



Customs Act 1901
Customs (Preliminary Affirmative Determinations) Direction 2015

Zinc Coated (Galvanised) Steel

**Exported from the Republic of India (India), Malaysia and the
Socialist Republic of Vietnam (Vietnam)**

**Investigation No. 370 into Alleged Dumping from India,
Malaysia and Vietnam and Alleged Subsidisation from India
and Vietnam**

Day 60 Status Report

Introduction

The purpose of this Status Report is to set out the reasons why I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (the Commissioner), have not made a preliminary affirmative determination (PAD) under subsection 269TD(1) of the *Customs Act 1901* (the Act) on 6 December 2016, being 60 days after the initiation of the investigation into the alleged dumping of galvanised steel (the goods) from India, Malaysia and Vietnam and alleged subsidisation of the goods exported from the India and Vietnam.

This report and the findings contained herein reflect the status of the investigation at day 60. My findings may change as a result of further information, submissions, analysis or verification. Accordingly, I, at any time from day 60 onwards during the investigation, may make a PAD if I am satisfied of the requirements set out in subsection 269TD(1) of the Act.

Background

On 7 October 2016, I initiated an investigation into the alleged dumping and subsidisation of galvanised steel following an application by BlueScope Steel Ltd (BlueScope) under section 269TB of the Act. Further details can be found in the *Anti-Dumping Notice 2016/105* at www.adcommission.gov.au.

Under subsection 269TD(1) of the Act, I may make a PAD at any time, not earlier than 60 days after I initiate an investigation for the publication of a dumping duty notice and/or a countervailing duty notice, if I am satisfied:

- that there appear to be sufficient grounds for the publication of such a notice; or
- that it appears that there will be sufficient grounds for the publication of such a notice subsequent to the importation into Australia of such goods.

In accordance with the *Customs (Preliminary Affirmative Determinations) Direction 2015* (the Direction), 60 days after the initiation of such an investigation I must either make a PAD or provide a Status Report outlining the reasons why I have not made a PAD.

Reasons

In deciding whether to make a PAD on day 60 of this investigation, I have, in accordance with subsection 269TD(2) of the Act, had regard to:

- BlueScope's application;
- submissions received by 30 November 2016 concerning the publication of a dumping duty notice and/or a countervailing duty notice in response to the initiation of the investigation; and
- any other matters that I considered relevant, being responses to the Government questionnaire from the Government of India (GOI) and from the Government of Vietnam (GOV).

Based on the above information, I am not making a PAD because I am not satisfied that, under paragraph 269TD(1)(a) of the Act that there appears to be sufficient grounds for the publication of a dumping duty notice or a countervailing duty notice.

In particular, at the time of publication of this status report, the Anti-Dumping Commission (the Commission) has not completed its preliminary consideration that the goods were dumped in Australia or that the goods were in receipt of countervailable subsidies. The Commission is currently considering information provided by the GOI and GOV and major exporters that would assist in determining whether the goods were dumped or were in receipt of countervailing subsidies in respect of the goods, and in calculating preliminary dumping and subsidy margins.

Therefore, at the time of making this report, I am unable to establish that there appear to be sufficient grounds to be satisfied that:

- the goods exported to Australia have been dumped (at above negligible levels in accordance with section 269TDA);
- the goods exported to Australia have been subsidised (at above negligible levels in accordance with section 269TDA) or
- that dumped and/or subsidised goods are causing material injury to the Australian industry.

Other considerations

Relevant matters – section 269TD(2)(b)

In accordance with the Direction, and for the purposes of paragraph 269TD(2)(b) of the Act, I have considered the desirability of providing relief to an injured Australian industry as quickly as possible, where warranted. I have decided it is not warranted to make a PAD at this stage because I am not satisfied that there appears to be sufficient grounds to establish that the goods are dumped or subsidised, or to establish a causal link between the dumped or subsidised goods and material injury for the reasons outlined above.

Reconsideration of making a PAD – section 269TDAA

After publishing this report, I must reconsider whether or not to make a PAD at least once prior to the publication of the Statement of Essential Facts (SEF) required under section 269TDAA of the Act. The SEF is due to be published on 25 January 2017. Prior to, or in

the SEF, I will advise whether or not I made a PAD subsequent to this report and the reasons for my decision.

Anti-Dumping Commission Contact

Enquiries about this report may be directed to the case manager on telephone number 02 6276 1462, fax number +61 3 8539 2499 or email at operations5@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

6 December 2016