

DEPARTMENT OF TRADE AND INDUSTRY

NOTICE 396 OF 2019

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

CALL FOR PUBLIC INTEREST SUBMISSIONS INTO THE INVESTIGATION FOR REMEDIAL ACTION IN THE FORM OF A SAFEGUARD MEASURE AGAINST THE INCREASED IMPORTS OF THREADED FASTENERS OF IRON OR STEEL: BOLT ENDS & SCREW STUDS, SCREW STUDDING AND OTHER HEXAGON NUTS (EXCLUDING THOSE OF STAINLESS STEEL AND THOSE IDENTIFIABLE FOR AIRCRAFT)

The International Trade Administration Commission of South Africa (the Commission) initiated an investigation for a remedial action in the form of a safeguard against increased imports of threaded fasteners of iron and steel: bolt ends & screw studs, screw studding and other hexagon nuts (excluding those of stainless steel and those identifiable for aircraft) through Notice Number 109 which was published in the Government Gazette number 42258.

PROCEDURAL FRAMEWORK

This investigation is conducted in accordance with the International Trade Administration Act, 2002 (ITA Act) and the International Trade Administration Commission Amended Safeguard Regulations (SGR), read with the World Trade Organization Agreement on Safeguards (the Safeguard Agreement).

PUBLIC INTEREST

Interested parties are invited to submit comments on whether it will be in the public interest to impose definitive safeguard measures on the subject product, in accordance with Section 20.2 of the SGR, which stipulates that "In determining whether a safeguard measure would be in the public interest the need to take note of the trade distorting effect of the surge in imports and the need to restore effective competition shall be given special consideration".

Interested parties should make their submissions on public interest in writing and indicate interest to attend and make oral presentations to Commission on public interest to the Senior Manager: Trade Remedies II on or before 12 August 2019 at 15h00. Interested parties wishing to make oral presentations, should submit a detailed version, including a non-confidential version of the information to be discussed at the public hearing. A party that did not timeously submit a non-confidential version of the information to be discussed at the public hearing will not be allowed to make an oral presentation.

A public hearing is scheduled for 28 August 2019 at 10h00 at the address as indicated below. Parties requesting to attend the public hearing should note that this will be an open hearing with all parties present and only non-confidential information should be presented during the public hearing.

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
- exceptional cases, where information is not susceptible to summary, a sworn statement setting out the reasons why it is impossible to comply, should be provided.

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.

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is confidential by nature or is otherwise confidential and, any such claims must be supported by a written statement, in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made setting out reasons why it is impossible to comply with these requirements.

ADDRESS

Any information regarding this matter must be submitted in writing to the following address:

Physical address

Senior Manager: Trade Remedies II
International Trade Administration Commission

Block E – The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

Postal address

Senior Manager: Trade Remedies II
Private Bag X753
PRETORIA
0001
SOUTH AFRICA

Should you have any queries, please do not hesitate to contact the investigating officers, Ms Thuli Nkomo at +27 12 394 1190, email:tnkomo@itac.org.za and Ms Mercy Mutheiwana at +27 12 394 3907, email:mmutheiwana@itac.org.za or at fax number 012 394 0518.