



ANTI-DUMPING NOTICE NO. 2016/127

Certain Hot Rolled Plate Steel Exported to Australia from the People's Republic of China, the Republic of Indonesia, Japan, the Republic of Korea and Taiwan

Initiation of an Exemption Inquiry EX0050

Customs Tariff (Anti-Dumping) Act 1975

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

The exemption is sought under subsections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions, the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)¹ may exempt goods from interim dumping duty and dumping duty, and interim countervailing duty and countervailing duties where 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 duty notice and a countervailing duty notice were initially imposed on plate steel by public notice on 19 December 2013 by the then Minister for Industry following consideration of the findings and recommendations in *International Trade Remedies Branch Report No. 198* (REP 198). The anti-dumping measures apply as follows:

- a dumping duty notice in respect of all exporters of plate steel to Australia from China, Indonesia, Japan and Korea with the exclusion of Hyundai Steel

¹ On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this inquiry the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

Company and POSCO Steel from Korea and Shandong Iron and Steel, Jinan Company from China; and

- a countervailing duty notice in respect of all exporters of plate steel exported to Australia from China.

The goods

The goods to which the current anti-dumping measures apply are:

Flat rolled products of:

- iron;
- non-alloy steel; or
- non-heat treated alloy steel of a kind commonly referred to as Quench and Tempered (Q&T) Green Feed;

of a width greater than 600mm, with a thickness equal to or greater than 4.75mm, not further worked than hot rolled, not in coils, with or without patterns in relief.

Goods excluded from the current anti-dumping measures are:

- 250 megapascal (MPa) yield strength grades of plate steel with a thickness greater than 150mm;
- 350 MPa yield strength grades of plate steel with a thickness greater than 100mm;
- Q&T Green Feed grades of plate steel with a thickness greater than 105mm; and
- heat treated Q&T grades of plate steel.

In accordance with *Ministerial Exemption Instrument Nos. 8 of 2014*², *9 of 2014*³ and *1 of 2015*,⁴ the following goods are exempt from the current anti-dumping measures:

- plate steel specified by Japanese Industry Standard (JIS) G4051-S45C (Australian Standard AS3678/K1042) with a thickness equal to or greater than 105mm;
- plate steel specified to the ASTM International A516-GR70 standard with a thickness equal to or greater than 105mm; and
- goods subject to Tariff Concession Order TC1413674.

The exemption goods

The goods the subject of the exemption inquiry (the exemption goods) are described by the applicant as:

² Available on the Commonwealth gazette at: <https://www.legislation.gov.au/Details/C2015G00324>

³ Available on the Commonwealth gazette at: <https://www.legislation.gov.au/Details/C2015G00325>

⁴ Available on the Commonwealth gazette at: <https://www.legislation.gov.au/Details/C2015G01399>

The public record for these exemption inquiries is available on the Commission's website at www.adcommission.gov.au, by accessing electronic 'Archived Cases' and navigating to electronic public record nos. EX0018, EX0019 and EX0022.

Steel, Hot Rolled micro alloyed non-heat treated steel sheet:

- conforming to steel grades BS700MCK2 and BS700MCK4,
- with a yield strength NOT less than 680Mpa, and
- of a thickness NOT less than 2.5 mm and NOT greater than 16mm, and
- a Carbon Equivalent Value (CEQ) of less than or equal to 0.50.

The application states that the exemption goods are classified to tariff subheading 7225.40.00 (statistical codes 22) of Schedule 3 to the *Customs Tariff Act 1995*.

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

The current inquiry

An application for exemption has been made to the Parliamentary Secretary by Bao Australia Pty Ltd (Bao Australia). The application is taken to have been received on 17 November 2016.

After making inquiries of the Australian industry producing plate steel and other interested parties, I will recommend to the Parliamentary Secretary whether the exemption goods should be exempted from the anti-dumping measures.

Public record

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of ensuring this process is conducted in an open and transparent manner, a public record for this inquiry may be examined at the Anti-Dumping Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is accessible at www.adcommission.gov.au

The public record will contain, among other things, a copy of the application and a copy of all non-confidential submissions from interested parties.

Lodgment of submissions

Interested parties are invited to lodge written submissions concerning this inquiry no later than the close of business on 19 January 2017, addressed to:

The Director
Operations 3
Anti-Dumping Commission
GPO Box 1632
Melbourne VIC 3001

or email to operations3@adcommission.gov.au, or fax to +61 3 8539 2499.

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly.

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 me 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".

Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

Report to the Parliamentary Secretary

Submissions received in 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 +61 3 8539 2403 or email operations3@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

13 December 2016