



## **AUSTRALIAN CUSTOMS DUMPING NOTICE NO.2009/08**

### **Certain hollow structural sections exported from the People's Republic of China and Malaysia**

#### **Extension of time to issue the statements of essential facts**

On 18 December 2008 the Australian Customs and Border Protection Service (Customs and Border Protection) published two notices concerning:

- o the investigation into the alleged dumping and subsidisation of certain hollow structural sections (HSS) imported from the People's Republic of China (China) and the alleged dumping of HSS from Malaysia (ACDN 2008/45); and
- o a review of anti-dumping measures applying to non-exempt exporters of HSS from China (ACDN 2008/46).

A full description of the goods is available in Australian Customs Dumping Notice (ACDN) Nos 2008/45 and 2008/46 advising initiation of the investigation and review. These ACDN's are available on the internet at [www.customs.gov.au](http://www.customs.gov.au) (following the anti-dumping link).

These initiation notices advised that the statements of essential facts (SEFs) for the investigation and review would be placed on the public record by 7 April 2009. The SEF sets out the facts on which Customs and Border Protection proposes to base its recommendations to the Minister for Home Affairs (the Minister).

In view of the large number of suppliers, Customs and Border Protection undertook a selection exercise in respect of exporters in China. This process resulted in delays in Customs and Border Protection providing appropriate parties with questionnaires. The timing of the initiation of the investigation and review around Christmas in Australia and extended holiday periods due to the lunar New Year in China and Malaysia contributed to further delays as exporters and interested parties were not available to respond to inquiries and exporter questionnaires. Further, the Government of China and certain exporters were granted extensions to the deadline for lodging responses to questionnaires because of the size and complexity of the data sets required by Customs and Border Protection. Consequently, Customs and Border Protection requested an extension of the deadline for the publication of the SEFs.

The Minister has, under s. 269ZHI of the *Customs Act 1901* extended the deadline for the publication of the SEFs. The SEFs will now be placed on the public record no later than 27 July 2009. Customs and Border Protection will make every effort to publish the SEFs at an earlier date. A recommendation to the Minister will be made in a report due on or before 9 September 2009. Interested parties are invited to make submissions to Customs and Border Protection in response to the SEFs within 20 days of the SEFs being placed on the public record.

Inquiries about this notice should be directed to the case manager, by e-mail on [tmops1@customs.gov.au](mailto:tmops1@customs.gov.au), by telephone on (02) 6275 6393 or by facsimile on (02) 6275 6990.

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