



Australian Government
**Department of Industry,
Innovation and Science**

**Anti-Dumping
Commission**

**Application for an
accelerated review of
anti-dumping measures**

APPLICATION UNDER SECTION 269ZE OF THE *CUSTOMS ACT 1901* FOR AN ACCELERATED REVIEW OF ANTI-DUMPING MEASURES

In accordance with section 269ZE of the *Customs Act 1901* (the Act), I request that the Commissioner of the Anti-Dumping Commission conduct an accelerated review of a dumping duty notice and/or countervailing duty notice (the notice(s)) insofar as it affects this exporter.¹

NB: Only a new exporter is eligible to apply for an accelerated review. A new exporter means that, in relation to goods the subject of an application for a dumping duty notice or countervailing duty notice or like goods, an exporter who did not export such goods to Australia at any time during the investigation period in relation to the application (ss 269ZE(1) and 269T(1) refers).

DECLARATION

I believe that the information contained in this application:

- provides reasonable grounds for an accelerated review of the dumping or countervailing duty notice(s) in so far as it relates to the applicant; and
- is complete and correct.

Signature:



Name:

Mr. Chaichalerm Bunyanuwat

Position:

VP Marketing and Sales, Tata Steel (Thailand), Public Co., Ltd.

Company:

N.T.S. Steel Group Public Company Limited

Date:

28/3/18

¹ All legislative references are to the *Customs Act 1901*.



**Signature
requirements**

Where the application is made:

By a company - the application must be signed by a director, servant or agent acting with the authority of the body corporate.

By a joint venture - a director, employee, agent of each joint venturer must sign the application. Where a joint venturer is not a company, the principal of that joint venturer must sign the application form.

On behalf of a trust - a trustee of the trust must sign the application.

By a sole trader - the sole trader must sign the application.

In any other case - contact the Anti-Dumping Commission's (Commission's) client support section for advice.

NB: Where an application is made by an agent acting with authority on behalf of a company, joint venture, trust or sole trader, an authority to act letter must be provided with this application.

**Assistance
with the
application**

The Commission's client support section can provide information about dumping and countervailing procedures and the information required by the application form. Contact the team on:

Phone: 13 28 46 or +61 2 6213 6000 (outside Australia)

Fax: (03) 8539 2499 or +61 3 8539 2499 (outside Australia)

Email: clientsupport@adcommission.gov.au

Other information is available from the Commission's website at www.adcommission.gov.au.

**Required
information**

1. Provide details of the current anti-dumping measure(s) the subject of this review application, including:
 - identify the notice(s) imposing measures that the applicant seeks an accelerated review of; and
[The notice](#)
Public notice under subsections 269TG (1) and (2) of the Customs Act 1901
Anti-Dumping Notice No. 2018/10
 - a description of the goods to which the notice(s) relates.
[The goods](#)
Hot-rolled deformed steel reinforcing bar whether or not in coil form, commonly identified as rebar or debar, in various diameters up to and including 50 millimetres, containing indentations, ribs, grooves or other deformations produced during the rolling process.
The goods covered by this application include all steel reinforcing bar meeting the above description regardless of the particular grade, alloy content or coating.
Goods excluded from this application are plain round bar, stainless steel and reinforcing mesh.



Tariff classification

Tariff subheading	Statistical Code
7213.10.00	42
7214.20.00	47
7227.90.10	69
7227.90.90	01, 02, 04
7228.30.10	70
7228.30.90	40
7228.60.10	72

2. Provide details of the name, street and postal address, of the applicant seeking the accelerated review;

Applicant

N.T.S. Steel Group Public Company Limited (NTS)

Business Type Manufacturer of rebars
Established October 22, 1993
Address No. 351, Moo 6, 331 Highway,
 Hemaraj Chonburi Industrial Estate, Bowin
 Sriracha, Chonburi 20230, Thailand
Tel. 66 (3) 834 5355
Fax. 66 (3) 834 5350
Paid Up Capital 4,627,965,356.40 Baht
Par Value 1.20 Baht
Held by TSTH 99.76 %

3. Provide details of the name of a contact person, including their position, telephone number and facsimile number, and e-mail address;

Contact details

Mr. Chaichalerm Bunyanuwat,
Vice President – Marketing and Sales – Tata Steel (Thailand) Public
Company Limited
Tel. +66-81803-9429
Fax. +66-2937-1223
Email – chaichalermb@tatasteelthailand.com

Remark:-

1. Power of Attorney is as per the attached
2. Prefer contact via email



4. Describe the applicant's role in the exportation of the goods (e.g. producer or manufacturer, distributor or trader of the goods);

Applicant's role

Manufacturer of rebar products

5. Confirm that the applicant is a 'new exporter', meaning, in relation to goods the subject of an application for a dumping duty notice or countervailing duty notice or like goods, an exporter who did not export such goods to Australia at any time during the investigation period in relation to the application (ss 269ZE(1) and 269T(1) refers).

In relation to goods the subject of an application for a dumping duty notice or like goods, NTS did not export such goods to Australia during the investigation period of 1 April 2016 to 31 March 2017, therefore, not be a respondent to the Anti-Dumping Notice case No. 2017/92 – Steel Reinforcing Bar Exported from Greece, the Republic of Indonesia, Spain (Nervacero S.A., Taiwan (Power Steel Co., Ltd.) and the Kingdom of Thailand. In addition, NTS has never exported the goods to Australia after the investigation period till date. NTS is currently subject to the duty of 11.9% as all other exporters in Thailand.

6. Confirm whether the applicant has previously applied for an accelerated review in relation to the notices the subject of this application.

Previously, NTS has not applied for an accelerated review in relation to the Anti-Dumping Notice No. 2017/92 (Public notice under subsection 269TC(4) of the Customs Act 1901.

7. Confirm whether the applicant is related to an exporter whose exports were examined in relation to the application for publication of the notice(s), and the nature of the relationship (s 269ZE(2)(b) refers).

In determining whether the applicant is an associate of an exporter whose exports were examined in relation to the application for publication of the notices(s), answer the following (s 269TAA(4) refers):

- (a) Are both natural persons?

No

If yes:

- (i) Are they members of the same family? Or;
(ii) Is one of them an officer or director of a body corporate controlled, directly or indirectly, by the other?

- (b) Are both body corporates?

Yes

If yes:

- (i) Are both of them controlled by a third person (whether or not a body corporate)? Or; No
(ii) Do both of them together control, directly or indirectly, a third body corporate? Or; No
(iii) Is the same person (whether or not a body corporate) in a position to cast, or control the casting of, 5% or more of the



maximum number of votes that might be cast at a general meeting of each of them? No

(c) Is one of them, being a body corporate, directly or indirectly, controlled by the other (whether or not a body corporate)?

No.

(d) Is one of them, being a natural person, an employee, officer or director of the other (whether or not a body corporate)?

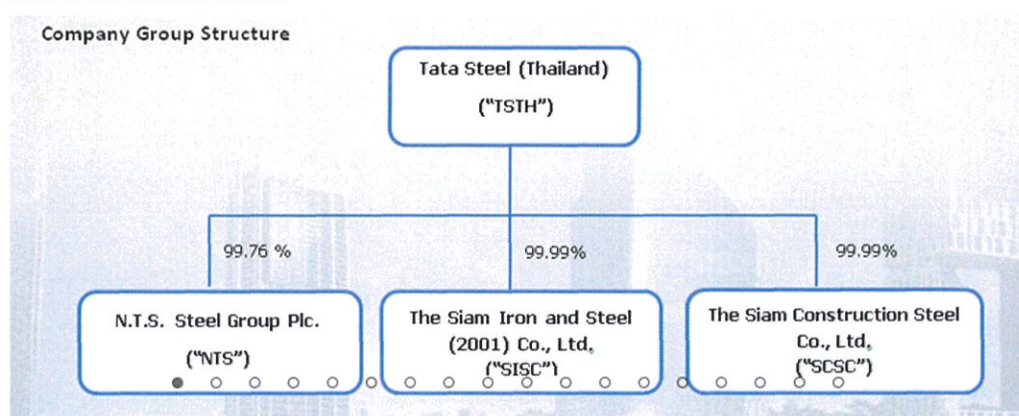
No.

(e) Are they members of the same partnership?

No.

NB: Please include appropriate evidence in support of your view that the applicant is or is not related to another company whose exports were examined in relation to the application for publication of the notice(s) (i.e. during the original investigation). This should include an overview of your corporate structure, including entities that the applicant has an interest in and entities that have an interest in the applicant, list of directors and annual report(s) where applicable.

Corporate structure



N.T.S. Steel Group Public Company Limited (NTS) is one of the three subsidiaries of Tata Steel (Thailand) Public Company Limited (TSTH). TSTH operates its business as a holding company with shareholding in its three subsidiaries namely NTS, SISCO and SCSC. The three subsidiaries produce Reinforcing bars (Rebars), wire rods, small section and Special Bar Quality Steel.

TSTH's operations are undertaken as a group with TSTH as the top policy maker and the 3 subsidiaries responsible for carrying out the operations according to the prescribed policy with regard to marketing & sales, production, raw material sourcing, finance, human resources management and other aspects of the business.

TSTH's major shareholder is the Tata Steel Global Holdings Pte. Ltd. ("TSGH"), a wholly owned subsidiary of Tata Steel Limited ("TSL") and which operates its business as an investment company with its head office at Singapore.

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List of directors

Mr. Rajiv Mangal

Mr. Wanlert Kanwiwat

Mr. Sirorote Matemanosak

Mr. Pornchai Tangworrakulchai

Mr. Arun Kumar Chowdhary

Annual report

NTS annual report is as per the attached.

TSTH annual report is available on Website

Website

www.tatasteelthailand.com

8. Provide a statement setting out the basis on which you consider the particular dumping or countervailing duty notice is inappropriate, so far as the applicant is concerned.

In relation to the Anti-Dumping Notice No. 2017/92, NTS did not export such goods to Australia at any time during the investigation period, therefore, cannot participate or lodge in the investigation concerning the publication of the dumping duty notice. The dumping rate apply for the company is 11.9% based on the "Uncooperative and all other exporters rate" for security in Thailand. NTS, therefore, seeks for the opportunity to review and has our own factors or aspects for duty determine. NTS has no mean to threaten or harm the Australian industry by exporting the goods to Australia at dumped price and cause the material injury to the Australian industry.

Impact of an all exporter review of measures

Where a review of measures applies to all exporters of the goods generally (that is, not a single exporter), the changes to the notice(s) that result from the review may apply to all relevant exporters of the goods, including past applicants for an accelerated review. This means that changes to a notice as an outcome of an all exporter review of measures may replace an earlier published outcome of an accelerated review.

Lodgement of the application

This application, together with the supporting evidence, must be lodged in the manner approved by the Commissioner under subsection 269SMS(2) of the Act. The Commissioner has approved lodgement of this application by either:

- preferably, email, using the email address clientsupport@adcommission.gov.au, or

- pre-paid post to:

The Commissioner of the Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601, or



- facsimile, using the number (03) 8539 2499 or +61 3 8539 2499 (**outside Australia**)

Public Record

There is no legislative requirement to maintain a public record for accelerated reviews. However, in the interests of transparency, a public record for an accelerated review will be opened and accessible on the Commission's website at www.adcommission.gov.au. The public record will contain, among other things, a copy of the application, all submissions from interested parties and Commission reports.

At the time of making the application, the Commission requests both a confidential version (for official use only) and non-confidential version (public record) of the application be submitted. Please ensure each page of the application is clearly marked "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD". The non-confidential application should enable a reasonable understanding of the substance of the information submitted in confidence, clearly showing the reasons for seeking the accelerated review, or, if those reasons cannot be summarised, a statement of reasons why summarisation is not possible. If you cannot provide a non-confidential version, contact the Commission's client support section for advice.

