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# **ANTI-DUMPING NOTICE NO 2023/043**

## **Continuation Inquiry No 617 in relation to Steel Pallet Racking**

### **Exported from China and Malaysia**

### **Extension of time granted to issue the Statement of Essential Facts and Final Report**

*Customs Act 1901 – Part XVB*

The Commissioner of the Anti-Dumping Commission (the Commissioner) has extended the due date to publish the Statement of Essential Facts (SEF) and provide the final report and recommendation to the Minister about the above case.<sup>1</sup>

#### **New milestone dates**

**SEF** – The SEF is now due to be placed on the electronic public record (EPR) on, or before, **25 September 2023**.

**Response to SEF** – Interested parties are invited to make submissions in response to the SEF within 20 days of the SEF being placed on the public record.

**Final Report** – A recommendation to the Minister will be made in a final report which is now due on, or before, **9 November 2023**.

The previous due date for the SEF was 22 July 2023. The previous due date for the final report was 5 September 2023.

#### **Basis for extension**

I, Isolde Lueckenhausen, am the Deputy Commissioner Investigations, Anti-Dumping Commission (the commission). I requested the extension of the due date to publish the SEF and to provide the final report and recommendation to the Minister.

I requested the extension as a consequence of extending the time for interested parties to provide questionnaire responses and because there have been delays completing verification of relevant data provided by the Australian industry and importers.

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<sup>1</sup> They do so under section 269ZHI(3) of the *Customs Act 1901*. On 19 January 2017, the Parliamentary Secretary to the Minister for Industry, Innovation and Science delegated the powers and functions of the Minister under section 269ZHI of the Act to the Commissioner. See Anti-Dumping Notice 2017/10 for further information.

## **Other case updates**

As outlined in the response to the exporter questionnaire (REQ) status file note published on 14 June 2023, the commission received responses to the exporter questionnaire from 3 entities within the legislated period.<sup>2</sup> The commission also subsequently received a late REQ from Schaefer Systems International Sdn Bhd (Schaefer Malaysia).

There is no requirement to determine new variable factors as part of a continuation inquiry. The commission does not intend to determine new variable factors in this case because:

- the 3 entities that provided REQs within the legislated period, combined, represent less than 10% of imports of the goods by value during the inquiry period, and
- Schaefer Malaysia provided its REQ 26 days outside the legislated period (which included an extension of 19 days).

The non-confidential versions of the REQs have been published on the EPR. The commission may nonetheless consider information provided in the REQs as part of its assessment of whether the continuation of the anti-dumping measures is justified. Accordingly, the commission has also written to the 3 entities that provided a REQ within the legislated period, advising them of any deficiencies and providing them with an opportunity to rectify those deficiencies, should they wish to do so.

The commission will consider any further information provided in response to the deficiency advices or submissions in response to this notice in preparing the SEF, unless to do so would prevent the timely publication of the SEF.

## **Further information and enquiries**

The commission's website ([www.adcommission.gov.au](http://www.adcommission.gov.au)) contains all public records for commission cases. The EPR for each case includes the initiating notice and also notices of any previously granted extensions of time. Initiating notices contain full case details, including original milestone dates and a description of the goods.

You can enquire about this notice by contacting the Case Manager by email at [investigations2@adcommission.gov.au](mailto:investigations2@adcommission.gov.au).

Isolde Lueckenhausen  
Deputy Commissioner  
Anti-Dumping Commission

19 July 2023

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<sup>2</sup> EPR 617, item no 005.