



Anti-Dumping Commission
1010 La Trobe St
Docklands VIC 3008

3 October 2014

[COPY OF A LETTER SENT TO ALL KNOWN EXPORTERS OF ALUMINIUM ROAD WHEELS WHO EXPORTED DURING THE PERIOD 1 JULY 2013 TO 30 JUNE 2014]

Dear Sir/ Madam,

REVIEW OF ANTI-DUMPING MEASURES ON CERTAIN ALUMINIUM ROAD WHEELS EXPORTED TO AUSTRALIA FROM THE PEOPLE'S REPUBLIC OF CHINA

On 15 September 2014, the Anti-Dumping Commission (the Commission) initiated a review of the anti-dumping measures applying to certain aluminium road wheels (ARWs) exported to Australia from the People's Republic of China (China).

The review follows an application made by Jiangsu Yaozhong Aluminium Wheels Co., Ltd, an exporter of the goods, for a review¹ of the dumping and countervailing duty notices in relation to its exports of the goods to Australia from China.

The Parliamentary Secretary to the Minister for Industry, who is responsible for anti-dumping matters, has accepted a recommendation from the Anti-Dumping Commissioner to extend the review to all exporters of the goods covered by the measures. The review will examine whether the variable factors (export price, normal value, non-injurious price and the amount of countervailable subsidy received) relevant to the taking of the measures have changed. Anti-Dumping Notice (ADN) 2014/86, which contains details of the review, can be accessed from the Commission's website <http://www.adcommission.gov.au/cases/documents/001-ADN2014-86-Initiationofareview.pdf>.

Your company has been identified from the Commission's import records as a possible exporter of ARW's from China during the review period of 1 July 2013 to 30 June 2014. If you wish to cooperate with the review, you are invited to complete the preliminary information request (PIR). Further details are provided below.

Sampling

In view of the potentially large number of Chinese exporters of ARWs to Australia, you should be aware that it may not be practicable to work out for each exporter their export prices and normal values, or their individual amounts of subsidy received.

¹ The application was made in accordance with the review provisions of section 269ZA of the *Customs Act 1901*.

To make the review practicable the Commission may decide to sample by selecting a number of exporters in order to determine:

- individual margins of dumping using their own export prices and normal values for certain selected exporters;
- the margins of dumping for exporters not so selected; and/or
- the amount of any countervailable subsidy received by selected exporters and exporters who are not selected.

If an exporter has not been included in the sample elects to submit the detailed information required in the exporter questionnaire, the Commission is required to extend the review to that exporter unless to do so would prevent the timely completion of the review (as provided for in section 269TACAA(2) of the *Customs Act 1901*).

In determining margins of dumping and the amount of countervailable subsidy received, the Commission also reserves a right, to determine an “all other rate” using all available information that may apply to any exporters not known, or who did not make themselves known by completing the PIR and agreeing to further cooperate with the review or did not at the time exist.

Preliminary Information Request Form

Initially, the Commission is seeking preliminary information to plan the review. To cooperate with the review you must first complete a **Preliminary Information Request (PIR)** form by no later than **17 October 2014**. This form requires basic information about your company and it allows you to indicate your company’s willingness to cooperate with the review. The form can be found at the Case Page for the review at <http://www.adcommission.gov.au/cases/EPR263.asp>.

The Commission proposes to use the **PIR** in order to decide if sampling is necessary. Accordingly, if you wish to cooperate in the review it is important that you complete the **PIR** form by the required date (17 October 2014).

Exporters sampled for further investigation

After reviewing the information provided by responding parties in the PIRs, the Commission will determine whether or not to select your company in any sample for further investigation.

If your company is so selected for further investigation you will be asked to complete an **Exporter Questionnaire** and associated spreadsheets and cooperate with the Commission’s site verification requirements. These matters are discussed further below (see **Exporter Questionnaire** section).

If your company is selected for further investigation, and provided your company cooperates the Commission will examine your export sales, domestic sales and costs to make and sell, and subsidy details, and determine your individual dumping margins and amount of any countervailable subsidy received.

Exporters not sampled

If you complete and return the **PIR** form and agree to cooperate, but have not been included in the sample, you will be informed of this decision.

In this case your company will have export prices, normal values and a subsidy amount based on the information supplied by the sampled companies that cooperate with the review and were selected for further investigation in accordance with section 269TACAB(2) and (3) of the *Customs Act 1901*.

However should you wish to be selected for further investigation, so that you might have your own dumping/subsidy situation assessed, the Commission will provide you with an **Exporter Questionnaire** and associated spreadsheets for you to complete. The Commission will decide if it is possible to accommodate your request for an individual assessment within the time constraints of the investigation.

Non-cooperation

The Commission will treat your company as being non cooperative if:

- you decide not to complete the **PIR** form and do not return it; or
- you complete the form, return it and indicate that you do not wish to cooperate any further with the review.

In this case, the Commission will assess export prices, normal values and the amount of any subsidy based on available facts. This may include information submitted by the Australian industry.

As such, the result may be less favourable to your company than if you state in the PIR form that you are willing to cooperate.

Therefore, it is in your company's interests to complete and return the PIR form by the due date and to indicate a preparedness to cooperate in the investigation.

Exporter Questionnaire

If the Commission informs you that your company has been selected in the sample for further investigation it will ask you to complete the **Exporter Questionnaire** and associated spreadsheets. This will include a section requesting information on any subsidy benefits that your company has received.

You will be asked to complete and return that questionnaire within a further 37 days.

The Commission will also seek to conduct a verification visit at your company's principal place of business involving key company personnel. During the verification visit (typically 3 – 4 days) your company will be asked to substantiate the relevance, completeness and accuracy of the information supplied in response to the Exporter Questionnaire from the company's records in respect of the goods. This will involve an examination of management records and audited accounts, as well as source documents.

Information required

To comply with the review time limits, responses in English to the **PIR** form must be provided by **17 October 2014**. The completed form should preferably be sent via email to: operations4@adcommission.gov.au, or transmitted by facsimile to + 61 3 9244 8271, or can be addressed and posted to:

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

Public Record and Consideration Report

Throughout the review, the Commission will maintain a Public Record to provide access to all relevant non-confidential information held in relation to the review.

The non-confidential version of the application and non-confidential attachments are available on the Public Record, which can be accessed electronically at www.adcommission.gov.au.

The investigation is numbered No.263 and can be identified by this number in the Public Record.

The Commission's report on its consideration of the application (Consideration Report No.263) is also available on its website at www.adcommission.gov.au.

Submissions

As well as responding to the PIR, you may also wish to lodge general submissions in support of your claims.

Any submission you lodge (including rebuttals to claims made by other parties) must be made in "confidential" and "non-confidential" versions. The non-confidential version, which will be placed on the Public Record, should contain sufficient detail to allow a reasonable understanding of the substance of the information. Please refer to *ACDN 2012/42 – Provision of information for the public record* available at the Commission's website www.adcommission.gov.au.

To comply with the review time limits, general submissions must be provided by **27 October 2014**.

Should you have any questions concerning this matter, please contact me on +61 (3) 9244 8271 or email operations4@adcommission.gov.au.

Yours sincerely,



Rebecca Oliver
A/g Assistant Director - Operations 4
Anti-Dumping Commission