



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2013/34

Certain Aluminum Road Wheels

Exported from The People's Republic of China

Reinvestigation Findings: Variation of Decision to Impose Measures

Customs Act 1901 – Part XVB

The Australian Customs and Border Protection Service (Customs and Border Protection) has completed the reinvestigation into certain findings made in International Trade Remedies Report No. 181 in respect of certain aluminium road wheels exported to Australia from The People's Republic of China (China).

International Trade Remedies Report No. 204 (REP 204) sets out the findings affirmed and new findings made by Customs and Border Protection as a result of the reinvestigation.

Customs and Border Protection Report

Following the reinvestigation Customs and Border Protection affirms its original findings in respect of publishing dumping duty notices and countervailing duty notices.

Customs and Border Protection makes the following new finding in respect of the level of subsidisation established for YHI Manufacturing Co Ltd under Programs 1, 11, 31, 32, 35, 39, 41 and 47, and is varying the countervailing duty notice published on 5 July 2012.

Ministerial Decision

The Minister for Home Affairs (the Minister) considered, and accepted, the recommendations of Customs and Border Protection, the reasons for these recommendations, and the material findings of fact or law on which the recommendations are based as detailed in REP 204.

To give effect to this decision the Minister has published a new notice under section 269ZZM of the *Customs Act 1901* (the Act). This notice is in addition to the anti-dumping notices¹ (the earlier notice), published in respect of certain aluminium road wheels exported to Australia from China which was notified on 5 July 2012 in *The Australian* and the *Gazette*. The new notice revokes the earlier notice to the extent of any inconsistency.

Notice of the Minister's decision was published in *The Australian* on Wednesday 8 May 2013.

Effective Rate(s) of Duty

The effective rates of duty are set out in the following table:

¹ Under section TG and TJ of the *Customs Act 1901*

Exporter	Dumping Margin	Subsidy Margin	Effective rate of interim countervailing duty and interim dumping duty*
YHI Manufacturing Co Ltd	25.5%	11.7%	37.2%

The actual duty liability may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the International Trade Remedies Branch on (02) 6275 6066 or at itr@customs.gov.au for further information regarding the actual duty liability calculation in their particular circumstance.

Refund Provisions

Parties that have paid interim duties on certain aluminium road wheels exported to Australia by YHI Manufacturing Co Ltd from 5 July 2012 may apply for a refund of this interim duty under Division 3 of Part VIII of the Act. Customs and Border Protection will send affected parties further information about the refund process shortly.

Right of Review

Interested parties may seek a review of this decision by lodging an application with the Federal Court of Australia, in accordance with the requirements in the *Administrative Decisions Judicial Review Act 1975*, within 28 days of the publication of the notice in the *Australian*, that is by 5 June 2013.

Customs and Border Protection contact

REP 204 and other documents included in the public record are available at <http://www.customs.gov.au/anti-dumping/cases.asp>. Alternatively, the public record may be examined at Customs House by contacting the case manager on the details provided below.

Enquiries about this notice may be directed to the case manager on telephone number (02) 6245 5434, fax number (02) 6275 6990 or itrops1@customs.gov.au

Scott Wilson
A/g National Manager
International Trade Remedies Branch
8 May 2013