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Mr Geoff Gleeson
Director - International Trade Measures Branch
Australian Customs and Border Protection Service
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

14 March 2012

Our ref 11276/15955/80125566

Dear Mr Gleeson

Statement of Essential Facts: Investigation into the alleged dumping of structural timber from Austria, Canada, Czech Republic, Estonia, Germany, Lithuania, Sweden and the USA

As you know we act for Stora Enso and refer to the statement of essential facts published yesterday.

We note that there has been no finding of dumping against any of our client's companies and that in all cases the negative dumping margin was significant. Our client also notes that Customs and Border Protection sent an experienced team who carried out all appropriate inquiries and verified all information to its satisfaction in coming to the findings that it made that there was no dumping. Further, the Customs and Border Protection findings were the subject of:

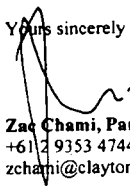
- (a) an independent audit by KPMG; and
- (b) review by Independent Experts,

who validated the findings made by Customs and Border Protection.

Customs and Border Protection has also addressed in the statement of essential facts the submissions made by the applicants and found no basis in them to overturn its findings against any of our client's companies that were the subject of the dumping investigation.

Given the above facts, the CEO must terminate the investigation against Stora Enso as required by section 269TDA (1) of the *Customs Act 1901*. We would also note the terms of Article 5.8 of the Antidumping Agreement which requires that "[t]here shall be immediate termination in cases where the authorities determine that the margin of dumping is *de minimis*, or that the volume of dumped imports, actual or potential, or the injury, is negligible".

Yours sincerely


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