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Customs Act 1901 – Part XVB

## **Anti-Dumping Notice No. 2017/76**

### **Steel rod in coil**

### **Exported from The People's Republic of China**

### **Initiation of two Reviews of Anti-Dumping Measures relating to Jiangsu Shagang Group Co., Ltd. and Hunan Valin Xiangtan Iron & Steel Co., Ltd.**

#### ***Notice under subsection 269ZC(4) of the Customs Act 1901***

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have initiated two separate reviews of the anti-dumping measures applying to steel rod in coil (the goods) exported to Australia from the People's Republic of China (China). Each review will be limited to examining whether the variable factors relevant to the taking of the anti-dumping measures as they affect the particular applicant for the review of measures should be varied. The two applicants are Jiangsu Shagang Group Co., Ltd. (Shagang) and Hunan Valin Xiangtan Iron & Steel Co., Ltd. (Valin).

#### **The Goods**

The goods the subject of the application (the goods) are:

*Hot rolled rods in coils of steel, whether or not containing alloys, that have maximum cross sections that are less than 14mm.*

*The goods covered by this application include all steel rods meeting the above description regardless of the particular grade or alloy content.*

*Goods excluded from this application include hot-rolled deformed steel reinforcing bar in coil form, commonly identified as rebar or debar, and stainless steel in coils.*

The goods can be classified to any of the following tariff subheadings:

- 7213.91.00 (statistical code 44);
- 7227.90.90 (statistical code 02); and
- 7227.90.90 (statistical code 42).

## **Background to the measures**

Since 2014, the Anti-Dumping Commission (Commission) has conducted numerous investigations, reviews and inquiries relating to steel rod in coil. Full details can be found on the Commission's electronic public record at [www.adcommission.gov.au](http://www.adcommission.gov.au). The matters relevant to the applications for review are summarised below.

12 August 2015	The Commission initiated an investigation into the alleged dumping of rod in coil exported to Australia from China following an application by OneSteel Manufacturing Pty Ltd.
22 April 2016	The then Assistant Minister for Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science published a dumping duty notice applying to rod in coil exported from China – Anti-Dumping Commission Report No. 301 refers.

## **The current reviews**

Separate applications were lodged by Shagang (Review 413) and Valin (Review 414) under subsection 269ZA(1) of the *Customs Act 1901* (the Act) for a review of the dumping duty notice in relation to the goods exported to Australia from China by those exporters.

Particulars of the reasons for the decisions to undertake these reviews are provided in *Anti-Dumping Commission Consideration Report Nos. 413 and 414*, which have been placed on the public record.

The review period is 1 April 2016 to 31 March 2017 and covers exports of the goods to Australia from China by Shagang and Valin. The review will examine whether the variable factors relevant to the taking of the anti-dumping measures as they affect those exporters have changed.

At the conclusion of each review, I will recommend to the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science<sup>1</sup> (Parliamentary Secretary) that the dumping duty notice:

- i. remain unaltered; or
- ii. have effect as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that the dumping duty notice is no longer warranted, that party may lodge an application<sup>2</sup> no later than 30 June 2017 to request that I consider that evidence to extend the reviews to include revocation.

## **Future Reviews**

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<sup>1</sup> 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 these reviews, the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

<sup>2</sup> In accordance with section 269ZCB of the Act.

Under subsection 269ZA(2), an application for a review must not be made earlier than 12 months after the publication of the dumping duty notice or the notice declaring the outcome of the last review of the dumping duty notice. Once a notice declaring the outcome of these reviews are published (regardless of the outcome), an application for a review of measures in relation to the dumping duty notice that is the subject of these reviews cannot be made for a period of 12 months.

### **Public Record**

A public record must be maintained for each review. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au)

### **Lodgment of submissions**

Interested parties, as defined by subsection 269T(1) of the Act, are invited to lodge written submissions concerning these reviews, no later than the close of business on 25 June 2017, addressed to:

The Director  
Operations 2  
GPO Box 1632  
Melbourne VIC 3001

or email at [operations2@adcommission.gov.au](mailto:operations2@adcommission.gov.au), or fax to +61 3 8539 2499.

Interested parties wishing to participate in these reviews must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts (SEF) on the public record.

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 making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

## **Statement of Essential Facts**

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Parliamentary Secretary within the legislative timeframe. A SEF will be placed on the public record by 11 September 2017, or by such later date as allowed in accordance with section 269ZHI of the Act. The SEF will set out the essential facts on which I propose to base my recommendations to the Parliamentary Secretary in relation to each review. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

## **Report to the Parliamentary Secretary**

Submissions received in response to the SEF will be taken into account in preparing my report and recommendations in relation to each review to the Parliamentary Secretary. Recommendations to the Parliamentary Secretary will be made in a report on or before 26 October 2017 (or such later date as allowed under section 269ZHI).

## **Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2427 or email at [operations2@adcommission.gov.au](mailto:operations2@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

24 May 2017