



ANTI-DUMPING NOTICE NO. 2021/099

Customs Act 1901

Customs (Preliminary Affirmative Determinations) Direction 2015

**A4 copy paper exported to Australia from
the Republic of Indonesia by
PT. Pabrik Kertas Tjiwi Kimia Tbk**

**Investigation No. 583 into alleged dumping
Day 60 Status Report**

Introduction

This Status Report concerns the investigation into the alleged dumping of A4 copy paper (the goods) exported to Australia from the Republic of Indonesia (Indonesia) by PT. Pabrik Kertas Tjiwi Kimia Tbk (Tjiwi Kimia). The report reflects the status of the investigation at day 60.

The Status Report sets out the reasons why I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, have not made a preliminary affirmative determination (PAD) 60 days after the initiation of the investigation.

I note that I may make a PAD at any time from day 60 of the investigation onwards if I am satisfied the requirements under section 269TD(1) of the *Customs Act 1901*¹ have been met.

Background

On 2 June 2021, I initiated an investigation into the alleged dumping of the goods after Paper Australia Pty Ltd (Paper Australia) made an application under section 269TB. Further details can be found in the public notice published on 2 June 2021, (refer to Anti-Dumping Notice (ADN) No. 2021/072 at www.adcommission.gov.au).²

Under section 269TD(1), I may make a PAD at any time, not earlier than 60 days after I initiate an investigation for the publication of a dumping duty or countervailing duty notice, if I am satisfied that:

- there appears to be sufficient grounds for the publication of such a notice; or

¹ All legislative references in this report are to the *Customs Act 1901* unless otherwise specified.

² Electronic public record (EPR) 583, Item No [03](#).

- it appears that there will be sufficient grounds for the publication of such a notice subsequent to the importation into Australia of such goods.

In accordance with the *Customs (Preliminary Affirmative Determinations) Direction 2015* (the Direction), 60 days after the initiation of such an investigation I must either make a PAD or provide a Status Report outlining the reasons why I have not made a PAD.

Reasons for publishing a Status Report

In deciding whether to make a PAD on day 60 of this investigation (2 August 2021), I have, in accordance with section 269TD(2), had regard to:

- Paper Australia's application
- questionnaire responses received from Paper Australia and one importer of the goods.

Circumstances arising from the COVID-19 pandemic have affected the Government of Indonesia, importers, Tjiwi Kimia and other interested parties. The Anti-Dumping Commission (the Commission) granted interested parties extensions of between 28 and 30 days to submit questionnaire responses in the period between 21 July 2021 and 6 August 2021.³ Specifically, a 28 day extension was granted to Tjiwi Kimia and parties connected with its exports to provide their responses to the exporter questionnaire by 6 August 2021.

The Commission is required to examine various issues in this investigation, including:

- export prices and normal values of the goods exported by Tjiwi Kimia
- volumes of the goods exported from Tjiwi Kimia
- the Australian market size for the goods and the market share held by interested parties
- whether the goods exported from Tjiwi Kimia, if dumped at above negligible levels have caused or are causing material injury to the Australian industry.

These issues are critical to determining whether the goods are dumped and therefore whether there are sufficient grounds for the publication of a dumping duty notice.

Presently, on the information available to the Commission at day 60 of the investigation, I am not yet satisfied that there appear to be sufficient grounds for the publication of a dumping duty notice.

Other considerations

Relevant matters – section 269TD(2)(b)

In accordance with the Direction and for the purposes of section 269TD(2)(b), I have considered the desirability of providing relief to an injured Australian industry as quickly as possible, where warranted.

I have decided it is not yet warranted to make a PAD, at this particular time, because I am not yet satisfied that there appear to be sufficient grounds for the publication of a dumping duty notice for the reasons outlined above.

I will continue to assess the need for a PAD and make one as soon as possible, assuming I attain the requisite level of satisfaction on the basis of the evidence available to me.

Reconsideration of making a PAD – section 269TDAA

The Direction requires me to reconsider whether or not to make a PAD at least once prior to the publication of the Statement of Essential Facts (SEF) required under section 269TDAA.

³ Refer to EPR 583, Item No [05](#).

I am due to publish the SEF on **20 September 2021**. Prior to the publication or in the SEF, I will advise whether I made a PAD subsequent to this report and the reasons for my decision.

Anti-Dumping Commission Contact

Enquiries about this report may be directed to the case manager on telephone number +61 3 8539 2418 or at investigations@adcommission.gov.au.

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

2 August 2021