

No.	Property	Extent (hectares)	Current Title Deed	Current owner
			(3) T14338/1979 (4) T17535/1980 (5) T17650/1989 (6) T21776/1993 (7) T26870/1989 (8) T6125/1991	(3) Victor Herbert Dunn—1/11. (4) George Dunn—1/11. (5) Winston Lloyd Dunn—1/11. (6) Olive Adams—1/11. (7) Teddy E. Dunn & the estate of Dorothy Dunn—1/11. (8) Susan Daphne Dunn—4/11.
60.	Sub. 63 of Reserve No. 7A, No. 15826.....	40,4686	(1) T10798/1979 (2) T10907/1979 (3) T10908/1979 (4) T10996/1979 (5) T15323/1979 (6) T17536/1980	(1) Leon Marwick Dunn—1/6. (2) Daphne Dunn—1/6. (3) Cuthbert Dunn—1/6. (4) Aubery George Dunn—1/6. (5) Hazel Inenes Koster—1/6. (6) Randolph Dunn—1/6.
61.	Sub. 65 of Reserve No. 7A, No. 15826.....	40,4686	T6384/1990	Harry William Gielink.
62.	Sub. 66 of Reserve No. 7A, No. 15826.....	40,4686	(1) T26789/1992 (2) T30908/1991 (3) T38792/1994 (4) T6880/1977	(1) The estate of Conrad Christiaan Carelse—1/6. (2) The estate of Robert Wilfred Dunn—1/6. (3) Paul A. J. Bowden & Clarrisa C. Bowden—1/6. (4) Republic of South Africa—1/2.
63.	Sub. 67 of Reserve No. 7A, No. 15826.....	40,4686	T24805/1991	David Albert Dunn.
64.	Sub. 68 of Reserve No. 7A, No. 15826.....	1,2368	T14463/1978	Republic of South Africa.
65.	Sub. 69 of Reserve No. 7A, No. 15826.....	47,0492	T14463/1978	Republic of South Africa.
66.	Sub. 70 (of 3) of Reserve No. 7A, No. 15826	8,0937	T32030/1993	Goodhope Farm cc.

## NOTICE 97 OF 1999

### BOARD ON TARIFFS AND TRADE

#### NOTICE OF INITIATION OF AN INVESTIGATION INTO THE ALLEGED DUMPING OF SUPERTENSION CABLE ORIGINATING IN OR IMPORTED FROM GERMANY

The Board on Tariffs and Trade received a petition alleging that supertension cable originating in or imported from Germany is being dumped on the Southern African Customs Union (SACU) market, causing material injury (and/or threat of material injury) to the SACU industry concerned.

#### THE PETITIONER

The petition was lodged by African Cables Limited, which is the sole manufacturer of supertension cable in the South African Customs Area (SACU). The petitioner alleges that it cannot compete with the low prices charged by the importers and that the allegedly dumped products are causing material injury and/or a threat of material injury. The petitioner submitted sufficient evidence and established a *prima facie* case to enable the Board to arrive at a reasonable conclusion that an investigation should be initiated on the basis of dumping, material injury (and/or threat of material injury), and causality.

#### THE PRODUCT

The product allegedly being dumped is high-voltage (greater than 33 kV) cross-linked polyethylene cable, commonly identified or referred to as high-voltage XLPE and sold as supertension cable, classifiable under tariff subheading 8544.60, and originating in or imported from Germany.

**THE ALLEGATION OF DUMPING**

The allegation of dumping is based on the comparison between the normal value in and the export price from Germany. The export price was based on the f.o.b. price of the imported supertension cable, as calculated on a tender price from Germany. The normal value was determined on the basis of a letter received from a manufacturer in Germany. On this basis the Board found that there was *prima facie* proof of dumping.

**THE ALLEGATION OF MATERIAL INJURY/THREAT OF MATERIAL INJURY**

The petitioner alleges and submitted sufficient evidence from the tender prices to show price suppression and depression, and that the imports will gain market share at the expense of the SACU industry. It is further alleged that the prices at which these imports will be sold in South Africa will result in lower profit margins and/or losses being incurred by the petitioner. The Board found that there was sufficient evidence for a *prima facie* case of injury and/or threat of material injury.

**PERIOD OF INVESTIGATION**

The period of investigation for purposes of determining the dumping margin in the exporting country of origin will be from January 1998 to December 1998. The period of investigation for purposes of determining injury will be from October 1996 to September 1998. If there are subsequent events that are relevant to the injury analysis the Board may later request and consider further, more recent information in determining injury.

**PROCEDURAL FRAMEWORK**

Having decided that there is sufficient evidence and a *prima facie* case to justify the initiation of an investigation, the Board has begun an investigation in terms of section 4 of the Board on Tariffs and Trade Act, 1986 (the BTT Act). The Board will conduct its investigation in accordance with the BTT Act and the World Trade Organisation Agreement on the Implementation of Article VI of the GATT 1994 (the Anti-Dumping Agreement). A copy of the Anti-Dumping Agreement is available from the Board's office on request.

In order to obtain the information it deems necessary for its investigation, the Board will send questionnaires to all known importers and exporters, and known representative associations. The trade representatives of the exporting countries have been notified. Importers, exporters and interested parties are invited to contact the Board as soon as possible in order to determine whether they have been listed and received a questionnaire. If not, they should request a copy of the questionnaire as soon as possible. The questionnaire has to be completed, and any other representations must be made, within the time limit set out below.

**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 in each instance.
- Reasons for such confidentiality in each instance.
- A summary of the confidential information which permits a reasonable understanding of the substance of the confidential information in each instance.
- In exceptional cases, where information does not lend itself to a non-confidential summary, reasons must be submitted to this effect.

**ADDRESS**

The response to the questionnaire and any information regarding this matter, as well as any arguments concerning the allegation of dumping and the resulting material injury, must be submitted in writing to the following address:

<b>Physical address</b>	<b>Postal address</b>
The Director: Dumping Investigations	The Director: Dumping Investigations
Room 1601	Private Bag X753
Fedlife Building	PRETORIA
Corner of Church and Prinsloo Streets	0001
PRETORIA	SOUTH AFRICA
SOUTH AFRICA	

**PROCEDURES AND TIME LIMIT**

All responses, including non-confidential copies of the responses, must be received by the Director: Dumping Investigations not later than 30 days following the date of publication of this notice or, in the case of parties known to be interested, 30 days following the date on which the letter accompanying the above-mentioned questionnaire is received. The said letter shall be deemed to have been received seven days after the date of its dispatch.

It should be noted that the investigation process is complex and that the Board is subject to strict time limits within which to complete the investigation. Late submissions will therefore not be accepted except with the prior written consent of the Board. The Board will give due consideration to written requests for an extension of not more than 14 days on good cause shown (properly substantiated), if such requests are received prior to the expiry of the original 30-day period. Merely citing insufficient time is not an acceptable reason for extension.

The information submitted by any party may need to be verified by the investigating officers in order for the Board to take such information into consideration. The Board 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 Board. Parties should therefore ensure that the information submitted will subsequently be available for verification. Parties should also ensure that all the information requested in the questionnaire is provided in the specified detail and format. The questionnaires are designed to ensure that the Board is provided with all the information required to make a determination in accordance with the rules of the Anti-Dumping Agreement. The Board may therefore refuse to verify information that is incomplete or does not comply with the format in the questionnaire, unless the Board 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 above under the heading "Procedure" will be regarded as an incomplete submission).

Parties who experience difficulty in furnishing the information required, or submitting it in the format required, are therefore urged to make written applications to the Board at an early stage for permission to deviate from the questionnaire or to provide the information in an alternative format that will satisfy the Board's requirements. The Board will give due consideration to such a request on good cause shown.

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 Board may disregard the information of that party and make provisional or final findings on the basis of the facts available to it.

**Enquiries may be directed to the investigating officers, Mr T. P. Botha at telephone (012) 310-9618 and Ms M. Badenhorst, at telephone (012) 310-9621.**

[BTT Ref. T5/2/16/3/6]

(5 February 1999)

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