



**AUSTRALIAN
CUSTOMS SERVICE**

Australian Customs Dumping Notice
No. 2000/20

CUSTOMS ACT 1901 - PART XV B

**INITIATION OF AN INVESTIGATION INTO THE
ALLEGED DUMPING OF CONTINUOUS COMPUTER PAPER
FROM INDONESIA**

The Australian Customs Service has initiated an investigation into an application lodged by Moore Business Systems Australia Limited on behalf of the Australian industry producing like goods for a dumping duty notice in respect of continuous computer paper exported to Australia from Indonesia.

The application alleges that the goods have been exported to Australia at prices less than the normal values and that the dumping has caused material injury to the Australian industry through:

- ◆ lost sales and market share
- ◆ price suppression
- ◆ price depression
- ◆ reduced equipment utilisation
- ◆ loss of profits
- ◆ reduced cash flow
- ◆ reduced return on investment
- ◆ impaired ability to raise necessary capital
- ◆ workforce reductions.

The public version of the application, available to interested parties on request, contains the basis of the alleged dumping.

The goods covered by this notice are continuous computer paper (also known as listing forms or CPO) and has the following characteristics.

- ◆ Single part,
- ◆ printed and unprinted,
- ◆ punched (and in some cases perforated) on the vertical edges,
- ◆ perforated on the horizontal edges,

- ◆ in sizes
 - 11" x 15" (270mm x 381mm),
 - 11" x 9½" (279mm x 241mm),
 - A4 (297mm x 241mm)
 with a tolerance of ± ½" or 13 mm for all dimensions,
- ◆ in 60 or 70 gsm.

Continuous computer paper imported in reels is not covered by the application.

The goods are classified as follows:

TARIFF ITEM	STATISTICAL CODES	RATE OF DUTY
4802.52.00	70 or 78	5%
4808.90.10	45 or 46	5%
4823.51.00	02 or 35	5%
4823.59.00	26 or 27	5%

Prior to 1 July 1999, other statistical codes might have applied.

A notice under subsection 269TC(4) of the *Customs Act 1901* advising initiation of this investigation was published in the *Financial Review* on 6 April 2000. Interested parties are invited to provide written submissions in response to that notice.

The investigation period is 1 January 1999 to 31 December 1999. Customs will examine exports to Australia of the goods under consideration during that period to determine whether dumping has occurred.

In reaching its findings Customs must consider whether:

- (a) the export price of the goods that have already been exported to Australia is less than the normal value of those goods; and
- (b) the export price of the goods that may be exported to Australia in the future may be less than the normal value of the goods; and
- (c) because of that, material injury to the Australian industry producing like goods has been caused and is likely to continue.

Interested parties are advised to lodge submissions no later than the close of business on 16 May 2000. Parties located within Australia or Indonesia should address their submission to:

The Director
 Trade Measures, Operations 4
 Australian Customs Service
 Customs House
 5 Constitution Avenue
 CANBERRA ACT 2601

Interested parties may be granted an extension of time for lodgement of a submission, provided the request is in writing and is reasonable and practical given the circumstances. Parties responding by 16 May 2000 will have an opportunity to lodge a supplementary submission in reply to matters raised by other parties. The due date for any supplementary submissions is 31 May 2000.

All interested parties wishing to participate in the investigation must ensure that submissions are lodged promptly. The legislation confers upon Customs the power to disregard submissions received after specified periods if there is insufficient time remaining for their proper consideration.

Submissions lodged in confidence must be clearly marked "confidential". In addition, two non-confidential copies of the submission must be provided.

Section 269ZJ of the *Customs Act 1901* requires that if a person claims information is confidential, or claims that publication of the information would adversely affect their business, that person:

- must provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information, or
- must satisfy the CEO of Customs that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

The attention of interested parties is also drawn to the World Trade Organization Anti-Dumping Agreement, Article 6.5.2, which states:

If the authorities find that a request for confidentiality is not warranted and if the supplier of the information is either unwilling to make the information public or to authorise its disclosure in generalised or summary form, the authorities may disregard such information unless it can be demonstrated to their satisfaction from appropriate sources that the information is correct.

This provision is reflected in s. 269ZJ of the Customs Act.

Non-confidential submissions, and a copy of relevant correspondence between Customs and other persons, will be made available to interested parties through the public record. The public record may be examined at:

Trade Measures Branch
Customs House
5 Constitution Avenue
CANBERRA ACT 2601

To access the public record, contact Mr Phil Hilyard on telephone number (02) 6275 6057.

The dates specified in this notice for lodging submissions must be observed to enable Customs to report to the minister within the legislative timeframe. A

preliminary affirmative determination may be made not less than 60 days from the date of initiation. Provisional measures may be imposed after the preliminary determination has been made.

A statement of essential facts will be placed on the public record by 25 July 2000 (or by such later date as the minister may allow in accordance with s. 269ZHI). The statement will set out the material findings of fact on which Customs intends to base its recommendation to the minister. That statement will invite interested parties to respond, within 20 days, to the issues raised therein.

Submissions received in response to the statement will be taken into account in compiling the report and recommendation to the minister. The report to the Minister is due within 45 days after the statement of essential facts is issued (ie 8 September 2000).

Enquiries about this notice may be directed to Mr Brian Henry on telephone (02) 6275 6016, facsimile (02) 6275 6990 or e-mail brian.henry@customs.gov.au. Customs dumping notices are available on the internet at <http://www.customs.gov.au/notices/index.htm>

(Paul O'Connor)
National Manager, Trade Measures
FOR CHIEF EXECUTIVE OFFICER
CANBERRA, ACT
6 April 2000