



AUSTRALIAN CUSTOMS DUMPING NOTICE NO. 2010/37

**Geosynthetic Clay Liners
Exported to Australia from
The Federal Republic of Germany**

**Reinvestigation findings:
Affirmation of decision to impose measures REP 162**

Customs Act 1901 – Part XVB

The Australian Customs and Border Protection Service (Customs and Border Protection) has completed its reinvestigation of certain findings in Report 145 in respect of geosynthetic clay liners, comprising one or more geotextile layers and one or more layers of bentonite clay (the goods) exported to Australia from the Federal Republic of Germany (Germany).

The Minister for Home Affairs (Minister) directed the Chief Executive Officer (CEO) to reinvestigate findings in the following areas:

- a. the economic condition of the Australian industry;
- b. whether dumping caused material injury;
- c. whether dumping and material injury will continue; and
- d. non-injurious price.

Customs and Border Protection report

Customs and Border Protection's Report to the Minister No. 162 (REP 162) sets out the findings affirmed by an authorised delegate of the CEO as a result of the reinvestigation. In REP 162, the delegate of the CEO affirmed all findings subject to reinvestigation.

Copies of REP 162 are available on the internet at www.customs.gov.au. Alternatively, REP 162 is available on request from Trade Measures Office Management, Customs and Border Protection, Canberra, by telephone (02) 6275 6547 or facsimile (02) 6275 6888.

Ministerial decision

The Minister considered, and accepted, the recommendations provided by Customs and Border Protection in REP 162, the reasons for these recommendations, and the material findings of fact or law on which the recommendations are based.

The Minister has therefore decided to affirm the reviewable decision to publish dumping duty notices under sections 269TG(1) and 269TG(2) of the *Customs Act 1901* in respect of the goods exported to Australia from Germany published on 6 October 2009 in *The Australian* and the Commonwealth Government Gazette.

Public notice of the Minister's decision was published on 8 October 2010 in *The Australian*.

Effect of decision

The effect of this decision is that measures applying to the goods exported to Australia from Germany remain in place unchanged.

Right of review

Interested parties may seek a review of this decision by lodging an application with the Federal Court of Australia, in accordance with the requirements in the *Administrative Decisions Judicial Review Act 1975*, within 28 days of the publication of the Minister's decision.

Customs and Border Protection contact

Enquiries about this notice may be directed to Director Operations 1 on telephone number (02) 6275 6403 or facsimile number (02) 6275 6990 or by email to tmops1@customs.gov.au.

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8 October 2010