

# Government Gazette
# Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID AFRIKA

Vol. 722 20 August Augustus 2025 No. 53206

N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes

ISSN 1682-5845

9 771682 584003 53206



AIDS HELPLINE: 0800-0123-22 Prevention is the cure

## IMPORTANT NOTICE:

**THE GOVERNMENT PRINTING WORKS WILL NOT BE HELD RESPONSIBLE FOR ANY ERRORS THAT MIGHT OCCUR DUE TO THE SUBMISSION OF INCOMPLETE / INCORRECT / ILLEGIBLE COPY.**

**NO FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**


## Contents


| No. | | Gazette No. | Page No. |
|---|---|---|---|
| | GENERAL NOTICES • ALGEMENE KENNISGEWINGS | | |
| **Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van** | | | |
| 3437 | International Trade Administration Commission of South Africa: Notice of Initiation of a Sunset Review of the Anti-Dumping duties on Boards, Sheets, Panels, Tiles and Similar Articles of Plaster or of Compositions based on Plaster, not ornamented, faced or Reinforced with Paper or Paperboard only, not ornamented originating in or imported from Thailand and Indonesia | 53206 | 3 |

**DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION**

**NO. 3437** **20 August 2025**

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA**

## NOTICE OF INITIATION OF A SUNSET REVIEW OF THE ANTI-DUMPING DUTIES ON BOARDS, SHEETS, PANELS, TILES AND SIMILAR ARTICLES OF PLASTER OR OF COMPOSITIONS BASED ON PLASTER, NOT ORNAMENTED, FACED OR REINFORCED WITH PAPER OR PAPERBOARD ONLY, NOT ORNAMENTED ORIGINATING IN OR IMPORTED FROM THAILAND AND INDONESIA

Regulation 53.1 and 53.2 of South Africa's Anti-Dumping Regulations (ADR) state that "anti-dumping duties shall remain in place for a period not exceeding 5 years from the imposition or the last review thereof", and "if a sunset review has been initiated prior to the lapse of an anti-dumping duty, such anti-dumping duty shall remain in force until the sunset review has been finalised."

On 07 June 2024 the Commission through Notice No. 2550 in Government Gazette No.50772 notified interested parties that unless a substantiated request by or on behalf of the Southern African Customs Union (SACU) industry was made indicating that the expiry of the ant-dumping duties on boards, sheets, panels, tiles and similar articles of plaster or of compositions based on plaster, not ornamented, faced or reinforced with paper or paperboard only, not ornamented (Gypsum plasterboard) originating in or imported from Thailand and Indonesia would likely lead to the continuation or recurrence of dumping and material injury, the anti-dumping duties on gypsum plasterboard originating in or imported from Thailand and Indonesia will expire on 27 August 2025.

### THE APPLICANT

The application was lodged by Saint-Gobain Construction Products South Africa (Pty) Ltd (the Applicant), Supported by Etex South Africa Building System (Pty) Ltd. The Applicant is the major producer of the subject product in the Southern African Customs Union (SACU).

The Applicant alleged that the expiry of the anti-dumping duties would likely lead to the continuation or recurrence of dumping and continuation or recurrence material injury. The Applicant submitted sufficient evidence and established a prima facie case to

enable the Commission to arrive at a reasonable conclusion that a sunset review investigation of the anti-dumping duties on Gypsum Plasterboard originating in or imported from Indonesia and Thailand be initiated.

## THE PRODUCT

The anti-dumping duties subject to this sunset review are applicable to boards, sheets, panels, tiles and similar articles of plaster or of compositions based on plaster, not ornamented, faced or reinforced with paper or paperboard only, not ornamented originating in or imported from Thailand and Indonesia, classifiable under tariff subheading 6809.11.

## THE ALLEGATION OF CONTINUATION OR RECURRENCE OF DUMPING

The allegation of continuation or recurrence of dumping is based on the comparison between the normal values and the export prices. The normal values for Thailand and Indonesia were based on ex-factory price quotations obtained from domestic producers of the subject product in Thailand and Indonesia.

In the absence of exports from Thailand and Indonesia to SACU during the period of investigation, the Applicant nominated India for purposes of export price determination.

The dumping margins for Thailand and Indonesia were determined to be 22.26% and 41.74%, respectively.

On this basis, the Commission found that there was prima facie proof indicating that the expiry of the anti-dumping duties would likely lead to the continuation or recurrence of dumping of the subject product originating in or imported from Indonesia and Thailand.

## THE ALLEGATION OF RECURRENCE OF MATERIAL INJURY

The Applicant alleged and submitted *prima facie* evidence to indicate that the expiry of the anti-dumping duties would likely lead to a recurrence of material injury in the form of price suppression, price depression, and price undercutting.

The Applicant's alleged and submitted *prima facie* evidence to indicate that it would experience a decline in sales volumes and values, profits, output, market share, return on investment, capacity utilisation, and cash flow, as well as an increase in inventories and loss of employment.

On this basis, the Commission found that there was prima facie proof indicating that the expiry of the anti-dumping duties would likely lead to the recurrence of material injury.

**PERIOD OF INVESTIGATION**

The period of investigation for dumping is from 01 November 2023 to 31 October 2024. The period of investigation for material injury is from 01 November 2021 to 31 October 2024, and in the event the duties expire estimates for 01 November 2024 to 31 October 2025 were provided.

**LEGAL PROCEDURAL FRAMEWORK**

Having decided that there is sufficient evidence and a *prima facie* case to justify the initiation of an investigation, the Commission has begun an investigation in terms of section 16 of the International Trade Administration Act, 2002 (the ITA Act). The Commission will conduct its investigation in accordance with the relevant sections of the ITA Act and the Anti-Dumping Regulations of the International Trade Administration Commission (ADR).

Both the ITA Act and the ADR are available on the Commission's website (www.itac.org.za) or from Trade Remedies on request.

**PROCEDURES AND TIME FRAMES**

In order to obtain the information, it deems necessary for its investigation, the Commission will send non-confidential versions of the application and questionnaires to all known importers and exporters and known representative associations. Importers and other interested parties are invited to contact the Commission as soon as possible to determine whether they have been listed and were furnished with the relevant documentation.

If not, they should immediately ensure that they are sent copies. The questionnaire has to be completed, and any other representations must be made within the time limit set out below.

The Senior Manager: Trade Remedies II, should receive all responses, including non-confidential copies of the responses, not later than 30 days from the date hereof, or from

the date on which the letter accompanying the questionnaire was received. The said letter shall be deemed to have been received 7 days after the day of its dispatch.

Late submissions will 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 30-days period. Merely citing insufficient time is not an acceptable reason for extension. Please note that the Commission will not consider requests for extension by the Embassy on behalf of exporters.

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 would 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 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 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 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 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 at any stage of the investigation in accordance with Section 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 will 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, including a non-confidential version, of 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.

**CONFIDENTIAL INFORMATION**

Please note that if any information is considered to be confidential then 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, reasons must be submitted to this effect.

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

nonconfidential version, will be placed on the public file and be made available to other interested parties.

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.

Section 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 response to the questionnaire and any information regarding this matter and any arguments concerning the allegation of dumping and the resulting material injury or threat of material injury must be submitted in writing to the following address:

**Physical address**

The Senior Manager: Trade Remedies II
International Trade Administration Commission
Block E - The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

**Postal address**

The Senior Manager
Trade Remedies II
Private Bag X753
PRETORIA
0001
SOUTH AFRICA

Should you have any queries, please do not hesitate to contact the investigating officers, Ms Portia Chuma at Email: pchuma@itac.org.za or Ms Phindile Mabona at Email: pmabona@itac.org.za or Ms Azwitamisi Mathada at Email: amathada@itac.org.za or Ms Millicent Baloyi at Email: mbaloyi@itac.org.za.

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001
Contact Centre Tel: 012-748 6200. eMail: info.egazette@gpw.gov.za
Publications: Tel: (012) 748 6053, 748 6061, 748 6065

This gazette is also available free online at **www.gpwonline.co.za**