



ANTI-DUMPING NOTICE NO. 2017/85

Certain Hot Rolled Plate Steel Exported to Australia from the People's Republic of China, the 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 an exemption inquiry in relation to certain goods which are the subject of anti-dumping measures applying to certain hot rolled plate steel (the goods) exported to Australia from the People's Republic of China (China), the Republic of Indonesia (Indonesia), Japan and the Republic of Korea (Korea).

The exemption was sought pursuant to 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 (Parliamentary Secretary)¹ may exempt goods from interim dumping duty, dumping duty, interim countervailing duty and countervailing duty (the duties) if 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 the goods on 19 December 2013 by the then Minister for Industry following consideration of the findings and recommendations in *Anti-Dumping Commission Report No. 198* (REP 198). The anti-dumping measures apply as follows:

- a dumping duty notice in respect of all exporters of the goods 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 the goods exported to Australia from China.

The goods

The goods exported to Australia from China, Indonesia, Japan and Korea covered by the current anti-dumping measures 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 following goods were excluded from the notices:

- 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.

1.1 Tariff classification

The goods subject to measures may be classified under the following subheadings in Schedule 3 of the *Customs Tariff Act 1995*:

- 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 24.

The exemption goods

The exemption goods are:

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

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

The inquiry

Following an application by Bao Australia Pty Ltd, I made a recommendation to the Parliamentary Secretary that the exemption goods be exempted from the duties.

The Parliamentary Secretary has accepted my recommendation and has exempted the goods the subject of the application from the duties through *Ministerial Exemption Instrument No. 7 of 2017*. The exemption takes effect from 17 November 2016.

Copies of *Exemption Inquiry Report No. EX0050* and the exemption instrument are available on the Anti-Dumping Commission's website (www.adcommission.gov.au).

The exemption granted as a result of this inquiry may be subject to review and may be revoked by the Parliamentary Secretary if circumstances change.

Further Information

If importers believe that goods they are importing are exempted from the duties 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 the duties will not be applied to the shipment.

Parties seeking a refund of the duties already paid should contact the client support team on 132846 or +61 2 6213 6000 or email: clientsupport@adcommission.gov.au.

The decision to grant the exemption does not prevent further applications for exemptions from the 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>

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Commission on 13 28 46 or for international callers on +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au.



Dale Seymour
Commissioner
Anti-Dumping Commission

7 July 2017