



**Australian Government**  
**Anti-Dumping Commission**

## ANTI-CIRCUMVENTION INQUIRY

### HOLLOW STRUCTURAL SECTIONS EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA, THE REPUBLIC OF KOREA AND MALAYSIA

#### RECORD OF MEETING WITH [CONFIDENTIAL TEXT DELETED – name of Moulis Legal client]

**Date:** 20 November 2015

**Location:** Industry House  
10 Binara St Canberra

Anti-Dumping Commission  
Level 35, 55 Collins Street  
Melbourne

**Attendees:** Anti-Dumping Commission  
**Moulis Legal client**

**[CONFIDENTIAL TEXT DELETED – name of**

Andrea Stone  
A/g Director, Operations 2

Daniel Moulis  
Moulis Legal

Rhys Piper  
Director, Operations 1

Roman Maevsky  
Assistant Director, Operations 2

#### **Purpose of meeting:**

The purpose of the meeting was for **[CONFIDENTIAL TEXT DELETED – name of Moulis Legal client]** to discuss various preliminary findings in Statement of Essential Facts 291 (SEF 291) in relation with the abovementioned anti-circumvention inquiry.

#### **Discussion:**

- **[CONFIDENTIAL TEXT DELETED – name of Moulis Legal client]** discussed the following with respect to SEF 291:
  - Application of changes to the original notices retrospectively
    - Whether it is reasonable to apply duties retrospectively in slight modification of goods inquiries at all as it deals with goods that currently aren't covered by the notice(s).
    - Even if this is reasonable, whether it is reasonable in the current inquiries noting the short period of time between the introduction of the circumvention activity in the *Customs (International Obligations) Regulations 2015* and the initiation of the inquiries (noting the nature of business where forward supply has already been contracted in some cases).

## PUBLIC RECORD

- The World Trade Organisation framework operates where measures should only be imposed on goods once final findings have been made (the modified goods have never had findings made against them).
  - Whether the approach proposed in SEF 291 is a proper exercise of discretion by the decision maker.
- 
- Clarification of the SEF in so far as it relates to goods imported by **[CONFIDENTIAL TEXT DELETED – name of Moulis Legal client]**.
  - Clarification of the intended changes to the original notices:
    - Confirmation that the variable factors established for the notices as they apply to non-alloy goods will be transferred to the alloyed goods (i.e. no change in variable factors)
    - Confirmation that exporters with their own individual rates of measures will retain that rate of measures.
  - **[CONFIDENTIAL TEXT DELETED – name of Moulis Legal client]** will lodge a detailed formal submission outlining all of the above factors discussed before the due date of 25 November 2015.