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Contents

<i>No.</i>		<i>Gazette No.</i>	<i>Page No.</i>
	GENERAL NOTICES • ALGEMENE KENNISGEWINGS		
	Trade, Industry and Competition, Department of / Handel, Nywerheid en Kompetisie, Departement van		
2277	International Trade Administration Commission: Notice of conclusion of an investigation: Windscreen for vehicles originating in or imported from the People's Republic of China	50011	3

GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION**NOTICE 2277 OF 2024****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****NOTICE OF CONCLUSION OF AN INVESTIGATION INTO THE ALLEGED DUMPING OF WINDSCREENS FOR VEHICLES CLASSIFIABLE UNDER TARIFF SUBHEADING 7007.21.20 ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA ("CHINA") TO BE USED IN THE SOUTHERN AFRICAN CUSTOMS UNION MARKET AS REPLACEMENT GLASS IN THE AFTERMARKET**

On 22 July 2022, the International Trade Administration Commission of South Africa ("the Commission") initiated an investigation into the alleged dumping of windscreens for vehicles classifiable under tariff subheading 7007.21.20 originating in or imported from China to be used in the Southern African Customs Union market as replacement glass in the aftermarket. Notice of initiation of the investigation was published in the *Government Gazette* No.47061, Notice No. 1164 of 2022.

The investigation was initiated after the Commission considered that there was *prima facie* evidence to show that the subject product was being imported at dumped prices, causing material injury to the SACU industry.

On initiation of the investigation, the known producers and exporters of the subject product in the subject country were sent foreign manufacturers/exporters questionnaires to complete. The diplomatic representative of the subject country was also sent questionnaires to inform unknown producers. Importers of the subject product were also sent questionnaires to complete.

After considering all interested parties' comments and taking the exporters' and importers' information into account, the Commission made a preliminary determination that the subject product, originating in or imported from the subject country, was being dumped on the SACU market, causing material injury and threat of material injury to the SACU industry.

The Commission therefore decided to request the Commissioner for South African Revenue Service (SARS) to impose provisional payments for a period of 6 months, ending 09 August 2023, on imports of the subject product.

The Commission's preliminary determination was published through a notice in the *Government Gazette* dated 10 February 2023, with details of the findings contained in

Commission's Report No. 707. Interested parties were invited and made submissions on the Commission's preliminary determination prior to the deadline of 24 February 2023.

After considering comments from interested parties, the Commission issued essential facts letters that it was considering making a final determination that the subject product originating in or imported from the subject country was being dumped into the SACU market, thereby causing material injury to the SACU industry.

After considering comments to the essential facts letters, the Commission made a final determination that the subject product originating in or imported from the subject country was being dumped into the SACU market, causing material injury to the SACU industry.

The Commission, therefore, made a recommendation to the Minister of Trade, Industry and Competition ("the Minister") to impose definitive anti-dumping duties on the subject product originating in or imported from China.

The Minister has approved the Commission's recommendation and has requested the Minister of Finance, in terms of section 56 of the Customs and Excise Act, 1964, to amend Schedule No. 2 to the Act in order to give effect to the recommendation. The five(5) year period that the anti-dumping duties may stay in place before the duties lapse, if a sunset review is not initiated, will be counted from the publication date of the notice in the *Government Gazette* by SARS.

Enquiries may be directed to the investigating officers, Ms Regina Peta at rpeta@itac.org.za or Ms Mosa Sebe at Msebe@itac.org.za.

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