



Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE NO. 2017/116

Certain Wire Rope

Exported to Australia from the Republic of South Africa

Preliminary Affirmative Determination and

Imposition of Securities

Public notice under section 269TD of the Customs Act 1901

Background

On 26 April 2017, I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, initiated an investigation into the alleged dumping of certain wire rope (the goods) exported to Australia from the Republic of South Africa (South Africa), following an application lodged by Bekaert Wire Ropes Pty Ltd.

Further details regarding the initiation of the investigation can be found in Anti-Dumping Notice (ADN) No. 2017/58.¹

The goods

The goods the subject of the investigation are stranded wire rope, alloy or non-alloy steel, whether or not coated or impregnated, having both of the following:

- Not greater than 8 strands;
- Diameter not less than 58mm and not greater than 200mm,

with or without attachments.

Further information regarding the goods can be found in *Anti-Dumping Commission Consideration Report No. 401* and ADN No. 2017/58.

Preliminary Affirmative Decision

On 14 August 2017, I published *Statement of Essential Fact No. 401 and Preliminary Affirmative Determination 401* (SEF 401 and PAD 401) on the public record. As part of SEF 401 and PAD 401, I made a preliminary

¹ All ADN's and reports listed in this notice are available on the electronic public record at www.adcommission.gov.au. Alternatively, documents may be examined at the Anti-Dumping Commission's (the Commission) office by contacting the Case Manager on the details provided in this notice below.

affirmative determination (PAD) under section 269TD of the *Customs Act 1901* (the Act). Relevant information relied on in making the PAD, including the considerations relevant to the determination of material injury to the Australian industry, is contained in SEF 401 and PAD 401, which should be read in conjunction with this notice.

Having regard to the application, submissions received after the date of initiation of the investigation concerning the publication of a dumping duty notice, and other information obtained during the course of the investigation I considered relevant, as specified in SEF 401 and PAD 401, and pursuant to subsection 269TD(1)(a) of the Act, I am satisfied that there appears to be sufficient grounds for the publication of a dumping duty notice in respect of the goods exported to Australia from South Africa.

In making this PAD, I have had regard to the requirements of the Act and my findings in SEF 401 and PAD 401. I am satisfied that dumped goods exported to Australia from South Africa appear to have caused material injury to the Australian industry producing like goods in the form of:

- loss of sales volume;
- loss of market share;
- price depression;
- price suppression;
- loss of profits;
- reduced profitability;
- reduced sales revenue;
- reduced ROI;
- reduced capacity utilisation;
- reduced employment; and
- reduced productivity.

The preliminary dumping margin for all exporters of the goods to Australia from South Africa is tabulated below. These margins were calculated in accordance with the Act.²

Country	Exporter/Manufacturer	Dumping margin
South Africa	All exporters	39.7%

Table 1: Summary of dumping margins

Under subsection 269TD(4)(b) of the Act, I am satisfied that it is necessary for the Commonwealth to require and take securities in order to prevent material injury occurring to the Australian industry while the investigation continues.

The Commonwealth will require and take securities under section 42 of the Act in respect of interim dumping duty that may become payable in respect of the

² Dumping margins are determined under section 269TACB of the Act. For the purposes of calculating the dumping margin in table 1 above, the Commission compared quarterly weighted average export prices to the corresponding quarterly weighted average normal value in the investigation period.

goods exported from South Africa entered for home consumption on or after **16 August 2017**.

As the preliminary NIP is lower than the preliminary normal values, the Commission proposes that securities be taken for all exporters from South Africa based on the difference between the preliminary NIP and the preliminary weighted average export prices.

The securities will be worked out in accordance with the combination of fixed and variable duty method as detailed in the table below.

Country	Exporter / Manufacturer	Duty Method	Fixed component of securities ³	Variable component of securities
South Africa	All exporters	Combination method	28.9%	Applicable where the actual export price is below the ascertained export price

Table 2: Summary of securities

The actual security liability may be higher than the effective rate of security due to a number of factors. Affected parties should contact the Commission's client support team on 132846 or +61 2 6213 6000 or email to clientsupport@adcommission.gov.au for further information regarding the actual security liability calculation in their particular circumstance.

I must report to the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)⁴ with final recommendations in relation to this investigation on or before 28 September 2017. The Parliamentary Secretary will then decide whether to publish a dumping duty notice and, if relevant, the level of interim dumping duties to be imposed.

Further, if dumped goods give rise to retrospective notices being imposed on the goods under section 269TN of the Act, the dumping duty notice will also include the duties to be imposed retrospectively.

Enquiries about this notice may be directed to the case manager on telephone number (03) 8539 2409 or investigations3@adcommission.gov.au.

Dale Seymour

³ Fixed component of the securities, which is 28.9% in this case, is applied to the higher of the ascertained export price or the actual export price.

⁴ 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 investigation the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

Commissioner
Anti-Dumping Commission

16 August 2017