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- Warehousing & Distribution

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- International Air Freight
- Customs Brokerage
- Tariff Consultancy

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AUSTRALIA'S GLOBAL LOGISTICS SOLUTION SINCE 1978

All business transacted is subject to the Company's Standard Trading Conditions of Contract, a copy of which are available upon request and which, in certain circumstances, exclude the Company's liability and include certain indemnities which benefit the Company.

National Manager

International Trade Remedies Branch

Australian Customs and Border Protection Service

5 Constitution Avenue

Canberra ACT 2601

13 June 2013

Application for Ministerial Exemption under section 8(7)(b) and section 10(8)(aa) of the Customs Tariff (Anti-Dumping) ACT 1975.

Dumping measures applied to Zinc coated (galvanised) steel exported from People's Republic of China, the Republic of Korea and Taiwan.

Customs Classification 7210.49.00.

Applicant: Precision Components Australia Pty Ltd.

Dear Sir / Madam,

We refer to Tariff Concession Order (TCO) number 1309160 which was applied for by BLUESCOPE STEEL (AIS) Pty Ltd and was declared in ICS on the 3rd June 2013 with an operative date of the 13th March 2013. The details of the Tariff Concession's acceptance and granting appear in Commonwealth of Australia Gazette TC13/22 dated 5th June 2013 below and Copy attached.

STEEL, flat rolled, non-alloy, hot dipped galvannealed zinc coated, in coils, having ALL of the following:

- (a) yield strength NOT less than 120 MPa and NOT greater than 180 MPa;
- (b) tensile strength NOT less than 260 MPa and NOT greater than 350 MPa;
- (c) total elongation NOT less than 37%;
- (d) total coating mass NOT less than 90 g/m²;
- (e) thickness 0.80 mm and width 1 640 mm

TC- 1309160



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Section 269C of the Australian Customs ACT defines the "core criteria" that must be met when applying for a TCO which states that on the day the application was lodged, no substitutable goods were produced in Australia in the ordinary course of business.

Based on the interpretation stated above we feel that the goods meet the "Core Criteria" and the fact that Bluescope Steel have applied for this TCO on behalf of Precision Components Australia Pty Ltd, which was subsequently granted, is further evidence that the goods or like goods the subject of the TCO are not manufactured in Australia.

Under certain legislative provisions the Minister may exempt goods from dumping and countervailing duties vide Section 8(7)(a) & (b) and Section 10(8)(a) & (aa) respectively as per below.

- (a) *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 customs and usage of trade;*
- (b) *That a Tariff Concession Order under Part XVA of the Customs ACT 1901 in respect of the goods is in force.*

Goods the subject of the TCO fall to Customs Tariff Classification 7210.49.00 which are the subject of Dumping Duty and currently Countervailing securities pending the result of the investigation and subsequent Ministers decision.

We submit that the goods the subject of this tariff concession are not manufactured in Australia and therefore would fall outside of scope of the current dumping investigations. Consequently we feel that they should not fall under the parameters of the goods under investigation.

Given the scope of the goods under investigation covers an extremely broad gamete of steel and the fact that the goods the subject of the TCO are very specific for use in the PMV "passenger motor vehicle" industry we feel that these goods should be excluded from the current investigation.

We feel given the goods the subject of TCO 1309160 comply with Section 8(7)(a) & (b) and Section 10(8)(a) & (aa) that we have grounds to apply for an exemption from the Dumping and Countervailing duties / securities that are currently in place and may be applied in the future.



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Given the matters stated above we seek your confirmation that the goods the subject of TCO 1309160 do not fall within the scope of the goods subject to the current dumping investigation and are subsequently exempt from current Dumping and future Countervailing duties that may be imposed.

We further request that should our application be successful the exemption be backdated to the date this application was received by Australian Customs and Border Protection.

Please do not hesitate to contact me if you require any further information.

Yours Sincerely,

Darryl Fairbairn
 Customs Broker
 CBFCA, Senior Associate



**Commonwealth
of Australia**

Gazette

No. TC 13/22, Wednesday, 5 June 2013
Published by the Commonwealth of Australia

TARIFF CONCESSIONS

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The Australian Customs and Border Protection Service (Customs and Border Protection) publishes the Commonwealth of Australia Tariff Concessions Gazette (the Tariff Concessions Gazette) free of charge on the Customs internet site at: <http://www.customs.gov.au>
Please select "tariff", then "tariff concessions gazette".
The gazettes are listed in date order and may be selected from the list of Adobe (PDF) file

General Inquiries:(02) 6275 6404
Facsimile:(02) 6275 6378

8 TCOs Made

Commonwealth of Australia Gazette
No TC 13/22, Wednesday, 05 Jun 2013Description of Goods including the
Customs Tariff ClassificationSchedule 4 Item Number
Last Date of Effect

Description of Goods including the Customs Tariff Classification	Schedule 4 Item Number	Last Date of Effect
7210.30.00 STEEL, flat rolled, non-alloy, electrolytically plated or coated with zinc, in coils, having ALL of the following: (a) yield strength NOT less than 140 MPa and NOT greater than 210 MPa; (b) tensile strength NOT less than 270 MPa and NOT greater than 350 MPa; (c) total elongation NOT less than 38%; (d) total coating mass NOT less than 47 g/m ² and NOT greater than 61 g/m ² on each side; (e) thickness 0.70 mm and width 1 160 mm	50	

For the purposes of this Order, tolerances allowable for specification (e) are:

(a) thickness +/- 10%

(b) width +/- 1%

Op. 13.03.13

Dec. date 03.06.13

- TC 1309163

7210.49.00 STEEL, flat rolled, non-alloy, hot dipped galvanized zinc coated, in coils, having ALL of the following: (a) yield strength NOT less than 120 MPa and NOT greater than 180 MPa; (b) tensile strength NOT less than 260 MPa and NOT greater than 350 MPa; (c) total elongation NOT less than 37%; (d) total coating mass NOT less than 90 g/m ² ; (e) thickness 0.80 mm and width 1 540 mm	50	
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For the purposes of this Order, tolerances allowable for specification (e) are:

(a) thickness +/- 10%

(b) width +/- 1%

Op. 13.03.13

Dec. date 03.06.13

- TC 1309160

TAPIN Notes:

7211.19.00 STEEL, flat rolled, iron OR non-alloy, hot rolled, pickled, not coated, in coils, complying with Japanese Industrial Standard G3113 (JIS G3113), grades SAPH400 OR SAPH440, having ALL of the following: (a) yield strength NOT less than 255 MPa; (b) tensile strength NOT less than 400 MPa; (c) total elongation NOT less than 29%; (d) in ANY of the following sizes: (i) thickness 1.40 mm and width 595 mm; (ii) thickness 1.55 mm and width 250 mm; (iii) thickness 1.60 mm and width 360 mm; (iv) thickness 1.60 mm and width 510 mm	50	
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For the purposes of this Order, tolerances allowable for specification (d) are:

(a) thickness +/- 10%

(b) width +/- 1%

Op. 14.03.13

Dec. date 03.06.13

- TC 1309210

7211.19.00 STEEL, flat rolled, iron OR non-alloy, hot rolled, pickled, not coated, in coils, having ALL of the following: (a) yield strength NOT less than 305 MPa; (b) tensile strength NOT less than 490 MPa; (c) total elongation NOT less than 21%; (d) thickness 1.90 mm and width 423 mm	50	
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For the purposes of this Order, tolerances allowable for specification (d) are:

(a) thickness +/- 10%

(b) width +/- 1%

Op. 14.03.13

Dec. date 03.06.13

- TC 1309213