag X753
Pretoria
0001
SOUTH AFRICA

These responses can also be sent via e-mail to the following addresses: zntsangani@itac.org.za and msebe@itac.org.za.

PROCEDURES AND TIME LIMITS

Manufacturers in the SACU of the subject products listed above, who wish to submit a request for the duty to be reviewed prior to the expiry thereof, are requested to do so not later than close of business on **08 July 2024**.

SACU manufacturers who submit a request by **08 July 2024**, should submit duly substantiated information, indicating that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and material injury, to the Commission.

It should be noted that the investigation process is complex and the Commission is subject to strict time limits within which to complete the investigation. Late submissions will therefore not be accepted, except with the prior written consent of the Commission. The Commission will give due consideration to written requests for an extension of not more than 14 days on good cause shown (properly motivated

and substantiated), if received prior to the expiry of the original period. Merely citing insufficient time is not an acceptable reason for an extension.

The information submitted by any party may need to be verified by the Investigating Officers in order for the Commission to take such information into consideration. The Commission may verify the information at the premises of the party submitting the information within a short period after the submission of the information to the Commission. Parties should therefore ensure that the information submitted will subsequently be available for verification. It is planned to do the verification of the information submitted by the exporters within three to five weeks subsequent to submission of the information. This period will only be extended if it is not feasible for the Commission to do it within this time period or, for an applicant requesting an extension, upon good cause shown, and with the prior written consent of the Commission, which should be requested at the time of the submission. It should be noted that unavailability of, or inconvenience to, consultants will not be considered to be good cause.

Parties should also ensure when they engage consultants that they will be available at the requisite times, to ensure compliance with the above time frames. Parties should also ensure that all the information requested in the applicable questionnaire is provided in the specified detail and format. The questionnaires are designed to ensure that the Commission is provided with all the information required to make a determination in accordance with the ITA Act and the ADR, and with due consideration to the rules of the Anti-Dumping Agreement. The Commission may therefore refuse to verify information that is incomplete or does not comply with the format in the questionnaire, unless the Commission has agreed in writing to a deviation from the required format. A failure to submit an adequate non-confidential version of the response that complies with the rules set out above under the heading *Confidential Information* will be regarded as an incomplete submission.

Parties, who experience difficulty in furnishing the information required, or submitting in the format required, are therefore urged to make written applications to the Commission at an early stage for permission to deviate from the questionnaire or provide the information in an alternative format that can satisfy the Commission's

requirements. The Commission will give due consideration to such a request on good cause shown.

Any interested party may request an oral hearing ITA in accordance with Regulation 5 of the ADR, provided that the party indicates reasons for not relying on written submissions only. The Commission may refuse an oral hearing if granting such hearing would unduly delay the finalisation of a determination. Parties requesting an oral hearing shall provide the Commission with a detailed agenda for, and a detailed version of, including a non-confidential version, the information to be discussed at the oral hearing at the time of the request.

If the required information and arguments are not received in a satisfactory form within the time limit specified above, or if verification of the information cannot take place, the Commission may disregard the information submitted and make a finding on the basis of the facts available to it.

Enquiries may be directed to the Acting Senior Manager: Trade Remedies I, Mr Zuko Ntsangani, at zntsangani@itac.org.za

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