



Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE NO. 2017/157

Zinc Coated (Galvanised) Steel

**Exported from the People's Republic of China,
the Republic of Korea and Taiwan**

Initiation of a Review of Anti-Dumping Measures

Notice under subsection 269ZC(5) 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 certain zinc coated (galvanised) steel (the goods) exported to Australia from the People's Republic of China (China), the Republic of Korea (Korea) and Taiwan. The review will be limited to examining whether the variable factors relevant to the taking of the anti-dumping measures as they affect exporters of the goods from China, Korea and Taiwan generally should be varied.

The Goods

The goods subject to anti-dumping measures, in the form of a dumping duty notice in respect of the goods exported from China, Korea and Taiwan, and in the form of a countervailing duty notice in respect of the goods exported from China, are:

Flat rolled products of iron and non-alloy steel of a width less than 600mm and equal to or greater than 600mm, plated or coated with zinc; and

Flat rolled products of alloyed steel of a width less than 600mm and equal to or greater than 600mm, plated or coated with zinc exported from:

- *China by Angang Steel Co., Ltd or Benxi Iron and Steel (Group) International Economic & Trading Co.; or*
- *Taiwan by Yieh Phui Enterprise Co., Ltd*

The goods are generally, but not exclusively, classified to the following tariff subheadings of Schedule 3 to the *Customs Tariff Act 1995*:¹

¹ These tariff classifications and statistical codes may include goods that are both subject and not subject to the anti-dumping measures. The listing of these tariff classifications and statistical codes are for convenience or reference only and do not form part of the goods description. Please refer to the goods description for authoritative detail regarding goods subject to the anti-dumping measures.

Tariff Subheading	Statistical Code	Description
7210		FLAT-ROLLED PRODUCTS OF IRON OR NON-ALLOY STEEL, OF A WIDTH OF 600 mm OR MORE, CLAD, PLATED OR COATED:
7210.4		Otherwise plated or coated with zinc:
7210.49.00		Other
	55	Of a thickness of less than 0.5mm
	56	Of a thickness of 0.5mm or more but less than 1.5mm
	57	Of a thickness of 1.5mm or more but less than 2.5mm
	58	Of a thickness of 2.5mm or more
7212		FLAT-ROLLED PRODUCTS OF IRON OR NON-ALLOY STEEL, OF A WIDTH OF LESS THAN 600 mm, CLAD, PLATED OR COATED:
7212.30.00	61	Otherwise plated or coated with zinc
7225		FLAT-ROLLED PRODUCTS OF OTHER ALLOY STEEL OF A WIDTH OF 600mm OR MORE:
7225.9		Other
7225.92.00	38	Otherwise plated or coated with zinc
7226		FLAT-ROLLED PRODUCTS OF OTHER ALLOY STEEL OF LESS THAN 600mm:
7226.9		Other
7226.99.00	71	Other

Background to the measures

The anti-dumping measures were initially imposed by public notice on 5 August 2013 by the then Attorney-General following consideration of *International Trade Remedies Report No. 190* (REP 190) and *International Trade Remedies Report No. 193* (REP 193).

These measures are applicable to all exporters from China, Korea and Taiwan except for exports by Dongkuk Steel Mill Co Ltd from Korea and Ta Fong Steel Co. Ltd and Sheng Yu Steel Co. Ltd from Taiwan, and, in respect of the countervailing duty notice, except for exports by Angang Steel Company Ltd, ANSC-TKS Galvanising Co Ltd, Yieh Phui Technomaterial Co. Ltd and Jiangyin Zongcheng Steel Co. Ltd.

The Anti-Dumping Commission (the Commission) is currently conducting a continuation inquiry in relation to the goods. The continuation inquiry was initiated on 10 November 2017 (Anti-Dumping Notice (ADN) No. 2017/159 refers). The anti-dumping measures are due to expire on 5 August 2018.

The current review

I initiated this review after a request was made by the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)² to review the dumping and countervailing measures as they affect exporters of galvanised steel exported to Australia from China, Korea and Taiwan. A copy of the Parliamentary Secretary's request is included at the end of this notice.

² 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 purposes of this review the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

The review period is from 1 October 2016 to 30 September 2017 and covers all exporters of the goods from China, Korea (except Dongkuk Steel Mill Co Ltd) and Taiwan (except Ta Fong Steel Co. Ltd and Sheng Yu Steel Co. Ltd). The review will examine whether the variable factors relevant to the taking of the measures have changed. After concluding the review, I will recommend to the Parliamentary Secretary that the dumping duty notice and countervailing duty notice:

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

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 application³ no later than **17 December 2017** to request that I consider that evidence to extend a review of anti-dumping measures to include revocation.⁴ Any information provided in this regard will also be considered as part of the inquiry into the continuation of the measures (ADN No. 2017/159 refers).

Future Reviews

Under subsection 269ZA(2) of the *Customs Act 1901* (the Act)⁵, an application for a review must not be made earlier than 12 months after the publication of the notice implementing the original measure or the notice declaring the outcome of the last review. Once a notice declaring the outcome of this review is published (regardless of the outcome), an application for a review of measures in relation to the dumping duty notice and countervailing duty notices that are the subject of this review cannot be made for a period of 12 months.

Public Record

A public record must be maintained for each 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 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), are invited to lodge written submissions concerning this review, no later than the close of business on **17 December 2017**. The Commission's preference is to receive submissions by email to investigations1@adcommission.gov.au. Submissions may also be addressed to:

The Director
Investigations 1
GPO Box 2013
CANBERRA ACT 2601

or faxed to +61 3 8539 2499.

³ In accordance with s.269ZCB of the Act.

⁴ As this is a Sunday the effective due date will be the following business day, 18 December 2017.

⁵ All legislative references in this notice are to the *Customs Act 1901*, unless otherwise stated.

Interested parties wishing to participate in the 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 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
- (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 statement of essential facts (SEF) will be placed on the public record by **28 February 2018**, or by such later date as I may allow in accordance with section 269ZHI of the Act.⁶ The SEF will set out the essential facts on which I propose to base a recommendation to the Parliamentary Secretary. 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 recommendation to the Parliamentary Secretary. A recommendation to the Parliamentary Secretary will be made in a report on or before **14 April 2018** (or such later date as I may allow).⁷

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager on telephone number 03 8539 2440 or email investigations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

10 November 2017

⁶ On 14 January 2017, the Parliamentary Secretary delegated the powers and functions of the Minister under section 269ZHI of the Act to the Commissioner. Refer to ADN No. 2017/10 for further information.

⁷ As this is a Saturday the effective due date for the final report will be the following business day, 16 April 2018.



The Hon Craig Laundry MP

Assistant Minister for Industry, Innovation and Science

MS17-003039

Mr Dale Seymour
Commissioner
Anti-Dumping Commission
GPO Box 2013
CANBERRA ACT 2600

Dear Mr Seymour

Dale,

I, CRAIG LAUNDY, the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science, REQUEST that you initiate a review of the anti-dumping measures in relation to zinc coated (galvanised) steel exported to Australia from the People's Republic of China (China), the Republic of Korea (Korea) and Taiwan and aluminium zinc coated steel exported to Australia from China and Korea as they affect exporters of those goods generally, because the variable factors relevant to the taking of the measures in relation to those exporters may have changed. I am making this request pursuant to subsection 269ZA(3) of Division 5 of Part XVB of the *Customs Act 1901*.

To prevent the possibility that exporters of goods subject to duties could subvert the review of measures process to undermine the remedial effects of Australia's anti-dumping system, Parliament passed the *Customs Amendment (Anti-Dumping Measures) Bill 2017* that came into effect on 30 October 2017.

Therefore I consider that it is timely and appropriate to apply the new legislation and review the anti-dumping measures in relation to those goods described above. This will ensure that the anti-dumping measures remain an effective remedy against material injury caused by dumping.

Separate to my request outlined above, as the amended legislation has now come into effect I note it will require you to consider the appropriate method to establish the export price in relation to exporters who made no exports, or low volumes of exports, to Australia as you conduct all reviews of measures that are currently underway.

Dated this *2* day of *November* 2017.

Yours sincerely

Craig Laundry
Assistant Minister for Industry, Innovation and Science
Parliamentary Secretary to the Minister for Industry, Innovation and Science