



ANTI-DUMPING NOTICE NO. 2014/86

Certain aluminium road wheels

Exported from the People's Republic of China

Initiation of a Review of Anti-Dumping Measures

Customs Act 1901 – Part XVB

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission have initiated a review of the anti-dumping measures applying to certain aluminium road wheels exported to Australia from the People's Republic of China (China).

The Goods

The goods subject to anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice are certain aluminium road wheels ("the goods"). The applicant provided further details as follows:

Aluminium road wheels for passenger motor vehicles, including wheels used for caravans and trailers, in diameters ranging from 13 inches to 22 inches.

For clarification, the goods include finished or semi-finished aluminium road wheels whether unpainted, painted, chrome plated, forged or with tyres and exclude aluminium wheels for go-carts and All-Terrain Vehicles.

The goods are currently classified to the tariff subheadings 8708.70.91 (statistical code 78), 8708.70.99 (statistical code 80) and 8716.90.00 (statistical code 39) in Schedule 3 of the *Customs Tariff Act 1995*. These goods are subject to 4% Customs duty.

The review will examine whether the variable factors relevant to the taking of the anti-dumping measures have changed.

Background to the measures

The anti-dumping measures were initially imposed by public notice on 5 July 2012 by the then Minister for Home Affairs following consideration of *International Trade Remedies Report No. 181* (REP 181).

Following a review by the then Trade Measures Review Officer, the Australian Customs and Border Protection Service (ACBPS) conducted a reinvestigation into certain findings made in REP 181. *International Trade Remedies Report No. 204* (REP 204) sets out the findings affirmed and new findings made by ACBPS as a result of the reinvestigation.

To give effect to the recommendations contained in REP 204, the then Minister for Home Affairs published a new notice under section 269ZZM of the *Customs Act 1901* (the Act). This additional notice, published on 8 May 2013, revokes the earlier notice published on 5 July 2012 only to the extent of any inconsistency between the notices.

The current anti-dumping measures are applicable to all exporters from China with the exception that interim dumping duties and countervailing duties do not apply to Zhejiang Shuguang Industrial Co. Ltd and interim countervailing duties do not apply to CITIC Dicastal Wheel Manufacturing Co. Ltd.

The current review

An application has been made under section 269ZA of the Act for a review of the dumping and countervailing duty notices in relation to the goods exported to Australia from China. The application was lodged by Jiangsu Yaozhong Aluminium Wheels Co., Ltd, an exporter of the goods.

Following the examination of the application, I considered it appropriate to recommend that the scope of the review be extended to all exporters of the goods currently subject to the anti-dumping measures. The Parliamentary Secretary to the Minister for Industry (Parliamentary Secretary) accepted my recommendation pursuant to subsection 269(4)(b) of the Act and accordingly, the review has been extended to all exporters of the goods from China.

A notice advising the initiation of the review of anti-dumping measures was published in *The Australian* on 15 September 2014. The review period is 1 July 2013 to 30 June 2014. The review will examine whether the variable factors relevant to the taking of the measures have changed.

After concluding the review, I will recommend to the Parliamentary Secretary that the dumping duty and countervailing notices:

- i. remain unaltered; or
- ii. have effect as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that anti-dumping measures are no longer warranted, that party may lodge an application¹ no later than 27 October 2014 to request that I consider that evidence to extend a review of anti-dumping measures to include revocation.

Public Record

A public record must be maintained for each review. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined at the Anti-Dumping Commission (the Commission) office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au.

¹ In accordance with s. 269ZCB of the Act.

Lodgment of submissions

Interested parties, as defined by subsection 269T(1) of the Act, are invited to lodge written submissions concerning this review, no later than the close of business on **27 October 2014**, addressed to:

The Director
Operations 4
Anti-Dumping Commission
1010 La Trobe St
Docklands VIC 3008

or email operations4@adcommission.gov.au, or fax to + 61 3 9244 8902.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received by the Commission after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY".

Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

Questionnaires

Due to the potentially large number of importers and exporters of goods classified under the tariff classifications relevant to the goods identified above, the Commission will take the time to identify interested parties before making available the importer and exporter questionnaires. Responses will be due by a date specified in the questionnaires.

Statement of Essential Facts

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Parliamentary Secretary within the legislative timeframe. A statement of essential facts will be placed on the public record by 5 January 2015, or by such later date as the Parliamentary Secretary may allow in accordance with section 269ZH1 of the Act. The statement will set out the essential facts on which I propose to base a recommendation to the Parliamentary Secretary. That statement will invite interested parties to respond to the issues raised within 20 days of the statement being placed on the public record.

Report to the Parliamentary Secretary

Submissions received in response to the statement of essential facts will be taken into account in preparing the report and recommendation to the Parliamentary Secretary. A recommendation to the Parliamentary Secretary will be made in a report on or before 17 February 2015 (or such later date as the Parliamentary Secretary may allow).

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the case manager on telephone number (03) 9244 8271, fax number + 61 3 9244 8902 or +61 2 6275 6888 (outside Australia) or operations4@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

15 September 2014