

駐加拿大代表處經濟組 函

受文者：經濟部國際貿易局

發文日期：中華民國109年5月28日

發文字號：加經字第1090000224號

速別：最速件

密等及解密條件或保密期限：

附件：如文（加經1090000224_Attach1.odg、加經1090000224_Attach2.odg）

主旨：有關加拿大國際貿易法庭公告對自我國等國出口之特定熱軋碳鋼板及高強度低合金鋼板等產品展開初步產業損害調查事，敬請查照。

說明：

- 一、本組本（109）年5月27日加經字第1090000220號函諒邀察及。
- 二、加國國際貿易法庭（CITT）頃於本年5月28日發布旨揭產業損害調查新聞稿略以：
 - （一）本案基於加商Algora Steel Inc.向加國邊境服務署（CBSA）提出之控訴，主張自我國、德國、南韓、馬來西亞及土耳其等國出口之特定鋼板產品涉及傾銷並造成其損害，CBSA已於本年5月27日決定對本案展開傾銷調查程序，CITT於本年5月28日依據加國「特殊進口措施法」（SIMA）展開本案初步產業損害調查；
 - （二）CITT預定於本年7月27日作成本案是否造成產業損害或有損害之虞之調查認定，倘CITT認定本案已造成產業損害

或有損害之虞，則CBSA將繼續進行本案傾銷調查，並預定於本年8月25日作成本案是否涉及傾銷之初步調查認定（preliminary determination），倘認定本案進口產品涉及傾銷，則CBSA將繼續進行調查，且CITT亦將就本案展開最終產業損害調查。

三、CITT展開本案初步產業損害調查通知要點如下：

- (一)產品範圍：原產地或出口國為我國等國之特定熱軋碳鋼板(hot-rolled carbon steel heavy plate)及高強度低合金鋼板(high-strength low-alloy steel heavy plate)等產品，排除鋼盤捲(plate in coil form)、底板(floor plate)以及刻遭加國課徵反傾銷稅且原產或出口自南韓之特定鋼板。為求明確，本案產品範圍亦包括部分具合金含量之鋼板，只要該產品尚未達一般鋼鐵產業所認可之合金級鋼板標準；
- (二)調查程序：將以書狀方式進行，利害關係人或政府通知CITT參與本案(notice of participation)之截止日為本年6月9日，各當事方之律師代表亦應於6月9日前向CITT提交代表通知(notice of representation)、宣示和具結；
- (三)反對控訴方主張之書狀應於本年6月24日中午前提交CITT，控訴方及支持控訴方主張之回應及答辯書狀則應於本年7月2日中午前提交CITT；
- (四)CITT預定於本年7月27日作成本案是否造成產業損害或有損害之虞之調查認定，並於本年8月10日公布本案調查理由書(Statement of Reasons)；

(五)參與本案相關書面意見及與本通知有關問題，均應向
CITT登記處副處長 (Deputy Registrar) 提出，地址：
15th Floor, 333 Laurier Avenue West, Ottawa,
Ontario K1A0G7，電話：613-993-3595，電郵：citt-
tcce@tribunal.gc.ca；

四、隨函檢附CITT本案新聞稿及展開初步產業損害調查通知
(如附件1、2)，併請查照。

正本：經濟部國際貿易局

副本：行政院經貿談判辦公室(含附件)

電 2020/09/29 文
交 11:38 換 38 章

駐加拿大代表處經濟組



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TRIBUNAL INITIATES INQUIRY— HEAVY PLATE FROM CHINESE TAIPEI, GERMANY, KOREA, MALAYSIA AND TURKEY

From: Canadian International Trade Tribunal

News release

Ottawa, Ontario, May 28, 2020—The Canadian International Trade Tribunal today initiated a preliminary injury inquiry into a complaint by Algoma Steel Inc., of Sault Ste. Marie, Ontario, that it has suffered injury as a result of the dumping of certain heavy plate from Chinese Taipei, the Federal Republic of Germany, the Republic of Korea, the Federation of Malaysia and the Republic of Turkey. The Tribunal's inquiry is conducted pursuant to the *Special Import Measures Act (SIMA)* as a result of the initiation of a dumping investigation by the Canada Border Services Agency (CBSA).

On July 27, 2020, the Tribunal will determine whether there is a reasonable indication that the alleged dumping has caused injury or retardation, or is threatening to cause injury, as these words are defined in *SIMA*. If so, the CBSA will continue its investigation and, by August 25, 2020, will make a preliminary determination. If this preliminary determination indicates that there has been dumping, the CBSA will then continue its investigation and, concurrently, the Tribunal will initiate a final injury inquiry.

The Tribunal is an independent quasi-judicial body that reports to Parliament through the Minister of Finance. It hears cases on dumped and subsidized imports, safeguard complaints, complaints about federal

government procurement and appeals of customs and excise tax rulings. When requested by the federal government, the Tribunal also provides advice on other economic, trade and tariff matters.

Any interested person, association or government that wishes to participate in the Tribunal's inquiry may do so by filing a Notice of Participation.

Contacts

For more information, visit www.citt-tcce.gc.ca or contact:

Martin Pelchat

Deputy Director, Communications

Telephone: 613-993-3595

E-mail: citt-tcce@tribunal.gc.ca

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releases

Date modified:

2020-05-28



NOTICE OF COMMENCEMENT OF PRELIMINARY INJURY INQUIRY
(E-REGISTRY PILOT PROJECT)

HEAVY PLATE

The Canadian International Trade Tribunal hereby gives notice that, pursuant to subsection 34(2) of the *Special Import Measures Act (SIMA)*, it has initiated a preliminary injury inquiry to determine whether the evidence discloses a reasonable indication that the dumping of certain hot-rolled carbon steel plate and high-strength low-alloy steel plate not further manufactured than hot-rolled, heat-treated or not, in coil lengths, in widths greater than 72 inches (+/- 1,829 mm) to 152 inches (+/- 3,860 mm) inclusive, and thicknesses from 0.375 inches (+/- 9.525 mm) up to and including 4.5 inches (+/- 114.3 mm) (with all dimensions being plus or minus allowable tolerances contained in the applicable standards), originating in or exported from Chinese Taipei, the Federal Republic of Germany, the Republic of Korea, the Federation of Malaysia and the Republic of Turkey (the subject goods), but excluding:

- plate in coil form,
- plate having a rolled, raised figure at regular intervals on the surface (also known as floor plate), and
- plate originating in or exported from the Republic of Korea which is covered by the Tribunal's finding in Inquiry No. NQ-2013-005,

has caused injury or retardation or is threatening to cause injury, as these words are defined in *SIMA*. For greater certainty, the subject goods include steel plate which contains alloys greater than required by recognized industry standards, provided the steel does not meet recognized industry standards for an alloy-grade steel plate.

The Tribunal's preliminary injury inquiry will be conducted by way of written submissions. Each person or government wishing to participate in the preliminary injury inquiry must file a notice of participation with the Tribunal on or before **June 9, 2020**. Each counsel who intends to represent a party to the preliminary injury inquiry must file a notice of representation, as well as a declaration and undertaking, with the Tribunal on or before **June 9, 2020**.

Submissions by parties opposed to the complaint must be filed with the Tribunal not later than noon, on **June 24, 2020**. The complainant, as well as supporting parties, may make, and file with the Tribunal, submissions in response to the submissions of parties opposed to the complaint not later than noon, on **July 2, 2020**.

In accordance with section 46 of the *Canadian International Trade Tribunal Act*, a person provides information to the Tribunal and who wishes some or all of the information to be kept confidential must, among other things, submit a non-confidential edited version or summary of the information designated as confidential, or a statement indicating why such a summary cannot be made.

Written submissions, correspondence and requests for information regarding this notice should be addressed to the Deputy Registrar, Secretariat to the Canadian International Trade Tribunal, 15th Floor

333 Laurier Avenue West, Ottawa, Ontario K1A 0G7, 613-993-3595 (telephone), citt-tcce@tribunal.gc.ca (e-mail).

Further details regarding this preliminary injury inquiry, including the schedule of key events, are contained in the sections entitled "Additional Information" and "Preliminary Injury Inquiry Schedule" of the notice of commencement of preliminary injury inquiry available on the Tribunal's Web site at decisions.citt-tcce.gc.ca/citt-tcce/ra/en/nav__date.do.

Dated at Ottawa, Ontario,
this 28th day of May 2020

ADDITIONAL INFORMATION

DISTRIBUTION OF THE RECORD

On **June 15, 2020**, the Tribunal will distribute the public information received from the Canada Border Services Agency (CBSA) to all parties that have filed notices of participation, and the confidential information to counsel who have filed a declaration and undertaking with the Tribunal.

SUBMISSION DATES AND FACTORS TO BE ADDRESSED

Submissions by parties opposed to the complaint must be filed not later than noon, on **June 24, 2020**. These submissions should include evidence, e.g. documents and sources that support the factual statements in the submissions and argument concerning the questions of:

- whether there are goods produced in Canada, other than those identified in the CBSA's statement of reasons for initiating the investigation, that are like goods to the subject goods;
- whether the subject goods comprise more than one class of goods;
- which domestic producers of like goods comprise the domestic industry; and
- whether the information before the Tribunal discloses a reasonable indication that the alleged dumping of the subject goods has caused injury or retardation, or is threatening to cause injury.

The complainant, as well as supporting parties, may make submissions in response to the submissions of parties opposed to the complaint not later than noon, on **July 2, 2020**.

One complete electronic version of all submissions must be filed with the Tribunal. Please see the Tribunal's *Confidentiality Guidelines* found at citt-tcce.gc.ca/en/resource-types/confidentiality-guidelines.html.

REQUESTS FOR PRODUCT EXCLUSIONS

Parties should note that the Tribunal does not consider product exclusion requests during a preliminary injury inquiry and, therefore, none should be filed at this stage. Should the matter proceed to a final injury inquiry, the schedule for filing product exclusion requests will be included in the notice of commencement of inquiry.

PROCEDURE FOR FILING WITH THE TRIBUNAL

Parties and the public may file documents electronically with the Tribunal through its Secure E-filing Service at <https://efiling-depote-pub.citt-tcce.gc.ca/submit-eng.aspx>. The information is fully encrypted from the sender to the Tribunal.

Notices of participation and representation, as well as a declaration and undertaking should be filed electronically through the Tribunal's Secure E-filing Service at <https://efiling-depote-pub.citt-tcce.gc.ca/submit-eng.aspx>.

Following receipt of the notices of participation and representation and the declaration of undertakings, the Tribunal will send a letter to counsel and parties with information on the E-Register Service pilot and the filing of documents.

OTHER INFORMATION

The *Canadian International Trade Tribunal Rules* govern these proceedings.

The Tribunal has sent notice of the commencement of preliminary injury inquiry and the preliminary injury inquiry schedule to domestic producers, importers and exporters with a known interest in the preliminary injury inquiry. The notice, additional information and the preliminary injury inquiry schedule listing the key events are available on the Tribunal's Web site at decisions.citt-tcce.gc.ca/cittcce/ra/en/nav_date.do.

At the end of these proceedings, the Tribunal will issue a decision supported by a summary of the case, a summary of the arguments and an analysis of the case. The decision will be posted on its Web site and distributed to the parties and interested persons, as well as to organizations and persons that have registered to receive decisions of the Tribunal.

Written and oral communication with the Tribunal may be in English or in French.

PRELIMINARY INJURY INQUIRY SCHEDULE

May 28, 2020	Notice of commencement of preliminary injury inquiry
June 9, 2020	Notices of participation and representation, declarations and undertakings
June 15, 2020	Distribution of documents received from the CBSA
June 24, 2020, by noon	Submissions by parties opposed to the complaint
July 2, 2020, by noon	Replies from the complainant and parties in support of the complaint
July 27, 2020	Determination
August 10, 2020	Reasons for determination