



ANTI-DUMPING NOTICE NO. 2014/19

Hot rolled plate steel

Exported to Australia from the People's Republic of China, the Republic of Indonesia, Japan and the Republic of Korea

Initiation of an exemption inquiry

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (the Commissioner) have initiated an exemption inquiry in relation to certain goods the subject of anti-dumping measures applying to hot rolled plate steel (plate steel) exported to Australia from the People's Republic of China (China), the Republic of Indonesia (Indonesia), Japan and the Republic of Korea (Korea).

The exemption being sought is under paragraphs 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions the Parliamentary Secretary to the Minister for Industry (Parliamentary Secretary) may exempt goods from interim dumping and countervailing duties where he is satisfied:

'that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.'

The Anti-Dumping Measures

Anti-dumping measures, in the form of a dumping and countervailing duty notice, were initially imposed on plate steel by public notice on 19 December 2013 by the Minister for Industry following consideration of the Anti-Dumping Commission *Report No. 198* (REP 198).

Dumping duties are applicable to all exporters from China, Indonesia, Japan and Korea¹ by all exporters except for:

- Shandong Iron and Steel Company Limited, Jinan Company (JIGANG) (China);
- Hyundai Steel Company (Hyundai) (Korea); and

¹ The dumping investigation was terminated so far as it related to hot rolled plate steel exported by all exporters from Taiwan

- POSCO (Korea).

Countervailing duties apply to plate steel exported to Australia from China by all exporters.

The Exemption Goods

The goods the subject of the exemption inquiry are plate steel produced to ASTM International standard A516 GR70 (the applicant asserts that ASTM International A516 standard correlates to Australian Industry Standard AS1548) (“the exemption goods”).

The exemption goods are currently classified to tariff subheading 7208.51.00 (statistical code 40) in Schedule 3 to the *Customs Tariff Act 1995*. The exemption goods are subject to a 5% duty for goods imported from Japan and duty free for imports from China, Indonesia and Korea.

The exemption inquiry will examine whether the goods the subject of the application would satisfy the conditions of paragraph 8(7)(a) and 10(8)(a) of the Dumping Duty Act.

The Current Inquiry

An application has been made to the Parliamentary Secretary for an exemption for the exemption goods from interim dumping and countervailing duties under the Dumping Duty Act. The application was lodged by Balcombe Engineering Pty Ltd.

After making inquiries of the Australian industry and other interested parties, I will recommend to the Parliamentary Secretary whether or not the goods covered by the application for exemption should be exempted from the anti-dumping measures.

Lodgment of submissions

Interested parties are invited to lodge written submissions concerning this inquiry, no later than the close of business on **22 March 2014**, addressed to:

The Director
Operations 2,
Anti-Dumping Commission
5th Floor, Customs House
5 Constitution Avenue
Canberra ACT 2601

or email Operations2@adcommission.gov.au, or fax to 1300 882 506 or +61 2 6275 6888 (outside Australia).

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly. Interested parties should note that I may not have regard to a submission received by the Commission after the date mentioned above if I consider

it will prevent the timely preparation of a recommendation to the Parliamentary Secretary.

The Anti-Dumping Commission (the Commission) will maintain a public record of this exemption inquiry. The public record will contain, among other things, a copy of all submissions from interested parties. Interested parties making submissions must also provide a non-confidential version for 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 the Commissioner 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".

Public Record

The public record for this inquiry is accessible at www.adcommission.gov.au. Alternatively, the public record may be examined at the Commission office by contacting the case manager on the details provided below.

Report to the Parliamentary Secretary

Submissions received within the timeframe stated above will be taken into account in completing the report and recommendation to the Parliamentary Secretary. There is no legislated timeframe for this process.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the case manager on telephone number (02) 6275 6129, fax number 1300 882 506 or +61 2 6275 6888 (outside Australia), or email Operations2@adcommission.gov.au.

Dale Seymour
Commissioner, Anti-Dumping Commission

12 March 2014