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PART III

Other Notifications, Orders, etc.

GOVERNMENT OF PAKISTAN

NATIONAL TARIFF COMMISSION

NOTICE

Islamabad, the 2nd October, 2020

**Notice of Initiation of Sunset and Change Circumstances Reviews of the
Anti-dumping Duties Imposed on Dumped Imports of Polyester Staple
Fiber from the People's Republic of China**

No. 33/2015/NTC/PSF/SSR&CCR/2020.— The National Tariff Commission (the “Commission”) received application under Section 58(3) of the Anti-Dumping Duty Act, 2015 (the “Act”) on August 17, 2020 from M/s. ICI Pakistan Limited and M/s Ibrahim Fibers Limited (the “Applicants”) for sunset review against anti-dumping duty levied on dumped imports of Polyester Staple Fiber (Not Exceeding 2.0 Denier & Excluding Colored Polyester Staple Fiber and Regenerated Polyester Staple Fiber) (“PSF”) from China following the notice of impending expiry of definitive anti-dumping duty published in national press and official Gazette on July 01, 2020.

(1451)

Price: Rs. 6.00

[6148(2020)/Ex.Gaz.]

Subsequently, on August 24, 2020, the Commission received a representation of All Pakistan Textiles Mills Association (“APTMA”) with the request to the Commission not to initiate the Sunset Review on the basis of change of circumstances including others.

On September 28, 2020, M/s. Jiangyin Hailun Chemical Fiber Co., Limited (“Hailun”) submitted an application for change circumstances review under Section 59(1) of the Act with the request to the Commission to re-determine the dumping margin of Hailun.

Product under Review

The product under review is Polyester Staple Fiber (Not Exceeding 2.0 Denier & Excluding Colored Polyester Staple Fiber and Regenerated Polyester Staple Fiber) originating in and/or exported from the People's Republic of China. It is classified under Pakistan Customs Tariff number. 5503.2010.

Anti-dumping Duty in force

The Commission imposed definitive anti-dumping duty @ 2.82 to 11.51 percent *ad val* on dumped imports of Polyester Staple Fiber imported from China w.e.f. October 03, 2015 for a period of five years.

Initiation of Review

The Commission has determined that there is *prima facie*:—

- i. likelihood of continuation or recurrence of dumping of the product under review from China and material injury to the domestic industry and there are sufficient grounds to justify initiation of a sunset review under Section 58 of the Act;
- ii. need to re-determine the dumping margins of Chinese exporters/foreign producers of PSF on the basis of change of circumstances under Section 59 of the Act; and
- iii. need to further investigate the points raised by APTMA under Sections 58 and 59 of the Act.

Thus, the Commission hereby initiate reviews pursuant to Sections 58(3) and 59(1) of the Act to determine whether expiry of the anti-dumping duty imposed on dumped imports of Polyester Staple Fiber from China would likely to lead to

continuation or recurrence of dumping and injury, and whether change of circumstances warrants continuation, removal or amendment of the anti-dumping duty.

Period for the Review (“POR”)

The sunset and changed circumstances reviews would be conducted on the basis of information for the last three years *i.e.* from July 01, 2017 to June 30, 2020, whereas the POR for dumping determination would be from July 01, 2019 to June 30, 2020.

Basis for Review:

the applicants have alleged that if the anti-dumping duties are terminated on dumped import of PSF from China, there is likelihood that the exporters/producers will again start dumping into Pakistan. Pakistan’s market is more attractive for the exporters/ producers of PSF from China, as its exports to other countries are also facing the anti-dumping duties. It is further stated that there is a need to continue the imposition of anti-dumping duties on dumped imports of PSF from China, otherwise there is likelihood of continuation or recurrence of dumping and injury to the domestic industry.

All the interested parties *i.e.* Applicants, exporter and the importers in their applications/ representations explained that there is a change of circumstances from the original investigation. Therefore, there is a need to re-determine dumping margin for the exporters/ foreign producers of PSF from China.

Continuation of Anti-dumping Duty

In terms of Section 58(3) of the Act, the anti-dumping duty imposed on dumped imports of PSF from China will remain in-force pending the outcome of the review.

Schedule of the Review

Date of initiation of the review:

Date of conclusion of review:

The date of publication of this notice in the newspapers in Pakistan Within twelve months of the date of publication of notice of initiation of the review.

Interested Parties

Interested parties, as defined in Section 2(j) of the Act, are requested to identify themselves to the Secretary, National Tariff Commission, State Life Building No. 5, Blue Area, Islamabad, Tel: +92519202839 Fax: +9251-9221205 not later than 10 days after publication of this notice. An interested party applying for registration with the Commission in this review should submit; the name of the company, its line of business, name of authorized person, address, telephone number and fax number. All interested parties are invited to make their views/comments known to the Commission, and to submit information and

documents (if any) not later than 45 days of the date of publication of this notice in the press in Pakistan. All data and information regarding this investigation should be submitted to the Secretary of the Commission.

Hearing

Any party as defined in Section 2(j) of the Act may, if so wishes, request a hearing in accordance with Rule 14 of the Anti-Dumping Duty Rules 2001 (the Rules) within 45 days of the publication of this notice by contacting Secretary, National Tariff Commission, State Life Building No.5, Blue Area, Islamabad. Telephone No. +92-51-9202839. Fax No. +92-51-9221205

Further Information

For further information please contact, Director (Investigation-I), Tel: +9251-9201188, Fax: +92-51-9221205. General information may also be obtained by accessing the Commission's official website www.ntc.gov.pk.

By the order of the Commission

ALI MUHAMMAD SHAH,
Secretary, NTC