

comes into force, the principal notice shall apply as if this notice had not been given.

### Schedule

#### **Formula for Calculation of Amount of Anti-Dumping Duty**

The anti-dumping duty to be charged, collected and paid pursuant to this notice shall be, in respect of each importation of the goods, the lesser of the amounts A and B calculated in accordance with the following formulae:

$$A = [(RSP \times 1.05) + \text{Cost Difference}] - \text{Export Price}$$

$$B = \text{Normal Value} - \text{Export Price}$$

where—

“RSP” is the Raw Sugar Price per tonne, to be established as at the London time of sale of the imported refined sugar, and being:

(a) The London Daily price for raw sugar established on a cost/insurance/freight (CIF) basis each London market day as published by the London Futures and Options Exchange; and

(b) Converted to an Free on Board and Stowed (FOBS) basis by deducting the Caribbean/UK freight rate set for that day as published by the London Futures and Options Exchange; and

“Cost Difference” in relation to refined sugar imported from one of the countries listed below, is the value listed beside the name of that country:

<i>Country of Origin</i>	<i>Cost Difference</i>
Federal Republic of Germany	NZ\$145
Malaysia	NZ\$184
Thailand	NZ\$152

### **Tariff Act 1988**

#### **Tariff (Statistical Requirements) Amendment Notice 1990**

Pursuant to section 10 (2) of the Tariff Act 1988, the Secretary of Commerce gives the following notice.

#### **Notice**

**1. Title and commencement**—(1) This notice may be cited as the Tariff (Statistical Requirements) Amendment Notice 1990.

(2) This notice shall come into force on the 1st day of April 1990.

**2. Statistical units of goods in relation to certain statistical keys of certain Tariff items amended**—The statistical units in relation to the statistical keys represented by Tariff items and codes 9506.11.00 00K and 9506.12.00 00D are hereby revoked and substituted by the units specified in the First Schedule to this notice.

**3. Certain statistical keys of certain Tariff items amended**—The statistical keys represented by the Tariff items and codes 0106.00.00 11B, 0106.00.00 19H, 0307.31.00 09G, 0307.31.00 19D, 0404.90.19 00E, 1517.90.01 00E, 1517.90.19 00J, 2106.90.09 39C, 2201.90.01 00B, 2501.00.19 01C, 2501.00.19 11L, 2501.00.19 19F, 2710.00.85 00K, 3004.90.19 10C, 3208.10.19 19C, 3208.10.29 00H, 3208.20.19 19G, 3208.20.29 00A, 3208.90.19 19B, 3208.90.29 00G, 3209.10.09 19F, 3209.10.19 00L, 3209.90.09 19E, 3209.90.19 00K, 3210.00.09 01C, 3210.00.09 09J, 3210.00.09 19F, 3212.90.01 00C, 3303.00.01 00H, 3303.00.09 00J, 3304.30.00 00L, 3304.99.00 00C, 3305.30.00 00J, 3305.90.00 00L, 3306.90.00 00J, 3307.10.01 00D, 3307.10.09 00E, 3307.20.00 00A, 3307.49.00 00K, 3307.90.01 00C, 3307.90.09 00D, 3402.20.00 09L, 3403.11.00 00F, 3403.19.19 02A, 3403.19.19 09J, 3403.91.00 00E, 3403.99.19 01B, 3403.99.19 09H, 3404.10.00 00K, 3404.20.00 00C, 3404.90.00 00J, 3405.10.00 00H, 3405.20.00 00A, 3405.30.00 00E, 3405.40.00 09B, 3405.90.00 00G, 3506.10.00 00B, 3506.91.00 01D, 3506.99.00 00B, 3808.10.01 00D, 3808.10.11 00K, 3808.20.00 01K, 3808.20.00 09E, 3808.20.00 19B, 3808.30.08 00F, 3808.30.19 00H, 3808.40.00 00J, 3808.90.00 00G, 3809.10.00 00F, 3809.91.09 00G, 3809.99.09 00C, 3814.00.00 00J, 3823.90.49 10G, 3910.00.09 00K, 3926.90.69 21D, 8528.10.01 01J, 8528.10.01 21C, 8536.90.00 31L, 9505.10.00 00G, 9506.19.00 01D, and 9506.19.00 09K are hereby revoked and substituted by the statistical keys specified in the Second Schedule to this notice.

#### **First Schedule**

##### **Units of Goods Substituted**

Number	Statistical Key		Goods
	Code	Unit	
9506.11.00	10G	pr	
9506.12.00	10A	pr	

Where either formula specified above yields a value for A or B of zero or less, then no anti-dumping duty is payable.

#### **Note**

All amounts expressed in units of currency other than New Zealand dollars shall be converted to New Zealand dollars for the purposes of applying this formula (for example, the Raw Sugar Price is quoted in US dollars per tonne) in accordance with section 143 of the Customs Act 1966 (as substituted by section 10 of the Customs Acts Amendment Act 1985),

Dated at Wellington this 22nd day of February 1990.

PETER NEILSON, Minister of Customs.

#### **Explanatory Note**

This note is not part of the notice, but is intended to indicate its general effect.

This notice amends the principal notice given by the Minister of Customs on 9 November 1988 by omitting the amount of anti-dumping duty applying to the goods to which that notice relates and substituting the formula for the calculation of the amount of anti-dumping duty specified in the Schedule to this notice. The effect of this is to change the form of calculation of anti-dumping duty payable on refined sugar imported from the Federal Republic of Germany, Malaysia and Thailand. As with the previous form of calculation, anti-dumping duty is payable only where the normal value determined for each exporting country is greater than the export price of the goods. The new form of calculation takes into account fluctuations in the price of raw sugar on the world market, and provides that the price of raw sugar to be used in the formula be established at the London time of sale.

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