

**Notice of Preliminary Determination on Alleged Dumped Import of Seat Belt Parts/Components into Pakistan Originating in and/or Exported from the Republic of Korea**

The National Tariff Commission (the “Commission”) initiated an anti-dumping investigation against alleged dumping of seat belt parts/components from Korea on August 05, 2008 under Section 23 of the Anti-Dumping Duties Ordinance, 2000 (the “Ordinance”). The investigation was initiated after establishing that the application lodged by the domestic industry manufacturing seat belt parts/components, was in accordance with Sections 20 and 24 of the Ordinance. The Commission made a preliminary determination in this case in terms of Section 37 of the Ordinance, on the basis of information available with the Commission at the time. In accordance with the Ordinance and the Anti-Dumping Duties Rules, 2001 (the “Rules”), the Commission has made preliminary determination as follows:

**Exporters and Foreign Producers:** The Applicant identified one exporter/producer i.e. Korea Delphi Automotive Systems Corporation, Korea (hereinafter referred to as Korea Delphi) of seat belt parts/components involved in alleged dumping of seat belt parts/components from Korea. In terms of Section 27 of the Ordinance, the Commission, upon initiation of investigation, forwarded a copy of notice of initiation of investigation to the exporter/producer of seat belt parts/components in Korea. The Commission also forwarded the copy of notice of initiation of investigation to the Embassy of Korea in Islamabad with a request to forward the same to all other exporters/producers of seat belt parts/components in Korea in order to respond to the Commission. The Commission sent questionnaire along with full text of the written application (non confidential version) on August 6, 2008 to Korea Delphi. Korea Delphi did not respond to the Commission’s request for information on the prescribed questionnaire.

**Product under Investigation:** The product allegedly being dumped into Pakistan, for the purposes of this preliminary determination, are the following 4 seat belt parts/components originating in and/or exported from Korea (the “investigated product”) and are classified under Pakistan Customs Tariff Heading No. 8708.2190. The investigated product is used in manufacturing seat belts for cars. The following 4 parts/components of seat belt, for the time being, are considered as investigated product for the purposes of this preliminary determination as the scope of the investigated product is being further investigated:

<u>S.No.</u>	<u>Seat Belt Part/Component</u>
1.	Front Face (Sash Guide)
2.	Covers (Buckle Cover Top/Lower)
3.	Pin Retractor (Locking Bar)
4.	Bar (Press Button)

**Like Product:** In terms of Section 2 of the Ordinance, the examination of the information gathered during the investigation revealed that the investigated product and seat belt parts/components produced by the domestic industry (domestic like product) are manufactured with same/similar raw materials and manufacturing processes. Both have the same physical characteristics, usage, and tariff classification. Thus it is established that both the products are “like products”.

**Period of Investigation (“POI”):**

For investigation of dumping: From July 01, 2007 to June 30, 2008  
For investigation of injury: From July 01, 2005 to June 30, 2008

**Determination of Dumping**

The Commission is further investigating the scope of investigated product, therefore, determination of dumping (a fair comparison of normal value and export price of investigated product during the POI) could not be made at this stage of the investigation.

**Determination of Material Injury**

The Applicant in the application stated that it is the only domestic producer of seat belt parts/components and seat belts in Pakistan and identified Techno Pack Telecom (Pvt) Ltd., Karachi (hereinafter referred to as Techno) as an importer of the investigated product at alleged dumped prices from Korea Delphi. Techno vide its letter dated January 19, 2009 stated that it is neither itself importer of investigated product nor is related to the exporter or importer of the investigated product in terms of Section 2(d) of the Ordinance. The Commission is still investigating this issue and has asked the Applicant and Techno to substantiate their respective claims. Thus,

“domestic industry” under Section 2 (d) of the Ordinance for the purposes of this investigation is yet to be determined. Standing of the application in terms of sub-sections (1) and (2) of Section 24 of the Ordinance would be determined after determination of “domestic industry”. Therefore, injury to the domestic industry could not be determined at this stage of investigation.

The Commission has made this preliminary determination on the basis of information available with the Commission at the time. Since certain issues relating to the scope of investigated product, domestic industry (whether the other producer of seat belt parts/components and seat belts i.e. Techno is related to the importer or exporter of the investigated product) are being further probed and therefore, are still under consideration for which further information is being gathered. The Commission is, therefore, constrained not to make a determination of dumping of investigated product and injury to the domestic industry producing domestic like product in this preliminary determination.

**Hearing:** Any party registered as an interested party in this case may, if it so wishes, request a hearing in accordance with Rule 14 of the Rules within 30 days of the publication of this notice by contacting Secretary, National Tariff Commission, State Life Building No.5, Blue Area, Islamabad. Telephone No. +92-51-9205944, Fax No.+92-51-9221205.

**Further Information:** A non-confidential version of the report of preliminary determination shall be placed on public file maintained by the Commission. It shall also be posted on the Commission’s website: [www.ntc.gov.pk](http://www.ntc.gov.pk). The public file shall be available to the interested parties registered with the Commission for the purposes of this investigation, for review and copying at the offices of the Commission, from Monday to Thursday between 1100 hrs to 1300 hrs.

**Authority Under Law**

This investigation has been conducted under the Ordinance (No. LXV of 2000). This notice is published pursuant to Section 37 of the Ordinance by order of the Commission

**(Omer MoinChaudhry)**  
Secretary  
February 03, 2009