



ANTI-DUMPING NOTICE NO. 2019/087

Certain Hot Rolled Structural Steel Sections

exported to Australia from

Japan, the Republic of Korea, Taiwan (except for exports by Feng Hsin Steel Co Ltd) and the Kingdom of Thailand

Review of Measures 499 and Continuation Inquiry 505

**Extension of time granted to publish the
Statements of Essential Facts and Final Reports**

Customs Act 1901 – Part XVB

On 3 January 2019, the Commissioner of the Anti-Dumping Commission (the Commissioner) published Anti-Dumping Notice (ADN) No. 2019/02 announcing the initiation of Review 499 of the anti-dumping measures as they apply to exporters of certain hot rolled structural steel sections (HRS) from Japan, the Republic of Korea (Korea), Taiwan (except for exports by Feng Hsin Steel Co Ltd) and the Kingdom of Thailand (Thailand) to Australia.

On 11 February 2019, the Commissioner published ADN No. 2019/21 announcing the initiation of Continuation Inquiry 505 of anti-dumping measures applying to HRS exported to Australia from Japan, Korea, Taiwan (except for exports by Feng Hsin Steel Co Ltd) and Thailand.

ADN No. 2019/02 advised that the statement of essential facts (SEF) for Review 499 would be placed on the public record on or before 23 April 2019. It was also advised that a recommendation to the Minister for Industry, Science and Technology (the Minister) would be made in a final report on or before 7 June 2019.

ADN No. 2019/21 advised that the SEF for Continuation Inquiry 505 would be placed on the public record on or before 3 June 2019. It also advised that a recommendation to the Minister would be made in a final report on or before 16 July 2019.

On 16 April 2019 I, Paul Sexton, General manager, Investigations, published ADN No. 2019/55, which noted that Review 499 and Continuation Inquiry 505 have several identical characteristics including the applicant, interested parties, the goods, the countries of export, and the original investigation (Investigation 223) that resulted in implementation of the anti-dumping measures, such that it was appropriate to conduct the cases concurrently.

ADN No. 2019/55 also advised that the Commissioner had extended the deadlines as follows:

- to publish the SEFs for Review 499 and Continuation Inquiry 505 on or before 11 July 2019; and
- to provide the final reports and recommendations for Review 499 and Continuation Inquiry 505 to the Minister or before 30 August 2019.

Subsequent to ADN No. 2019/55, the Anti-Dumping Commission (the Commission) has received several submissions from interested parties concerning its approach to model matching under the Model Control Code structure and in response to material injury claims presented by the applicant for the continuation inquiry. The Commission considers that additional time is required to assess these submissions.

As a result, I requested extensions of time under subsections 269HI(1)(d) and 269ZHI(1)(e) of the *Customs Act 1901* (the Act) to the deadlines for the Commissioner to publish the SEF for Review 499 and for the Commissioner to provide his final report and recommendation to the Minister.¹

I also requested extensions of time under subsections 269ZHI(1)(e) and 269ZHI(1)(g) of the Act to the deadlines for the Commissioner to publish the SEF for Continuation Inquiry 505 and for the Commissioner to provide his final report and recommendation to the Minister.

The Commissioner has under 269ZHI(3) of the Act², extended the deadline to publish the SEFs for Review 499 and Continuation Inquiry 505 and to provide the final reports and recommendations. The SEFs will now be placed on the public record no later than **12 August 2019**. Interested parties are invited to make submissions in response to the SEFs within 20 days of the SEFs being placed on the public record.

The Commissioner's recommendations will now be made in reports due to be provided to the Minister on or before **1 October 2019**.

Documents included on 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 on the Commission's website.³

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2428 or email at investigations2@adcommission.gov.au.

Paul Sexton
General Manager
Anti-Dumping Commission

8 July 2019

¹ On 15 December 2016, the Commissioner delegated his powers and functions under section 269ZHI of the Act to the General Managers of the Anti-Dumping Commission. See ADN No. 2017/10 for further information.

² On 19 January 2017, the then Parliamentary Secretary to the Minister for Industry, Innovation and Science delegated the powers and functions of the Minister under section 269ZHI of the Act to the Commissioner. See ADN No. 2017/10 for further information.

³ <https://www.industry.gov.au/regulations-and-standards/anti-dumping-and-countervailing-system>.