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*Customs Act 1901 – Part XVB*

## **Anti-Dumping Notice No. 2016/129**

### **Aluminium Zinc Coated Steel**

### **Exported from the Republic of Korea**

### **Initiation of Review of Anti-Dumping Measures relating to: Dongbu 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 a review of the anti-dumping measures applying to aluminium zinc coated steel (the goods) exported to Australia from the Republic of Korea (Korea). The review will be limited to examining whether the variable factors relevant to the taking of anti-dumping measures as they affect Dongbu Steel Co., Ltd (Dongbu Steel) should be varied.

Given that the applicant is not subject to countervailing duties on its exports of aluminium zinc coated steel, the review will only examine whether the variable factors in relation to the taking of dumping duty have changed.

#### **The Goods**

The goods subject to the dumping duty notice are:

*“flat rolled products of iron and non-alloy steel of a width equal to or greater than 600m, plated or coated with aluminium zinc alloys, not painted whether or not including resin coating”.*

Goods identified as aluminium zinc coated steel, as per the description above, are classified to tariff subheadings 7210.61.00 (statistical code 60, 61 and 62) in Schedule 3 to the *Customs Tariff Act 1995*.

Painted aluminium zinc coated steel, pre-painted aluminium zinc coated steel and unchromated aluminium zinc coated steel products exported from Korea are not covered by the dumping duty notice.

## **Background to the measures**

On 5 August 2013, anti-dumping measures in the form of a dumping duty notice (the original dumping duty notice) were initially imposed by the then Attorney-General in relation to aluminium zinc coated steel exported from China and the Republic of Korea (Anti-Dumping Notice No. 2013/66 refers). The original dumping duty notice did not apply to Union Steel Co., Ltd (Union Steel Korea) as the CEO of the Australian Customs and Border Protection Service had terminated the dumping investigation in respect of Union Steel Korea.

## **Previous and recently initiated reviews**

On 1 October 2014, Dongbu Steel Co., Ltd (Dongbu Steel) lodged an application requesting a review of the anti-dumping measures applying to its exports of aluminium zinc coated steel and galvanised steel to Australia from Korea. *Anti-Dumping Commission Report No. 272 and 273* (REP 272 and 273) recommended that the dumping duty notice have effect in relation to Dongbu Steel as if different variable factors had been ascertained.

The then Parliamentary Secretary to the Minister for Industry and Science accepted the findings in REP 272 and 273, and decided to alter the notice as it applied to Dongbu Steel. Notice of the decision was published in the *Commonwealth of Australia Gazette* on 3 August 2015 and *The Australian* newspaper on 4 August 2015.<sup>1</sup>

On 30 August 2016, the Commission initiated two reviews of the dumping duty notice in relation to the goods exported to Australia from China by Jiangyin Zongcheng Steel Co. Ltd and Angang Steel Company Limited (Anti-Dumping Notice No. 2016/87 refers).

A further review of the dumping duty notice was initiated on 22 September 2016 in relation to the goods exported to Australia from China by Yieh Phui Technomaterial (Anti-Dumping Notice No. 2016/102 refers).

## **The current review**

An application has been lodged by Dongbu Steel under subsection 269ZA(1) of the *Customs Act 1901* (the Act) for the review of the dumping duty notice in relation to the goods exported to Australia from Korea by Dongbu Steel.

Particulars of the reasons for the decision to undertake this review of measures is shown in *Anti-Dumping Commission Consideration Report No. 385*, which has been placed on the public record.

The review period is **1 October 2015 to 30 September 2016**. The review will examine whether the variable factors relevant to the taking of the dumping duty, in relation to Dongbu Steel, have changed.

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<sup>1</sup> The gazette notice is available at <https://www.legislation.gov.au/Details/C2015G01251>. ADN No. 2015/83 refers.

At the conclusion of this review, I will recommend to the Assistant Minister for Industry Innovation and Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)<sup>2</sup> 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 anti-dumping measures are no longer warranted, that party may lodge an application<sup>3</sup> no later than **13 January 2017** to request that I consider that evidence to extend a review of anti-dumping measures to include revocation.

### **Future Reviews**

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

### **Public Record**

A public record must be maintained for reviews. 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 this review, no later than the close of business on **13 January 2017**, addressed to:

The Director  
Operations 1  
GPO Box 1632  
Melbourne VIC 3001

or email to [operations1@adcommission.gov.au](mailto:operations1@adcommission.gov.au), or fax to +61 3 8539 2499.

Interested parties wishing to participate in this review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a

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<sup>2</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 this decision the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

<sup>3</sup> In accordance with section 269ZCB of the Act.

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 **27 March 2017**, or by such later date as the Parliamentary Secretary may allow in accordance with section 269ZHI of the Act. The SEF will set out the essential facts on which I propose to base my recommendations in relation to this review to the Parliamentary Secretary. 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 the report and recommendation to the Parliamentary Secretary. A recommendation to the Parliamentary Secretary will be made in a report on or before **11 May 2017** (or such later date as the Parliamentary Secretary may allow under section 269ZHI of the Act).

### **Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2441 or email to [operations1@adcommission.gov.au](mailto:operations1@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

7 December 2016