TERMINATION OF THE ANTI-DUMPING DUTIES ON TUBES AND PIPES, WELDED, OF CIRCULAR CROSS SECTION, OF STAINLESS STEEL, ORIGINATING IN OR IMPORTED FROM MALAYSIA, CHINESE TAIPEI AND SOUTH KOREA

Report No. 300
The International Trade Administration Commission of South Africa herewith presents its Report No. 300: TERMINATION OF THE ANTI-DUMPING DUTIES ON TUBES AND PIPES, WELDED, OF CIRCULAR CROSS SECTION, OF STAINLESS STEEL, ORIGINATING IN OR IMPORTED FROM MALAYSIA, CHINESE TAIPEI AND SOUTH KOREA

Siyabulela Tsengiwe
CHIEF COMMISSIONER

PRETORIA
23/08/2009
INTERNATIONAL TRADE ADMINISTRATION COMMISSION
OF SOUTH AFRICA

REPORT NO. 300

TERMINATION OF THE ANTI-DUMPING DUTIES ON TUBES AND
PIPES, WELDED, OF CIRCULAR CROSS SECTION, OF STAINLESS
STEEL, ORIGINATING IN OR IMPORTED FROM MALAYSIA, CHINESE
TAIPEI AND SOUTH KOREA

1. In accordance with the provisions of Article 11.3 of the World Trade
Organisation Agreement on the Implementation of Article VI of the
General Agreement on Tariffs and Trade, 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 within a reasonable period of time
prior to that date, that the expiry of the duty would likely lead to the
continuation or recurrence of dumping and injury.

2. On 20 June 2008, the International Trade Administration Commission of
South Africa notified the interested parties through Notice No. 759 of 2008
in Government Gazette No. 31145, that unless a substantiated request is
made indicating that the expiry of the anti-dumping duties on tubes and
pipes, welded, of circular cross section, of stainless steel, originating in or
imported from Malaysia, Chinese Taipei and South Korea would likely lead
to the continuation or recurrence of dumping and injury, the anti-dumping
duties will expire on 15 July 2009.
3. The SACU manufacturers of the products were informed in writing and provided with a copy of the Notice. SACU manufacturers were requested to indicate by 20 July 2008 whether they would require the Commission to initiate an investigation to determine whether the continued existence of the anti-dumping duties was justified.

4. On 10 July 2008, a request was received from Robor (Pty) Ltd, to review the anti-dumping duties on the subject products.

5. The due date for the submission of the formal substantiated application was 15 January 2009. However, on 17 November 2008, a subsequent request was received from Robor, informing the Commission that it would no longer submit an application to review the anti-dumping duties on tubes and pipes, welded, of circular cross section, of stainless steel, originating in or imported from Malaysia, Chinese Taipei and South Korea.

RECOMMENDATION

In the light of the forgoing, the Commission recommends that the anti-dumping duties on tubes and pipes, welded, of circular cross section, of stainless steel, originating in or imported from Malaysia, Chinese Taipei and South Korea, be withdrawn with effect from the five year expiry date of the duties, which is 15 July 2009.
Mr. Musa Nhlanhla Nene, MP
Deputy Minister of Finance
40 Church Square
PRETORIA
0002

BY HAND

Dear Colleague

INTERNATIONAL TRADE ADMINISTRATION COMMISSION REPORT NO. 300: TERMINATION OF THE ANTI-DUMPING DUTIES ON TUBES AND PIPES, WELDED, OF CIRCULAR CROSS SECTION, OF STAINLESS STEEL, ORIGINATING IN OR IMPORTED FROM MALAYSIA, CHINESE TAIPEI AND SOUTH KOREA

A copy of the above-mentioned report submitted to me by the International Trade Administration Commission of South Africa, is attached.

I have approved the Commission's recommendation and hereby request that you, in terms of section 56 of the Customs and Excise Act, 1964, amend Schedule No. 2 to the Act in order to give effect to the recommendation.

Kind regards

Mandisi Mpahlwa, MP
Minister of Trade and Industry
Date: ____________________