

NOTICE 1054 OF 2004**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA****NOTICE OF PRELIMINARY DETERMINATION OF AN INVESTIGATION INTO THE
ALLEGED DUMPING OF ALUMINIUM OVERHEAD CABLE ORIGINATING IN OR
IMPORTED FROM INDIA**

The notice of initiation of this investigation was published in *Government Gazette* No. 25524 dated 10 October 2003 (Notice No. 2536 of 2003).

The Applicant alleged that aluminium overhead cable (the subject product), originating in or imported from India was being dumped into the Southern African Customs Union (SACU) market at export prices lower than the prices charged in the country of export thereby causing material injury and a threat of material injury to the domestic industry.

The investigation was initiated on a basis of alleged dumping, material injury and / or a threat of material injury, and causality.

Interested parties were notified of the initiation of the investigation and were sent questionnaires to complete.

On the information submitted, the Commission found that the subject product originating in or imported from India was not being dumped into the SACU.

The Commission subsequently made a preliminary determination to recommend that the investigation be terminated.

The detailed reasons for the Commission's decision are contained in the Commission's Report No. 61, which is available at the Commission's offices. All interested parties have the opportunity to respond and make representations, before the Commission makes its final determination.

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

If the above requirements regarding the submission of a non-confidential version of documents are not strictly adhered to, the Commission might disregard the information so submitted.

ADDRESS

The response to the preliminary report and any arguments concerning the allegation of dumping and the resulting material injury must be submitted in writing to the following address:

Physical address

The Director: Trade Remedies II
4th Floor, SABS Building
No. 1, Dr Lategan Road,
Groenkloof,
PRETORIA,
SOUTH AFRICA

Postal address

The Director: Trade Remedies II
Private Bag X753
PRETORIA
0001
SOUTH AFRICA

PROCEDURES AND TIME LIMITS

All responses, including non-confidential copies of the responses, should be received by the Director: Trade Remedies II not later than 14 days from the date hereof or from the date on **which the report was made available**.

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 at least 7 days prior to the expiry of the original 14-day period. Merely citing insufficient time is not an acceptable reason for extension. Please note that the Commission will not consider requests for extension by Embassies on behalf of exporters.

Oral representations to the Commission by any interested party may also be made on written request to the Commission provided a party submits a detailed version of the information to be addressed at the oral hearing at the time of requesting such hearing. No request for an oral hearing will be considered more than 60 days after publication of this notice. Oral representations will be limited to one hour for SACU manufacturers and exporters and thirty minutes for importers.

If the required information and arguments are not received in a satisfactory form within the time limit specified above, the Commission may disregard the information submitted and final findings on the basis of the facts available to it.

Parties that have not responded or cooperated with the Commission in the preliminary phase of the investigation and/or have not provided responses to the Commission's questionnaires, must show good cause why the Commission should consider any such responses or submissions. The commission reserves its right to disregard responses or submissions received from parties that did not cooperate during the preliminary phase of the investigation.

Enquiries may be directed to Mr E Tema at telephone (012) 428-7725 Mr K Modimokwane at telephone (012) 428-7737 or at fax (012) 428-7736.