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## **ANTI-DUMPING NOTICE NO. 2017/115**

### **Certain Aluminium Road Wheels Exported to Australia from the People's Republic of China, Findings of an exemption inquiry**

*Customs Tariff (Anti-Dumping) Act 1975*

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

The exemption was sought pursuant to 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 (Parliamentary Secretary)<sup>1</sup> may exempt goods from interim dumping duty, dumping duty, interim countervailing duty and countervailing duty (collectively, the duties) if satisfied that a Tariff Concession Order (TCO) 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 duty notice and a countervailing duty notice, were initially imposed on ARW 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). These measures are applicable to all exporters from China with the exception of Zhejiang Shuguang Industrial Co., Ltd (PDW).<sup>2</sup> The countervailing duty notice does not apply to CITIC Dicastal Wheel Manufacturing Co., Ltd.<sup>3</sup>

On 27 October 2016, the Commissioner initiated an inquiry into whether the continuation of the anti-dumping measures applying to ARW exported from China is justified. For the reasons set out in *Anti-Dumping Commission Report No. 378*, the Parliamentary Secretary has decided to continue the measures from 5 July 2017 for a further five years.<sup>4</sup>

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<sup>1</sup> 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.

<sup>2</sup> 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 both negligible.

<sup>3</sup> 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 was negligible.

<sup>4</sup> The report is available on the Commission [website](#).

The goods subject to anti-dumping measures may be classified under the following subheadings in Schedule 3 of the *Customs Tariff Act 1995* (the Tariff Act):

- 8708.70.91 (statistical code 78).
- 8708.70.99 (statistical code 80).
- 8716.90.00 (statistical code 39).

### **The goods**

The goods exported from China, covered by the anti-dumping measures (in the form of a dumping duty notice and a countervailing duty notice) are:

*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 subject to the application for exemption (“the exemption goods”) are:

*Certain ARW meeting the specific characteristics covered by TC 9314927.*

The goods covered by TC 9314927 are:<sup>5</sup>

*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 Tariff Act. These goods are duty free. There is no difference between the exemption goods and the goods covered by the TCO.

### **The inquiry**

Following an application by The Trustee for the TWA Trust trading as Tyres4U (Tyres4U), an importer of ARW, I made a recommendation to the Parliamentary Secretary that the exemption goods be exempted from the duties.

The Parliamentary Secretary has accepted my recommendation and has exempted the goods the subject of the application from the duties through *Ministerial Exemption Instrument No. 9 of 2017*. The exemption takes effect on and from 23 December 2016.

Copies of *Exemption Inquiry Report No. EX0051* and the exemption instrument are available on the Anti-Dumping Commission (Commission) website ([www.adcommission.gov.au](http://www.adcommission.gov.au)).

The exemption granted as a result of this inquiry may be subject to review and may be revoked by the Parliamentary Secretary if circumstances change.

### **Further Information**

If importers believe that goods they are importing are exempted from the duties in accordance with the exemption instrument, when they or their broker enter these goods for home consumption via the Integrated Cargo System, the exemption category ‘GOODS’ should be selected and no dumping or countervailing duties will be applied to the shipment.

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<sup>5</sup> TC9314927 is available at this [website](#).

Parties seeking a refund of the duties already paid should contact the Commission on 13 28 46 or email at [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au).

The decision to grant the exemption does not prevent further applications for exemptions from the duties being considered. Parties can apply for an exemption where they believe their goods satisfy any of the conditions for exemption detailed in subsections 8(7) and 10(8) of the Dumping Duty Act. Further information on the application process can be found at the Commission website at:

<http://www.adcommission.gov.au/system/csi/exemption/how-to-apply.asp>

**Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the Commission on 13 28 46 or for international callers on +61 2 6213 6000 or by email at [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

9 August 2017