



NOTICE OF EXPIRY REVIEW OF ORDER STRUCTURAL TUBING

The Canadian International Trade Tribunal hereby gives notice that it will, pursuant to subsection 76.03(3) of the *Special Import Measures Act (SIMA)*, initiate an expiry review of its order made on December 20, 2013, in Expiry Review No. RR-2013-001. That order, which concerns the dumping of structural tubing known as hollow structural sections made of carbon and alloy steel, welded, in sizes up to and including 16.0 inches (406.4 mm) in outside diameter for round products and up to and including 48.0 inches (1,219.2 mm) in periphery for rectangular and square products, commonly but not exclusively made to ASTM A500, ASTM A513, CSA G.40.21-87-50W and comparable specifications, originating in or exported from the Republic of Korea and the Republic of Turkey, continued, in part, the Tribunal's order made on December 22, 2008, in Expiry Review No. RR-2008-001, continuing its finding made on December 23, 2003, in Inquiry No. NQ-2003-001.

In this expiry review, the Canada Border Services Agency (CBSA) will first determine whether the expiry of the order in respect of the subject goods is likely to result in the continuation or resumption of dumping of the subject goods. If the CBSA determines that the expiry of the order in respect of any goods is likely to result in the continuation or resumption of dumping, the Tribunal will then conduct an expiry review to determine if the continued or resumed dumping is likely to result in injury. The CBSA will provide notice of its determinations within 150 days after receiving notice of the Tribunal's decision to initiate an expiry review, that is, no later than May 9, 2019. The Tribunal will issue its order and its statement of reasons no later than October 16, 2019.

Each person or government wishing to participate in this expiry review must file a notice of participation with the Tribunal on or before May 24, 2019. Each counsel who intends to represent a party in the expiry review must file a notice of representation, as well as a declaration and undertaking, with the Tribunal on or before May 24, 2019.

The schedule for this expiry review is found at www.citt-tcce.gc.ca.

The Tribunal will hold a public hearing relating to this expiry review in the Tribunal's Hearing Room No. 1, 18th Floor, 333 Laurier Avenue West, Ottawa, Ontario, commencing on the 6th day of August 2019, at 9:30 a.m., to hear evidence and representations by interested parties. If there are no opposing parties, the Tribunal may explore the possibility of a holding a file hearing, i.e. a hearing through written submissions only, instead of an oral hearing.

In accordance with section 46 of the *Canadian International Trade Tribunal Act*, a person who 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 the Tribunal's portion of this matter should be addressed to the 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 expiry review, including the schedule of key events, are contained in the documents entitled "Additional Information" and "Expiry Review Schedule" appended to the notice of commencement of expiry review available on the Tribunal's Web site at www.citt-tcce.gc.ca/en/dumping-and-subsidizing/expiry-reviews-section-7603/notices-and-schedules.

Dated at Ottawa, Ontario,
this 10th day of December 2018

ADDITIONAL INFORMATION

BACKGROUND INFORMATION

Notice of Expiry No. LE-2018-006, issued on October 19, 2018, informed interested persons and governments of the impending expiry of the Tribunal's order in Expiry Review No. RR-2013-001 concerning the dumping of the subject goods. On the basis of the information filed during the Notice of Expiry process, the Tribunal is of the opinion that an expiry review of the order is warranted.

In this expiry review, the CBSA will first conduct an investigation to determine whether the expiry of the order in respect of the subject goods is likely to result in the continuation or resumption of dumping of the subject goods. To this end, the CBSA will send questionnaires to domestic producers, importers and foreign producers to gather information for its investigation. Further information regarding the CBSA's investigation can be obtained by contacting Mr. Andrew Manera, Canada Border Services Agency, 9th Floor, 222 Queen Street, Ottawa, Ontario K1P 5V9, 613-946-2052 (telephone), Andrew.Manera@cbsa-asfc.gc.ca (e-mail). A copy of the CBSA's investigation schedule is available on the CBSA's Web site at www.cbsa-asfc.gc.ca/sima-lmsi/er-rre/menu-eng.html.

If the CBSA determines that the expiry of the order in respect of any goods is likely to result in the continuation or resumption of dumping, the Tribunal will then conduct an expiry review, pursuant to the provisions of *SIMA* and its *Expiry Review Guidelines*, to determine if the continued or resumed dumping of the subject goods is likely to result in injury. Upon receipt of the CBSA's determination, if any, of a likelihood of continued or resumed dumping, the Tribunal will issue other questionnaires to the domestic producers, certain importers and foreign producers to gather information for the purposes of its expiry review.

The schedule for the Tribunal's expiry review specifies, among other things, the date for the filing of replies to Tribunal expiry review questionnaires, the date on which information on the record will be made available by the Tribunal to interested parties and counsel that have filed notices of participation or notices of representation and declarations and undertakings, the dates for the filing of submissions by interested parties and the hearing date.

REQUESTS FOR PRODUCT EXCLUSIONS

The Tribunal's *Guideline to Making Requests for Product Exclusions*, which can be found on the Tribunal's Web site at www.citt-tcce.gc.ca/en/g_excl_e, describes the procedure for filing requests for specific product exclusions. Forms are available on the Tribunal's Web site at www.citt-tcce.gc.ca/en/forms to facilitate the filing of product exclusion requests, responses and replies to responses. Parties may file in a different format if they so wish, provided all the information and supporting documentation requested in the forms are included. Please see the attached schedule for the filing deadlines for the product exclusion process. Parties filing product exclusion requests are requested to contact the Tribunal for additional information on filing and service requirements.

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.

Parties must still file paper copies in the required number as instructed. The electronic version and the hard-copy version must be identical. In case of discrepancies, the hard-copy version will be considered the original.

PUBLIC HEARING

The Tribunal will hold a public hearing relating to this expiry review in the Tribunal's Hearing Room No. 1, 18th Floor, 333 Laurier Avenue West, Ottawa, Ontario, commencing on the 6th day of August 2019, at 9:30 a.m., to hear evidence and representations by interested parties. If there are no opposing parties, the Tribunal may explore the possibility of a holding a file hearing, i.e. a hearing through written submissions only, instead of an oral hearing.

OTHER INFORMATION

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

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

The *Expiry Reviews Guidelines* can be found on the Tribunal's Web site at www.citt-tcce.gc.ca/en/Expiry_Review_Guidelines_e.

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.

EXPIRY REVIEW SCHEDULE

December 10, 2018	Tribunal issues notice of expiry review and schedule
To be determined	Teleconference on draft questionnaires (if required)
CBSA's Investigation	
December 11, 2018	Initiation of the CBSA's expiry review investigation and issuance of the CBSA questionnaires Initial compilation of CBSA exhibits available
May 9, 2019	CBSA's determination If determination is affirmative, information pursuant to the <i>Canadian International Trade Tribunal Rules</i> is transferred to the Tribunal
May 24, 2019	CBSA statement of reasons issued
Tribunal's Expiry Review	
May 10, 2019	Initiation of Tribunal's expiry review (following an affirmative determination by the CBSA)
May 24, 2019	Notices of participation and representation, declarations and undertakings
May 31, 2019	Replies to Tribunal expiry review questionnaires
July 2, 2019	Distribution of Tribunal exhibits, including information transferred from the CBSA, and investigation report
July 2-9, 2019	Requests for information (RFIs)
To be Determined	Investigation report teleconference (if required)
July 8, 2019, by noon	Requests for product exclusions
July 9, 2019, by noon	Cases of parties in support of a continuation of the order
July 12, 2019, by noon	Objections to RFIs
July 15, 2019, by noon	Domestic producers' responses to requests for product exclusions Tribunal decisions on RFIs
July 16, 2019, by noon	Cases of parties in opposition to a continuation of the order
July 23, 2019, by noon	Requesters' replies to domestic producers' responses to requests for product exclusions Replies to RFIs
July 24, 2019, by noon	Reply submissions of parties in support of a continuation of the order
August 6, 2019	Public hearing
October 16, 2019	Order and statement of reasons issued