

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 459 OF 2020

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA (ITAC)****SUNSET REVIEW OF THE ANTI-DUMPING DUTIES ON GYPSUM
PLASTERBOARDS ORIGINATING IN OR IMPORTED FROM THAILAND AND
INDONESIA: FINAL DETERMINATION**

In accordance with the provisions in the Anti-Dumping Regulations (ADR), 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 likely lead to the continuation and/or recurrence of dumping and injury.

On 8 June 2018, the International Trade Administration Commission of South Africa (the Commission) notified interested parties through Notice No. 326 of 2018 in *Government Gazette* No. 41685, that unless a substantiated request is made indicating that the expiry 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 (gypsum plasterboard) originating in or imported from Thailand and Indonesia would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duties on gypsum plasterboard originating in or imported from Thailand and Indonesia will expire on 31 July 2019.

The sunset review investigation was initiated pursuant to Notice No: 395 of 2019 in *Government Gazette* No. 42593, published on 26 July 2019. Initiation letters to interested parties were sent on 29 July 2019. The due date for responses was 04 September 2019.

The investigation was initiated after the Commission considered that the expiry of the anti-dumping duties on gypsum plasterboard originating in or imported from Thailand and Indonesia would likely lead to the continuation or recurrence of dumping and the recurrence of material injury.

Responses to the Commission's exporter's questionnaire were received from two exporters/manufactures in Indonesia, namely PT. Siam-Indo Gypsum Industry and PT Aplus Pacific. The questionnaire response by Siam-Indo Gypsum Industry was accepted as properly documented by the Commission for purposes of its final determination. However, the questionnaire response by PT Aplus Pacific was regarded as deficient, as the deficient response was received 10 days after the Commission's deadline.

After considering all information submitted, the Commission issued essential facts letters indicating that it was considering making a final determination that the expiry of the anti-dumping duties on gypsum plasterboard originating in or imported from Thailand and Indonesia would likely lead to the continuation or recurrence of dumping and the recurrence of injury.

Comments to the "Essential facts" letters were received from PT. Siam-Indo Gypsum Industry and the Government of Indonesia.

After considering all the comments received from interested parties to the Commission's essential facts letters, the Commission made a final determination that the expiry of the anti-dumping duties on gypsum plasterboard originating in or imported from Thailand and Indonesia (excluding that manufactured by PT. Siam-Indo Gypsum Industry) would likely lead to the continuation or recurrence of dumping and the recurrence of material injury.

The Commission, therefore, recommended to the Minister of Trade and Industry that the current anti-dumping duties on gypsum plasterboard originating in or imported from Thailand and Indonesia (excluding that manufactured by PT. Siam-Indo Gypsum Industry) be maintained.

The Minister approved the Commission's recommendation. The Commission's detailed reasons for its decision are set out in Commission's Report No. 624 (Final determination report).

On 14 August 2020, the South African Revenue Service (SARS) published the amendment of Schedule 2 to the Customs and Excise Act, 1964 through Notice in *Government Gazette* No.43614.

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