

LEGAL NOTICE NO. 39

REPUBLIC OF TRINIDAD AND TOBAGO

THE ANTI-DUMPING AND COUNTERVAILING DUTIES ACT, 1992

AND

THE ANTI-DUMPING AND COUNTERVAILING DUTIES REGULATIONS, 1996

*Issued in accordance with section 18(3) of the Anti-dumping and
Countervailing Duties Act*

NOTICE

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INITIATION OF AN INVESTIGATION INTO THE ALLEGATION
OF THE DUMPING OF IMPORTS OF AIR-CONDITION
EQUIPMENT ORIGINATING IN CHINA

IN ACCORDANCE with section 18(1) of the Anti-dumping and Countervailing Duties Act, No. 11 of 1992 (hereafter referred to as “the Act”) and Regulation 4(1) of the Anti-dumping and Countervailing Duties Regulations, 1996 (hereafter referred to as “the Regulations”), the Trinidad and Tobago Anti-dumping Authority (hereafter referred to as “the Authority”) hereby informs all exporters, importers, manufacturers, distributors and the Government of The People’s Republic of China that it has initiated an investigation into an allegation of the dumping of imports of air-condition equipment originating in The People’s Republic of China.

COMPLAINT

The Authority received a complaint from Peake’s Industries Ltd. (hereinafter referred to as “the Complainant”) pursuant to section 18(1) of the Act, alleging that imports of air-condition equipment originating in The People’s Republic of China are being dumped in Trinidad and Tobago.

PRODUCT

The products allegedly being dumped are currently classified within the HS Code as 8415.10, 8415.81, 8415.82, 8415.83, 8418.90 and 8418.99.

ALLEGATION OF DUMPING

The allegation of dumping is based on a comparison of normal values established on the basis of domestic prices in The People's Republic of China with the estimated export prices of the products exported to Trinidad and Tobago. On this basis a dumping margin was established.

ALLEGATION OF INJURY

The complainant alleges and has provided evidence that the volume and prices of the imported products have, among other consequences, had a negative impact on the quantities sold and the prices charged by the local producer, resulting in a loss of sales, profitability and market share.

PROCEDURE FOR DETERMINATION OF DUMPING AND INJURY

Having determined that the complaint has been lodged on behalf of the local industry and there is sufficient evidence to justify the initiation of proceedings, the Authority has commenced an investigation pursuant to section 18(1) of the Act.

QUESTIONNAIRES

In order to obtain the information it deems necessary for its investigation, the Authority will send questionnaire(s) to the complainant, exporters and importers named in the complaint. At the same time, a copy of the questionnaire will be circulated to any known representative association of exporters or importers.

Exporters and importers, who have an interest in this investigation, are invited to contact the Authority forthwith. The authorities of the exporting country will be notified of the exporter(s) named in the complaint. The exporters and importers who are not named in the complaint, but who may be affected by the complaint, are also subject to the time limit set out in this Notice and should, therefore, request a copy of the questionnaire as soon as possible. Any request for a questionnaire must be made in writing to the address mentioned below and should indicate the name, address, telephone, fax number and e-mail addresses of the party making the request.

COLLECTION OF INFORMATION AND HOLDING OF HEARINGS

All interested parties that can show that they are likely to be affected by the results of the investigation are hereby invited to make their views known to the Authority in writing and to provide supporting evidence.

Futhermore, the Authority may hear any other interested parties, if not mentioned above, provided that they make a request in writing and show that there are particular reasons why they should be heard.

TIME LIMIT

Interested parties, if their representations are to be taken into account during the investigation, must make themselves known, present views in writing and submit to the Authority information within thirty-seven (37) days from the date of transmission of this Notice. Interested parties may also apply to be heard by the Authority within the same time limit. The transmission of this Notice to the authorities of the exporting countries shall be deemed to have taken place on the third day following its publication. This time limit also applies to all other interested parties, including the parties not named in the complaint and it is consequently in the interest of these parties to contact the Authority without delay.

In cases where any interested party refuses access to, or otherwise does not provide the necessary information within the time limit, or significantly impedes the investigation, provisional or final findings, affirmative or negative, may be made in accordance with regulation 11 of the Regulations, on the basis of the facts available.

Should the above allegations prove to be true, the Minister of Trade and Industry may impose the appropriate duty on imports of air-conditioning equipment originating in The People's Republic of China.

The Authority may be contacted at the following address:

The Anti-dumping Unit
Ministry of Trade and Industry
Level 14, Riverside Plaza
Besson Street
Port-of-Spain
Trinidad and Tobago

Telephone Numbers: 1-868-623-9464; 627-8256; 623-2931-4 Ext. 2049; 2132

Fax No.: 1-(868) 627-8488 or 624-9594

E-mail: bcharles@tradeind.gov.tt
rramdeen@tradeind.gov.tt

Dated this 10th day of March, 2003.

E. LEACOCK
The Anti-dumping Authority