

**CHEW An**

**From:** Andrew Hudson [ahudson@hunthunt.com.au]  
**Sent:** Thursday, 17 May 2012 3:04 PM  
**To:** Trade Measures Ops 2  
**Cc:** Dianna Gu; Vanessa Larobina  
**Subject:** Aluminium Road Wheels exported from the PRC - Boss Wheels Pty Ltd - Non Confidential submission

Dear Director

We act on behalf of Boss Wheels Pty Ltd ("**Boss Wheels**")

As the Australian Customs and Border Protection Service ("**Customs**") would be aware, we made a submission ("**Submission**") on behalf of our client on the current investigation by letters dated 22 December 2011 (Confidential Version) and 23 February 2012 (Non confidential version)

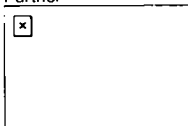
Our client has reviewed the SEF issued by Customs in this investigation and has instructed us to respond as follows. Unless otherwise defined, those defined terms used have the same meaning as in the SEF

1. Our client remains of the views as set out in the Submission and requests that Customs varies the proposed recommendations contained in the SEF in a manner proposed in the Submission
2. If the measures proposed by the SEF are recommended by Customs and adopted by the Minister the consequence will be that the additional duty will make the products imported by our client unreasonably expensive and cause significant damage to our client's business. This is also an unreasonable consequence given that Arrowcrest has not produced for our client or endeavoured to sell to our client and our client has had to import specific product to meet its requirements and those of its customers. It will not redress any alleged material injury (which is not conceded). Our client sees this potential unreasonable impact on the business of our client purely the result of Customs allowing Arrowcrest to adopt a description of goods subject of the investigation as being entirely too wide and not properly reflecting the reality of what Arrowcrest really produces, is capable of producing and has offered to produce and sell. There seems no point in measures which do not remedy any alleged injury of the Australian industry and only adversely affect legitimate Australian traders.
3. In response to the proposal contained in paragraph 3.7 of the SEF and without limiting the effect of further measures our client would propose that the AM ARW referred to our in our Submission as forming a legitimate subset to be excluded from any measures
4. Further, and without limiting the generality of the comment in paragraph 3 above, even should Customs recommend and the Minister adopt, those measures as set out in the SEF, the before doing so, Customs should strike a specific rate of measures for our client on goods on which it pays a royalty on the basis that the additional royalty and associated duty increases customs value on those goods when compared to those imported by others who do not pay a royalty. Details of the royalty are set out in the submission. The increase in cost and duty would decrease any alleged dumping or subsidy measure (if not reducing the need for measures altogether).

We look forward to hearing from you

Kind Regards

**Andrew Hudson**  
Partner



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17/05/2012