



# ADRP Conference Summary

## 2019/108 Steel Reinforcing Bar (Rebar) exported from the Republic of Korea (Korea) and Taiwan

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| Panel Member | Jaclyne Fisher   |
| Review type  | Review of Minister's Decision                          |
| Date         | 12 July 2019   |
| Participants | [REDACTED] (Liberty Steel), [REDACTED] (Liberty Steel) |
| Time opened  | 1.30 pm AEST   |
| Time closed  | 1.45 pm AEST   |

### Purpose

The purpose of this conference was to obtain further information in relation to the application by Liberty OneSteel (Newcastle) Pty Ltd (Liberty Steel) before the Anti-Dumping Review Panel (Review Panel) in relation to Steel Reinforcing Bar (Rebar) exported from the Republic of Korea (Korea) and Taiwan.

The conference was held pursuant to s.269ZZHA of the *Customs Act 1901* (the Act).

In the course of the conference, I may ask parties to clarify an argument, claim or specific detail contained in the party's application. The conference was not a formal hearing of the review and was not an opportunity for parties to argue their case before me.

I have only had regard to information provided at this conference as it relates to relevant information (within the meaning of s.269ZZK(6) of the Act). Any conclusions reached at this conference are based on that relevant information. Information that relates to some new argument not previously put in an application or submission is not something that the Review Panel has regard to, and, is therefore not reflected in this conference summary.

I also advised participants of the following:

That the conference was being recorded and transcribed by Express Virtual Meetings Pty Ltd. The recording will capture anything that is said during the conference. The conference is being recorded to have regard to the recording and to allow me to prepare a conference summary. This conference summary will be published on the Review Panel's website.

Confidential information discussed during the conference will be redacted from the conference summary prior to publication.



The Review Panel's Privacy Statement outlines who the conference recording and transcript may be disclosed to. The Privacy Statement is available on the Review Panel's website. The Secretariat has sent each of you a link to the Privacy Statement in preparation for this conference. If you have not already done so, please indicate whether you consent to:

- The recording of this conference; and
- The recording being dealt with as set out in the Privacy Statement.

Both participants indicated that they understood the Privacy Statement and agreed to the conference be recorded.

## Discussion

The specific information that the Review Panel sought in this conference was in relation to clarifying the grounds listed in the Liberty Steel application. The Review Panel indicated that this did not necessarily mean such grounds were 'reviewable grounds' in terms of s.269ZZG of the Act but that further clarification of the grounds listed was being sought.

1. Grounds C and D in the application appear to be similar, can Liberty Steel clarify what are the differences, if any, between these two grounds?

*Liberty Steel advised that Ground C is a procedural point highlighting that the Commissioner did not have regard to certain information (made within the legislative provisions) supplied by Liberty Steel in making his recommendations in the report to the Minister in relation to the normal value determination for Daehan Steel Co. Ltd (Daehan). Ground D deals with the specific aspects of the normal value for Daehan, considered to be in error.*

2. Confidential Appendix B to the application appears to be missing elaboration in relation to Ground E. Could Liberty Steel elaborate on this particular ground.

*Liberty Steel advised that as identified in its response to Question 9, this related to the determination of the normal value under s.269TAC(6) of the Act for 'all other exporters' of the goods from Korea. It is similar to the statement made in Appendix B - Ground C relating to Taiwan, except Ground E relates to Korea as follows: in the event that the Review Panel recommends that the normal value for Daehan was incorrectly determined under s.269TAC(1) of the Act, then the Review Panel will*



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*further need to recommend that the determination of the normal value for all other exporters for the goods under s.269TAC(6) of the Act be again ascertained to take into account the new normal value determined for Daehan, to the extent necessary.*

The Review Panel indicated that the Secretariat would provide a draft of this conference summary to Liberty Steel to confirm accuracy and identify any confidential information that should be redacted. Liberty Steel should provide feedback to the Secretariat as early as possible so that the conference summary can be finalised.