



## **ANTI-DUMPING NOTICE NO. 2017/150**

### **Steel reinforcing bar**

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

### **Extension of time granted to issue the Statement of Essential Facts and the Final Report**

### **in relation to three reviews of anti-dumping measures relating to Jiangsu Shagang Group Co., Ltd. (No. 411) Hunan Valin Xiangtan Iron & Steel Co., Ltd. (No. 412) and Jiangsu Yonggang Group Co., Ltd (No. 423)**

*Customs Act 1901 – Part XVB*

On 19 May 2017, the Commissioner of the Anti-Dumping Commission (the Commissioner) published a notice announcing the initiation of two separate reviews of anti-dumping measures, in the form of a dumping duty notice, in respect of steel reinforcing bar (the goods) exported to Australia from the People's Republic of China (China) as they affect Jiangsu Shagang Group Co., Ltd. and Hunan Valin Xiangtan Iron & Steel Co., Ltd., both of whom are exporters of the goods (Reviews 411 and 412). Further, the Commissioner then published a subsequent notice on 29 June 2017,<sup>1</sup> announcing another separate review in respect of the goods exported to Australia from China as they affect Jiangsu Yonggang Group Co., Ltd. (Review 423).

The initiation notice for Reviews 411 and 412<sup>2</sup> advised that the statement of essential facts (SEF) would be placed on the public record on or before 6 September 2017. The initiation notice also advised that a recommendation to the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)<sup>3</sup> in relation to each review would be made in a final report on or before

<sup>1</sup> Anti-Dumping Notice (ADN) No. 2017/91. This notice also advised the initiation of a review of anti-dumping measures (Review 421) in relation to Zenith Steel Group Co., Ltd (Zenith). On 21 July 2017, Zenith withdrew its application in relation to Review 421 and the Commissioner ceased the review. See ADN No. 2017/109 for details. All ADNs are available on the Anti-Dumping Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au)

<sup>2</sup> ADN No. 2017/68.

<sup>3</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

21 October 2017. The SEF and final report for Review 423, as denoted in the initiation notice for Review 423 was 17 October 2017 and 1 December, respectively.

On 30 August 2017, the Commissioner then published a notice that an extension of time had been granted for the publishing of a SEF and providing the final report to the Parliamentary Secretary for Reviews 411 and 412, with approval being granted for the SEF to be published on or before 17 October 2017, with the final reports being due on 1 December 2017.<sup>4</sup> On 17 October 2017, a further extension of time was granted to issue the SEF and final report, requiring the SEF for Reviews 411, 412 and 423 to be published on or before 27 October 2017, with the final reports due on 11 December 2017.<sup>5</sup>

On 19 October 2017, the Customs Amendment (Anti-Dumping Measures) Bill 2017 (the Bill) passed both Houses of the Australian Parliament and is awaiting Royal Assent. The Bill amends the *Customs Act 1901* (the Act), specifically the provisions concerning the determination of export prices in a review of anti-dumping measures under Division 5 of Part XVB of the Act. Under item 4 of Schedule 1 to the Bill (the Schedule), these amendments apply to current reviews, that is, reviews under Division 5 that were being undertaken immediately before the commencement of the Schedule but for which a declaration in accordance with subsection 269ZDB(1) of the Act had not been made at that time.

As the Bill is likely to receive Royal Assent in the coming days, and Reviews 411, 412, and 423 are reviews under Division 5 of Part XVB of the Act for which the Parliamentary Secretary is not due to make a declaration under subsection 269ZDB(1) of the Act until after 11 December 2017, the Anti-Dumping Commission will need to consider whether the amendments made by the Bill affect the determination of export prices for the exporters subject to these reviews.

For these reasons, I, Paul Sexton, General Manager, Anti-Dumping Commission, requested an extension of the deadline for the Commissioner to publish the SEF and provide his final report and recommendations to the Parliamentary Secretary under subsections 269ZHI(1)(d) and 269ZHI(1)(e).<sup>6</sup> The Commissioner has, under subsection 269ZHI(3) of the Act, extended the deadline to publish the SEF, and provide his final report and recommendations.

The SEF will now be placed on the public record on or before **21 December 2017**. Interested parties are invited to make submissions to the Commissioner in response to the SEF within 20 days of the SEF being placed on the public record. A recommendation to the Parliamentary Secretary will now be made in a report due on or before **4 February 2018**.<sup>7</sup>

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the purposes of these reviews the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

<sup>4</sup> See ADN No. 2017/122 for details of this extension.

<sup>5</sup> See ADN No. 2017/147 for details of this extension.

<sup>6</sup> On 15 December 2016, the Commissioner of the Anti-Dumping Commission delegated his powers and functions under section 269ZHI of the *Customs Act 1901* to the General Managers of the Anti-Dumping Commission. See Anti-Dumping Notice No. 2017/10 on the Commission's website for further information.

<sup>7</sup> As this is a Sunday, the effective due date for the final report will be the following business day, Monday, 5 February 2018.

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). Enquiries about this notice may be directed to the case manager on telephone number 03 8539 2427 or at [investigations2@adcommission.gov.au](mailto:investigations2@adcommission.gov.au).

Paul Sexton  
General Manager  
Anti-Dumping Commission

27 October 2017