



IMPORTER QUESTIONNAIRE

ANTI-CIRCUMVENTION INQUIRY No.483

ALLEGED SLIGHT MODIFICATION OF WIRE ROPE EXPORTED TO AUSTRALIA FROM THE REPUBLIC OF SOUTH AFRICA

This questionnaire seeks information in relation to your imports and sales of wire rope up to 8 strands (the goods) and wire rope of 9 strands or more (referred to below as the circumvention goods) exported to Australia from the Republic of South Africa (South Africa). This information will be used to assist in determining whether a circumvention activity in the form of slight modification of goods has occurred in relation to exports of wire rope exported from South Africa.

The attached Anti-Dumping Notice No 2018/105 provides details of the goods the subject of the inquiry, the application and the investigation procedures.

<u>Part A</u>	Company and overseas supplier information	Return as quickly as possible but no later than 16 July 2018
<u>Part B</u>	Imports and forward orders	Return as soon as possible after receiving the Commission's detailed spreadsheets but no later than
<u>Part C</u>	Sales and expenses	27 July 2018

The timeliness of your response is important. The Commissioner must consider the direction as set out in the *Customs (Extensions of Time and Non-cooperation) Direction 2015* (the Direction). More details on this direction are explained in Anti-Dumping Notice No. 2015/129, available on the Commission's website at www.adcommission.gov.au.

Return address: Anti-Dumping Commission
 GPO Box 2013
 CANBERRA
 ACT 2601

Attention: Director Investigations 2

Facsimile: +61 3 8539 2499

E-mail: Investigations2@adcommission.gov.au

BACKGROUND TO THE INQUIRY

On 6 July 2018 the Commissioner of the Anti-Dumping Commission initiated an anti-circumvention inquiry into the alleged slight modification of wire rope exported to Australia from South Africa. The initiation of the inquiry followed consideration of an application received from Bekaert Wire Ropes Pty Ltd (BBRG), a member of the Australian industry producing like goods the subject of an anti-dumping notice (Anti-Dumping Notice (ADN) No. 2018/105 refers).

In its application, BBRG alleged that the applicable anti-dumping measures in respect of wire rope exported to Australia from South Africa has been circumvented by importers and exporters of the goods through the slight modification of those goods. Specifically, BBRG alleged that wire rope that would otherwise be subject to the anti-dumping measures, was being slightly modified through the addition of an extra strand, which allows for those goods to no longer be considered wire rope of the kind subject to anti-dumping measures. For the purpose of this inquiry, references to nine-stranded wire rope is also considered to be a reference to 'the circumvention goods'.

The Anti-Dumping Commission (the Commission) is responsible for investigating the allegation that slightly modified wire rope has been exported to Australia from South Africa to circumvent the anti-dumping measures.

The Commission will also use the information you provide to make recommendations about potential changes to the anti-dumping measures should a circumvention activity be found to have occurred. You may make submissions concerning any other matter.

The Commission investigation will be carried out under the provisions of the Part XVB of the *Customs Act 1901*.

ORIGINAL INVESTIGATION AND ANTI-DUMPING MEASURES

Anti-dumping measures in the form of a dumping duty notice apply to wire rope from South Africa following consideration of *Final Report 401* by the Assistant Minister.¹

The calculation of the amount of dumping duty to be collected was established using the combination of fixed and variable duty method, comprising a fixed rate of duty and a variable rate of duty. A dumping duty of 28.9% was found for all exporters.

¹ [Final Report 401](#)

THE GOODS SUBJECT TO ANTI-DUMPING MEASURES

The goods the subject of the original notice (the goods) 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:

- (i) Stranded steel wire rope is rope and strand made of high carbon wire (whether or not containing alloys);*
- (ii) The strand or rope can also be sheathed or impregnated and sheathed respectively in plastic or composites;*
- (iii) The wires can be layered-up in various configurations in order to give the strand or rope the desired physical properties;*
- (iv) Variances can include:*
 - *strand diameter;*
 - *number of wires;*
 - *wire finish (e.g. typically black but may be galvanised);*
 - *wire tensile grade;*
 - *type of lubricant;*
 - *strand or rope length; and*
 - *whether or not an attachment is included (but not limited to ferrules and/or beackets).*
- (v) Cores may be made of:*
 - *natural or synthetic fibre; or*
 - *Independent Wire Rope Cores ("IWRC"), which may or may not be sheathed or impregnated in plastic.*

Typical uses include applications such as dragline hoist, drag and dump ropes, and shovel hoist, crowd and retract ropes.

Goods excluded from the measures are:

- *stranded wire rope that is stainless steel as defined under Note (e) "Stainless steel" to the Tariff;*
- *stranded wire rope with more than 8 strands, regardless of diameter; and*
- *stranded wire rope less than 58mm or greater than 200mm in diameter, regardless of the number of strands.*

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GOODS SUBJECT TO THE INQUIRY

The goods subject to the anti-circumvention inquiry (the circumvention goods) are described as wire rope consisting of nine strands.

The circumvention goods are allegedly being imported into Australia from South Africa under tariff subheading 7312.10.00, statistical code 93 of Schedule 3 to the *Customs Tariff Act 1995*. The following table provides the details regarding goods classified under 7312.

Tariff Subheading	Statistical Code	Unit	Description
7312.10.00	93	kg	<i>Ropes and cables containing more than eight strands, of alloy or non-alloy steel.</i>

PART A – COMPANY AND OVERSEAS SUPPLIER INFORMATION

A.1 Your company

Company Name	Haggie Reid Pty Ltd
ABN:	39 076 723 530
Contact name:	Birgitta Busst
Position:	Financial Manager
Mailing address:	96 Forrester Road St Marys NSW 2760 Australia
Telephone:	02 9673 8100
Facsimile:	02 9673 8123
E-mail address:	busst@haggie.com

Provide details on the ownership of your company and major shareholders:

[CONFIDENTIAL TEXT DELETED – non-current shareholder information]

Describe the role of your company in the Australian market for wire rope – for example, buying or selling agent, importer/distributor, importer/wholesaler, importer/retailer or importer/end-user.

Importer/local value add (dump rope cutting and ferrule pressing)/distributor/service (engineering)

At what level of trade is each of your customers – for example, distributor, wholesaler, retailer or end-user?

Customer	Level of trade
[CONFIDENTIAL TEXT DELETED – customer names]	

A.2 Your overseas supplier(s) of the goods and circumvention goods

Please complete the below information for each of your overseas supplier of the goods and the circumvention goods (using a new box for each supplier).

If you source the goods or circumvention goods from a country other than South Africa, please provide details of the supplier(s).

Supplier name:	SCAW South Africa (Pty) Ltd - Haggie Steel Wire Rope
Is the supplier the manufacturer?	Yes

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If 'no', please also answer question A.3 in relation to this supplier.	
Form supplied:	<i>e.g. 8 strands or below, above 8 strands</i> 8 strands or below and above 8 strands
Country of origin:	South Africa
Contact name:	Morgan Pillay
Position:	General Manager
Mailing address:	Lower Germiston Road Heriotdale Johannesburg South Africa
Telephone:	+27 11 620-0241
Facsimile:	+27 11 620-0260
E-mail address:	mpillay@scaw.co.za

A.3 Overseas manufacturer(s) of the goods and circumvention goods

If the supplier(s) listed in your response to question A.2 above is not the manufacturer of the either the goods or the circumvention goods, please complete the below for each manufacturer (using a new box for each supplier).

Supplier name (from A.2):	Not applicable
Manufacturer name:	
Country of origin:	
Manufacturer contact name:	
Position:	
Mailing address:	
Telephone:	
Facsimile:	
E-mail address:	

A.4 Timing of proposed visit by the Commission

The Commission would like to commence visits to importers to verify the data

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submitted within import questionnaire responses and discuss the inquiry as soon as possible from 3 August 2018.

Can you please advise what dates are suitable to your company for this visit?

Please note that it may be helpful to consider the availability of key staff, such as your accountant, purchasing officer or sales staff.

Available from 8th August, not available after 20th August 2018

Address for proposed visit (the address at which your accounting records are held):

Street address:	As per A-1
Telephone:	As per A-1
Facsimile:	As per A-1