



FILE NOTE - INVESTIGATION 284

HOT ROLLED PLATE STEEL EXPORTED TO AUSTRALIA FROM THE REPUBLIC OF KOREA (BY HYUNDAI IRON & STEEL CO LTD AND POSCO) AND TAIWAN

Extension of time to complete the response to the Exporter Questionnaire

Purpose

The purpose of this file note is to advise interested parties that the Anti-Dumping Commission (the Commission) has **agreed** to a request on behalf of POSCO to provide an extension of time to complete its response to the Exporter Questionnaire (EQ). The revised deadline is **21 May 2015**.

Reasons for Request

POSCO's representative, Moulis Legal, has advised:

- POSCO's sales and costs information is very large. As such, completing the EQ response in a fulsome and accurate manner is a significant and time consuming task.
- POSCO needs to close its quarterly accounts in the last week of April and the first week of May. This will consume the time of the accounting staff over this period, which would otherwise be spent compiling information for the EQ response.
- there are two holidays during the time when the EQ response is required to be prepared – Labor Day (1 May 2015) and Children's Day (5 May 2015).

Commission's Decision

The Commission has considered the matters raised in the request, as well as the timeframes and requirements of the investigation and, having regard to the circumstances in which the request is made; the Commission has agreed to grant a 14 day extension to POSCO. POSCO's response to the EQ is therefore now due on or by **21 May 2015**.

The Commission considers that a 14 day extension for the response to the EQ is a significant period, especially as this comes on top of the 37 days already provided in accordance with the requirements of the WTO Anti-Dumping Agreement.

In the circumstances, the Commission has therefore advised POSCO that:

- the Commission expects that the POSCO response to the EQ that is lodged by 21 May 2015 will be complete, accurate and suitable for verification. Failure to submit a complete and accurate response that is suitable for verification by 21 May 2015 may result in POSCO being considered an uncooperative exporter (as defined in section 269T of the *Customs Act 1901*);
- the extension of the due date for the POSCO response to the EQ will not affect the Commissioner's ability to consider and make a preliminary affirmative determination (PAD) by day 60 of the investigation where he is satisfied as to the requisite grounds. In this case, day 60 is **30 May 2015**; and
- for POSCO's response to the EQ to be considered prior to the Commissioner's consideration of the appropriateness of a PAD at day 60 of the investigation, the response would need to be submitted to the Commission no later than **21 May 2015**.

Background to Investigation

Refer to <http://www.adcommission.gov.au>.