



ANTI-DUMPING NOTICE NO. 2015/26

Certain Hot Rolled Plate Steel

Exported to Australia from the People's Republic of China,

Republic of Indonesia, Japan and the Republic of Korea

Findings of an exemption inquiry

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission have completed the Exemption Inquiry No.18 (EX0018) in relation to certain goods which are the subject of anti-dumping measures applying to certain hot rolled plate steel exported to Australia from the People's Republic of China (China), the Republic of Indonesia (Indonesia), Japan and the Republic of Korea (Korea).

The exemptions were sought pursuant to paragraph 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions the Minister for Industry and Science (the Minister) may exempt goods from interim dumping and countervailing duties where he or she is 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 Commission (the Commission) conducted inquiries into the exemption applications and made recommendations to the Minister that the goods the subject of the applications satisfied the conditions of paragraphs 8(7)(a) and 10(8)(a) of the Dumping Duty Act and that those goods should be exempted from the interim dumping and countervailing duties.

The Minister has accepted my recommendation and exempted the following goods (the exempt goods) from interim dumping duties and interim countervailing duties:

'plate steel specified by Japanese Industry Standard (JIS) G4051-S45C (Australian Standard AS3678/K1042) with a thickness equal to or greater than 105mm'.

The Anti-Dumping Measures

Anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice were initially imposed on hot rolled plate steel by public notice on 19 December 2013 by the Minister following consideration of the *Anti-Dumping Commission Report No. 198* (REP 198).

Dumping duties are applicable to all exporters from China, Korea, Japan and Indonesia, except Shandong Iron and Steel, Jinan Company (JIGANG) from China and Hyundai Steel Company and POSCO from Korea (the investigation with respect to these companies was terminated as outlined in *Termination Report No. 198* (TER 198)). Countervailing duties are applicable to exporters from China except JIGANG (as outlined in TER 198).

The goods subject to the dumping and countervailing duties 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. ("the goods").

The goods are classified to tariff subheading; 7208.40.00 (statistical code 39), 7208.51.00 (statistical code 40), 7208.52.00 (statistical code 41), and 7225.40.00 (statistical codes 22 and 44) of Schedule 3 to the *Customs Tariff Act 1995*.

The inquiry

An application was lodged by Adsteel Brokers Pty Ltd.

I made a recommendation to the Minister that the exemption be granted, based on the finding that like or directly competitive goods to the exemption 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 Minister accepted the recommendations and has exempted the goods the subject of the application from interim dumping duties and dumping duties and interim countervailing and countervailing duties through Ministerial Exemption Instrument No.8 of 2014.

Ministerial Exemption Instrument No. 8 of 2014, states that the exemption takes effect from 13 January 2014.

A copy of the exemption instrument is available on the Commission's website (www.adcommission.gov.au).

Further Information

If importers believe that goods they are importing are exempted from dumping duty and countervailing duty in accordance with this exemption instrument, when they or their broker enter these goods for home consumption via the Integrated Cargo System, the exemption category 'GOODS' should be selected and no dumping and countervailing duties will be applied to the shipment.

Parties seeking a refund of dumping and countervailing duties already paid should contact the Customs & Information Support Centre in the Australian Customs and Border Protection Service on 1300 363 263.

The decision to grant the exemptions does not prevent further applications for exemptions from dumping and countervailing duties being considered. Parties can apply for an exemption where they believe their goods satisfy any of the conditions for exemption detailed in subsections 8(7) and 10(8) of the Dumping Duty Act. Further information on the application process can be found at the Commission website at:

<http://www.adcommission.gov.au/system/csi/exemption/how-to-apply.asp>

Any exemptions approved as a result of this inquiry are subject to review and may be revoked by the Minister or his delegate if circumstances change.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Commission on 13 28 46 or for international callers +61 2 6213 6000 for further information or by email

clientsupport@adcommission.gov.au

Dale Seymour
Commissioner
Anti-Dumping Commission

6 March 2015