



ANTI-DUMPING NOTICE NO. 2017/11

Certain Aluminium Road Wheels

Exported to Australia from the People's Republic of China

Initiation of an exemption inquiry

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (Commissioner), have initiated an exemption inquiry in relation to certain goods the subject of anti-dumping measures applying to certain aluminium road wheels (ARWs) exported to Australia from the People's Republic of China (China).

The exemption category being sought is under subsections 8(7)(b) and 10(8)(aa) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)¹ may exempt goods from dumping and countervailing duties where satisfied:

'that a Tariff Concession Order under Part XVA of the *Customs Act 1901* in respect of the goods is in force.'

The Anti-Dumping Measures

Anti-dumping measures, in the form of a dumping and countervailing duty notice, were initially imposed on ARWs by public notice on 5 July 2012 by the then Minister for Home Affairs following consideration of the *International Trade Remedies Report No. 181* (REP 181). These measures are applicable to all exporters from China with the exception of Zhejiang Shuguang Industrial Co., Ltd (PDW).² The countervailing duty notice does not apply to CITIC Dicastal Wheel Manufacturing Co., Ltd.³

¹ On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this inquiry the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

² The dumping and countervailing investigation as it related to PDW was terminated on 8 June 2012 on the basis that the dumping margin and subsidy margin for PDW were negligible in accordance with section 269TDA.

³ The countervailing investigation as it related to CITIC Dicastal Wheel Manufacturing Co., Ltd was terminated on 8 June 2012 on the basis that the subsidy margin were negligible in accordance with section 269TDA.

On 8 May 2013, the then Minister for Home Affairs accepted the recommendations in International Trade Remedies Report No. 204 (REP 204) and published a new notice under section 269ZZM which revised the countervailable subsidy margin for one exporter, YHI Manufacturing Co., following a reinvestigation into certain findings made in REP 181.

On 4 August 2014, Jiangsu Yaozhong Aluminium Wheels Co. Ltd applied for a review of the anti-dumping measures on the basis that certain variable factors in respect of the goods had changed. The application was not rejected and the review was extended to include all Chinese exporters of the goods subject to the anti-dumping measures. Review No. 263 found that the variable factors in relation to all exporters subject to the anti-dumping measures had changed.

On 27 October 2016, the Commissioner initiated an inquiry into whether the continuation of these anti-dumping measures is justified (Continuation No. 378).

The goods to which the current anti-dumping measures apply:

“Aluminium road wheels for passenger motor vehicles, including wheels used for caravans and trailers, in diameters ranging from 13 inches to 22 inches. The goods include finished or semi-finished aluminium road wheels whether unpainted, painted, chrome plated, forged or with or without tyres.”

The Exemption Goods

The goods the subject of the exemption inquiry are certain ARWs (“the exemption goods”) meeting the following specific characteristics covered by (TCO) TC9314927:

Wheels, forged aluminium, having a rim diameter exceeding 445mm.

The exemption goods are classified to the tariff subheading 8708.70.99 (statistical code 80) of Schedule 3 to the *Customs Tariff Act 1995*. These goods are duty free.

The exemption inquiry will examine whether the exemption goods satisfy the conditions of the subsections 8(7)(b) or 10(8)(aa) of the Dumping Duty Act.

The Current Inquiry

An application for exemption has been made to the Parliamentary Secretary by the trustee for the TWA Trust trading as Tyres4U, an importer of certain ARWs from China.

After making inquiries of the Australian industry producing certain ARWs and other interested parties, I will recommend to the Parliamentary Secretary whether the goods should be exempted from the anti-dumping measures.

Public Record

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of ensuring this process is conducted in an open and transparent manner, the public record for this inquiry may be examined at the Anti-Dumping Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is accessible at www.adcommission.gov.au

The public record will contain, among other things, a copy of the application and a copy of all submissions from interested parties.

Lodgment of Submissions

Interested parties are invited to lodge written submissions concerning this inquiry no later than the close of business on 12 April 2017, addressed to:

The Director
Operations 1,
Anti-Dumping Commission
Level 35
55 Collins Street
Melbourne VIC 3000

or email at operations1@adcommission.gov.au or fax to (03) 8539 2499 or +61 3 8539 2499 (outside Australia).

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly.

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 must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

Report to the Parliamentary Secretary

Submissions received in the timeframe stated above will be taken into account in completing the report and recommendation to the Parliamentary Secretary. There is no legislated timeframe for completion of the exemption process.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2408 or email at operations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

6 March 2017