



Customs Act 1901 – Part XVB

Anti-Dumping Notice No. 2017/173

Hot Rolled Coil Steel

**Exported to Australia from
Japan, the Republic of Korea, Malaysia and Taiwan**

Initiation of a review of Anti-Dumping Measures

Notice under subsection 269ZC(4) of the Customs Act 1901

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have initiated a review of the anti-dumping measures applying to hot rolled coil (HRC) steel (the goods) exported to Australia from Japan, the Republic of Korea (Korea), Malaysia and Taiwan. The review will examine whether the variable factors relevant to the taking of the anti-dumping measures, as they affect exporters of the goods from Japan, Korea, Malaysia and Taiwan generally, have changed.

The goods

The goods subject to anti-dumping measures, in the form of a dumping duty notice, are:

[h]ot rolled coil (including in sheet form), a flat rolled product of iron or non-alloy steel, not clad, plated or coated (other than oil coated).

Goods excluded from this application are hot rolled products that have patterns in relief (known as checker plate) and plate products.

There are a number of relevant international standards for HRC that cover the range of products via specific grade designations, including the recommended or guaranteed properties of each of these product grades. The relevant Australian Standard is AS/NZS 1594.

Hot rolled sheet that is 4.75 millimetres (mm) thick or more is considered to be plate and is therefore not covered by the notice. Hot rolled sheet that is below 4.75 mm thick is included within the goods description.

Goods identified as HRC, as per the description above, are classified to the following tariff subheadings (and associated statistical codes) in Schedule 3 to the *Customs Tariff Act 1995*:

Tariff subheading	Statistical codes
7208.25.00	32
7208.26.00	33
7208.27.00	34
7208.36.00	35
7208.37.00	36
7208.38.00	37
7208.39.00	38
7208.53.00	42
7208.54.00	43
7208.90.00	39
7211.14.00	40
7211.19.00	41

Background to the measures

On 20 December 2012, anti-dumping measures, in the form of a dumping duty notice, were imposed by the then Minister for Home Affairs in relation to HRC exported to Australia from Japan, Korea, Malaysia and Taiwan (Australian Customs Dumping Notice No. 2012/66 refers).

Following a reinvestigation of certain findings by the then Australian Customs and Border Protection Service, the then Minister for Home Affairs decided to vary the dumping duty notice. Notice of the decision was published on 17 July 2013, with effect from the date that the new notice was published.

The current review

An application has been lodged by BlueScope Steel Limited under subsection 269ZA(1) of the *Customs Act 1901* (the Act) for a review of the anti-dumping measures in relation to the goods exported to Australia by all exporters from Japan, Korea, Malaysia and Taiwan.

Particulars of the reasons for the decision to undertake this review of measures are shown in *Anti-Dumping Commission Consideration Report No. 454*, which has been placed on the public record.

The review period for this review is 1 October 2016 to 30 September 2017.

At the conclusion of this review, I will recommend to the Assistant Minister for Industry, Innovation and Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)¹ that the dumping duty notice:

- (i) remain unaltered; or
- (ii) have effect as if different variable factors had been ascertained.

¹ On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purpose of this decision, the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that anti-dumping measures are no longer warranted, that party may lodge an application² no later than **3 January 2018** to request that I consider that evidence to extend a review of anti-dumping measures to include revocation.

Future reviews

Under subsection 269ZA(2), an application for a review must not be made earlier than 12 months after the publication of the dumping duty notice, or the notice declaring the outcome of the last review of the dumping duty notice. Once a notice declaring the outcome of a review is published (regardless of the outcome), an application for a review of measures in relation to the dumping duty notice that is the subject of this review cannot be made for a period of 12 months.

Public record

A public record must be maintained for the review. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined at the Anti-Dumping Commission's (the Commission's) office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au.

Lodgment of submissions

Interested parties, as defined by subsection 269T(1) of the Act, are invited to lodge written submissions concerning this review no later than the close of business on **6 January 2018**³ addressed to:

The Director
Operations 1
GPO Box 2013
Canberra ACT 2601

or email to investigations1@adcommission.gov.au, or fax to +61 3 8539 2499.

Interested parties wishing to participate in this review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received by the Commission after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts (SEF) on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests; or

² In accordance with section 269ZCB of the Act.

³ As this falls on a Saturday, the effective due date is the next business day, being 8 January 2018.

- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked 'FOR OFFICIAL USE ONLY'. Interested parties making submissions must also provide a non-confidential version for public record (clearly marked 'PUBLIC RECORD').

Statement of Essential Facts

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Parliamentary Secretary within the legislative timeframe.

A SEF will be placed on the public record by **17 March 2018**,⁴ or by such later date as may be allowed in accordance with section 269ZHI of the Act.

The SEF will set out the essential facts on which I propose to base my recommendations to the Parliamentary Secretary in relation to the review. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

Report to the Parliamentary Secretary

Submissions received in response to the SEF will be taken into account in preparing the report and recommendations in relation to the review to the Parliamentary Secretary. Recommendations to the Parliamentary Secretary will be made in a report on or before **1 May 2018** (or such later date as may be allowed).

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2420 or email to investigations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

27 November 2017

⁴ As this falls on a Saturday, the effective due date is the next business day, being 19 March 2018.