



**Australian Government**  
**Department of Industry,  
Innovation and Science**

**Anti-Dumping  
Commission**

**Received**

Anti-Dumping Commission 25/09/2019

Application for a  
review of  
anti-dumping measures applying to  
Hot Rolled Coil Steel  
Exported from Taiwan

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APPLICATION UNDER SECTION 269ZA OF THE *CUSTOMS ACT 1901*  
FOR A REVIEW OF ANTI-DUMPING MEASURES

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In accordance with section 269ZA of the *Customs Act 1901* (the Act), I request that the Anti-Dumping Commissioner initiate a review of anti-dumping measures in respect of the goods the subject of this application to:

1.  **revise the level of the measures** because one or more of the variable factors relevant to the taking of measures have changed (a variable factors review)

In this case the factors that I consider have changed are:

- normal value  
 export price  
 non injurious price  
 subsidy

The variable factors review is in relation to:

- a particular exporter (*if so provide name and country details*)  
 exporters generally

*or*

2.  **revoke the measures** because the anti-dumping measures are no longer warranted (a revocation review)

In this case the measure I consider should be revoked is:

- the dumping duty notice  
 the countervailing duty notice  
 the undertaking

The revocation review is in relation to:

- a particular exporter (*if so provide name and country details*)  
 exporters generally

**NOTE**

Where seeking variable factors review as well as a revocation review, indicate this in *both* 1 and 2 above.

**DECLARATION**

I believe that the information contained in this application:

- provides reasonable grounds for review of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature:

Name:

[REDACTED]

Position:

[REDACTED]

Company:

BlueScope Steel Limited

ABN:

16 000 011 058

Date:

25 September 2019

**Signature requirements**

Where the application is made:

*By a company* - the application must be signed by a director, servant or agent acting with the authority of the body corporate.

*By a joint venture* - a director, employee, agent of each joint venturer must sign the application. Where a joint venturer is not a company, the principal of that joint venturer must sign the application form.

*On behalf of a trust* - a trustee of the trust must sign the application.

*By a sole trader* - the sole trader must sign the application.

*In any other case* - contact the Commission's client support section for advice.

**Assistance with the application**

The Anti-Dumping Commission has published guidelines to assist applicants with the completion of this application. Please refer to the '*Instructions and guidelines for applicants: Application for review or revocation of measures*' on the Commission's website.

The Commission's client support section can provide information about dumping and countervailing procedures and the information required by the application form. Contact the team on:

**Phone:** 13 28 46 or +61 2 6213 6000 (outside Australia)

**Fax:** (03) 8539 2499 or +61 3 8539 2499 (outside Australia)

**Email:** clientsupport@adcommission.gov.au

Other information is available from the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Small and medium enterprises (i.e., those with less than 200 full-time staff, which are independently operated and which are not a related body corporate for the purposes of the *Corporations Act 2001*), may obtain assistance, at no charge, from the International Trade Remedies Advisory (ITRA) Service. For more information on the ITRA Service, visit [www.business.gov.au](http://www.business.gov.au) or telephone the ITRA Service Hotline on +61 2 6213 7267.

**Review Period**

The review period is *generally* the 12 month period preceding the initiation date and ending on the most recently completed month or quarter.

For the purposes of information requested in this application, please consider the review period as the 12 month period ending on the most recently completed quarter prior to the date that you submit the application.

The actual review period will be set by the Commissioner if a review is initiated, and may differ to that used by the applicant in the application form.

**Required information**

1. Provide details of the name, street and postal address, of the applicant seeking the review.
2. Provide details of the name of a contact person, including their position, telephone number and facsimile number, and e-mail address.
3. Name other parties supporting this application.

4. Describe your interest as an affected party (e.g. are you concerned with the exportation of the goods, the importation of the goods, or part of the Australian industry, or acting on behalf of the Government of an exporting country).
5. Provide details of the current anti-dumping measure(s) the subject of this review application and the goods subject to the measure(s), including:
  - tariff classification
  - the countries and/or companies
  - specified date of publication of the measure
6. If you are an exporter of the goods the subject of this application please answer the following questions:
  - Have you exported the goods to Australia during the review period?
    - If yes, what was the total quantity and total value of the goods exported to Australia during the review period?
  - Have you previously (prior to the review period) exported the goods to Australia?
    - If yes, please provide the total quantity and total value of the goods exported to Australia each year during the three years prior to the review period.
  - Have you exported like goods to countries other than Australia during the review period?
    - If yes, please provide the total quantity and total value of exports of the goods to each other country during the review period. Please indicate if any of the sales are to a related party.

*NB: In relation to the goods the subject of this application, 'like goods' means goods that are identical in all respects to the goods the subject of this application or, although not alike in all respects to the goods the subject of this application, have characteristics closely resembling those goods (s 269T(1) refers).*

*NB: Please note you must provide this information if you are an exporter of the goods the subject of the application. If you are not an exporter of the goods, you may choose to provide information relevant to this question.*

7. Provide the names, addresses, telephone numbers and facsimile numbers of other parties likely to have an interest in this matter e.g. Australian manufacturers, importers, exporters and/or users.

**Applications  
for review of  
variable  
factors**

If you are applying for a variable factors review (in box 1 above) provide a detailed statement setting out your reasons. Include information about:

- the factor(s) you wish to have reviewed;
- the amount by which that factor is likely to have changed since anti-dumping measures were last imposed, and evidence in support; and
- in your opinion the causes of the change and whether these causes are likely to persist.

**Application**

If you are applying for a revocation review (in box 2 above), provide a detailed

**for a  
revocation  
review**

statement setting out your reasons.

Include evidence in support of your view that there are reasonable grounds for asserting that the measures are no longer warranted. Refer to the '*Instructions and guidelines for applicants: Application for review or revocation of measures*' as part of preparing your response. If you consider anti-dumping measures are no longer warranted because of:

- *no dumping or no subsidisation*: provide evidence that there is no dumping, or no subsidy, and why dumping or subsidisation is unlikely to recur if measures were revoked.
- *no injury*: provide evidence that there is no current injury, and there is unlikely to be a recurrence of injury if the measures were to be revoked.

**Lodgement of  
the  
application**

In accordance with subsection 269SMS(2) of the Act, this application, together with the supporting evidence, must be lodged by either:

- preferably, email, using the email address [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au), or
- post to:  
The Commissioner of the Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601, or
- facsimile, using the number (03) 8539 2499 (or +61 3 8539 2499 if outside Australia)

**Public Record**

During a review all interested parties are given the opportunity to defend their interests, by making a submission. The Commission maintains a public record of these submissions. The public record is available on the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

At the time of making the application both a confidential version (for official use only) and non-confidential version (public record) of the application must be submitted. Please ensure each page of the application is clearly marked "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD". The non-confidential application should enable a reasonable understanding of the substance of the information submitted in confidence, clearly showing the reasons for seeking the review, or, if those reasons cannot be summarised, a statement of reasons why summarisation is not possible. If you cannot provide a non-confidential version, contact the Commission's client support section for advice.

# APPLICATION FOR REVIEW OF VARIABLE FACTORS

## BlueScope Steel Limited

1. Provide details of the name, street and postal address, of the applicant seeking the review.

The Applicant seeking the review of the variable factors applicable to Hot Rolled Coil Steel (hereafter referred to as "HRC" and /or "the subject goods") exported from Taiwan is BlueScope Steel (AIS) Pty Limited, and BlueScope Steel Limited (collectively referred to as "BlueScope"), the sole Australian manufacturer of hot rolled steel products.

BlueScope's address and contact details are as follows:

**Head Office**

BlueScope Steel Limited  
Five Islands Road  
PORT KEMBLA, NSW, 2500

2. Provide details of the name of a contact person, including their position, telephone number and facsimile number, and e-mail address.

The relevant contact person(s) at BlueScope in respect of this application for the review of measures is as follows:

**Primary Contact**

██████████  
Manager – Trade Measures

Telephone: ██████████

Email: ██████████

**Alternative Contact**

██████████  
Manager – International Trade Affairs

Telephone: ██████████

Email: ██████████

This application has been prepared with the assistance of:

Mr. John O'Connor  
John O'Connor & Associates  
P.O. Box 329, COORPAROO, QLD, 4151  
Telephone: (07) 3342 1921  
Facsimile: (07) 3342 1931  
Email: [jmoconnor@optusnet.com.au](mailto:jmoconnor@optusnet.com.au)  
ABN: 39 098 650 241

**3. Name other parties supporting this application.**

The applicant, BlueScope, is the sole Australia producer of the subject goods.

**4. Describe your interest as an affected party (e.g. are you concerned with the exportation of the goods, the importation of the goods, or part of the Australian industry, or acting on behalf of the Government of an exporting country).**

BlueScope has an interest as an affected party in relation to this application for a review of measures on the basis that BlueScope is:

- an Australian manufacturer of HRC the subject of measures; and
- was the original applicant for the imposition of measures in Anti-Dumping Investigation No. 188.

**5. Provide details of the current anti-dumping measure(s) the subject of this review application and the goods subject to the measure(s), including:**

- **tariff classification**
- **the countries and/or companies**
- **specified date of publication of the measure**

The anti-dumping measures were initially imposed by public notice on 20 December 2012 by the then Minister for Home Affairs, following consideration of International Trade Remedies Branch Report No. 188 ("Report No. 188").

The goods subject to the anti-dumping measures are as follows:

*Hot rolled coil (including in sheet form), a flat rolled product of iron or non-alloy steel, not clad, plated or coated (other than oil coated).*

*Goods excluded from this application are hot rolled products that have patterns in relief (known as checker plate) and plate products.*

There are a number of relevant international standards for HRC that cover the range of HRC products via specific grade designations, including the recommended or guaranteed properties of each of these product grades. The relevant Australian Standard is AS/NZS 1594.

Hot rolled sheet that is 4.75mm (3/16th of an inch) thick or more is considered to be plate and is therefore not covered by the notice. Hot rolled sheet that is below 4.75mm thick is included within the goods description.

The goods the subject of the measures are classified using the following tariff sub-headings and associated statistical codes:

<b>Tariff subheading</b>	<b>Statistical codes</b>
7208.25.00	32
7208.26.00	33
7208.27.00	34
7208.36.00	35
7208.37.00	36



7208.38.00	37
7208.39.00	38
7208.53.00	42
7208.54.00	43
7208.90.00	39
7211.14.00	40
7211.19.00	41

The anti-dumping measures imposed by the then Minister for Home Affairs applied to all exporters from Japan, The Republic of Korea, Malaysia and Taiwan.

Continuation Inquiry No. 400 concluded that the anti-dumping measures should only continue for Taiwan (with effect from 16 December 2017)<sup>1</sup>. Subsequent Review Inquiry No. 454 amended the variable factors that applied to Taiwanese exporters of HRC (effective 18 September 2018)<sup>2</sup>.

BlueScope nominates a review period of the twelve months ending 30 June 2019 (“FY2019”).

**6. If you are an exporter of the goods the subject of this application please answer the following questions:**

- Have you exported the goods to Australia during the review period?
  - If yes, what was the total quantity and total value of the goods exported to Australia during the review period?
- Have you previously (prior to the review period) exported the goods to Australia?
  - If yes, please provide the total quantity and total value of the goods exported to Australia each year during the three years prior to the review period.
- Have you exported like goods to countries other than Australia during the review period?
  - If yes, please provide the total quantity and total value of exports of the goods to each other country during the review period. Please indicate if any of the sales are to a related party.

*NB: In relation to the goods the subject of this application, ‘like goods’ means goods that are identical in all respects to the goods the subject of this application or, although not alike in all respects to the goods the subject of this application, have characteristics closely resembling those goods (s 269T(1) refers).*

*NB: Please note you must provide this information if you are an exporter of the goods the subject of the application. If you are not an exporter of the goods, you may choose to provide information relevant to this question.*

BlueScope has not exported the goods from the countries nominated in this application for the review of variable factors.

<sup>1</sup> Refer Anti-Dumping Duty Notice No. 2017/166.

<sup>2</sup> Refer Anti-Dumping Duty Notice No. 2018/126.

**7. Provide the names, addresses, telephone numbers and facsimile numbers of other parties likely to have an interest in this matter e.g. Australian manufacturers, importers, exporters and/or users.**

BlueScope understands the following companies are exporters of HRC to Australia:

Taiwan:

- (i) China Steel Corporation  
1 Chung-Kang Road  
Siaogang District  
Kaohsiung 81233  
Taiwan R.O.C.  
Tel: 886 7 802 1111  
Fax: 886 7 802 2511
- (ii) Chung Hung Steel Corporation  
317, Yu Liao Road  
Chiao Tou District  
Kaohsiung City  
Taiwan R.O.C.  
Tel: 886 7 611 7171  
Fax: 886 7 611 0594
- (iii) Shang Chen Steel Co., Ltd  
7 Tayeh South Road  
Hsiaokang  
Kaohsiung 81261, Taiwan  
Tel: 886 7 8716 911  
Fax: 886 7 8720 008

BlueScope understands the following importers would have an interest in the review of the variable factors for HRC exported from Taiwan:

- (iv) Marubeni-Itochu Steel Oceania Pty Ltd (MISO)  
P O Box 16055  
Melbourne Victoria 3007  
Phone - 03-9242 1500  
Fax - 03-9242 1599  
Web Site - [www.benichu.com.au](http://www.benichu.com.au)
- (v) MinMetals Australia Pty Ltd  
580 St Kilda Road  
Melbourne Victoria 3001  
Tel: (03) 9520 6810  
Fax: (03) 9521 1815  
[www.minmetals.com.au](http://www.minmetals.com.au)
- (vi) Stemcor Australia Pty Ltd  
Level 13, 15 Blue Street  
North Sydney NSW 2060  
Phone - 02-9959 3088  
Fax - 02-9925 0844
- (iv) Toyota Tsusho (Australasia) Pty Ltd  
231-233 Boundary Road

Laverton North Vic 3026  
Phone - 03-8368 7991  
Fax - 03-8368 7999

- (i) Wright Steel Pty Ltd  
Suite 201, 254 Bay Road  
Sandringham Vic 3191  
Phone - 03-9598 0050  
Fax - 03-9597 0050
- (ii) GS Global Australia Pty Ltd  
Lvl 38, 100 Miller Street  
North Sydney, NSW. 2060  
Phone – 02-9954 0911  
Fax – 02-9954 0919
- (iii) CMC (Australia) Pty Ltd  
118 Dowd Street  
Welshpool, WA 6986  
Phone – 08-9258 6066  
Fax – 08-9258 6366
- (iv) Ferropacific  
Suite 5/9-11 Knox Street  
Double Bay, NSW 2028  
Phone – 02-9363 3513
- (v) ThyssenKrupp Mannex Pty Ltd  
Locked Bag 2103 Pacific Highway  
North Sydney NSW 2059  
Phone – 02-995 50978  
Fax – 02-9925 0084  
Web Site <http://www.tk-mannex.com/english/>
- (vi) Amity Pacific  
PO Box 1015, Suite 301, 270 Pacific Highway  
Crows Nest, NSW 1585  
Phone: +61 (2) 9439 1300  
Fax: +61 (2) 9439 1344  
Web Site [www.amitypacific.com.au](http://www.amitypacific.com.au)

**If you are applying for a variable factors review (in box 1 above) provide a detailed statement setting out your reasons. Include information about:**

- **the factor(s) you wish to have reviewed;**
- **the amount by which that factor is likely to have changed since anti-dumping measures were last imposed, and evidence in support; and**
- **in your opinion the causes of the change and whether these causes are likely to persist**

I. Background

The anti-dumping measures the subject of this application for review were initially imposed by public notice on 20 December 2012 by the then Minister for Home Affairs following consideration of Report No. 188. The nominated investigation period for Investigation 188 was 1 April 2011 to 31 March 2012.

On 17 July 2013, Anti-Dumping Notice No. 2013/49 announced the Minister's decision to apply revised variable factors in relation to exports to Australia by the Korean exporter "Hyundai". Report No. 209 applies.

On 4 April 2017, Continuation Inquiry No. 400 ("ADC 400") was initiated regarding the continuation of anti-dumping measures. The Commission established an inquiry period of 1 January 2016 to 31 December 2016. The final determination by the Minister for this inquiry was published on 16 December 2017, resulting in the continuation of anti-dumping measures on exports from Taiwan, and the revocation of measures applicable to exports from Japan, Korea and Malaysia.

On 27 November 2017, Anti-Dumping Notice 2017/173 ("ADC 454") was published advising of the initiation of a review of measures applicable to the subject goods from Taiwan ("Investigation 454"). The review period was 1 October 2016 to 30 September 2017. The findings ("Report 454") were published on 18 September 2018 resulting in the application of contemporary variable factors.

BlueScope seeks to ensure that the measures are effective in preventing further material injury to the Australian industry. BlueScope requests that the Commission undertake a review of measures applicable to exports of HRC from Taiwan for the contemporary investigation period (i.e. twelve-months ending 30 June 2019), and apply contemporary variable factors that reflect normal values, export prices and non-injurious prices across the 1 July 2018 to 30 June 2019 period.

II. Grounds for Review of variable factors

The variable factors for each Taiwanese exporter the subject of anti-dumping measures have materially changed since the findings of the last completed Review ADC 454.

BlueScope considers that effective contemporary measures are required to address the injury that the measures are intended to prevent. Raw material steel costs and HRC market selling prices have increased since the Investigation 454 inquiry period. These changes have resulted in increases in each of the following variable factors, namely:

- Ascertained Normal Value;
- Ascertained Export Price; and
- Non-injurious price.

Ascertained Normal Value – Taiwan

Confidential Figure 1 details domestic HRC steel prices for Taiwan from October 2016 to June 2019 (Source: [REDACTED]). Home market Taiwanese HRC steel prices have trended upwards – on an AUD per metric tonne basis, a comparison between the inquiry period in Report 454 to the proposed inquiry period in this application yields the following HRC price increase differential:

- Taiwan from AU\$ [REDACTED] (Oct. 16 – Sept. 17) to AU\$ [REDACTED] (FY2019); an increase of [REDACTED] %.

Figure 1 below identifies the domestic HRC price movements in the Taiwanese domestic markets:

**Figure 1 – Domestic HRC Price Movements – Taiwan**



Confidential Figure 1 – Movement in domestic HRC steel prices for Taiwan (Source: [REDACTED]).

The relevant consideration is that domestic selling prices for HRC have increased materially in the twelve-months ending 30 June 2019 to the previous review period of Investigation 454 (i.e. from 1 October 2016 to 30 September 2017).

As further evidence of the increase in raw material HRC prices, BlueScope refers the Commission [*confidential market intelligence*] for 2016 to 2019. The [*confidential market intelligence*] following the investigation period in Investigation 454.

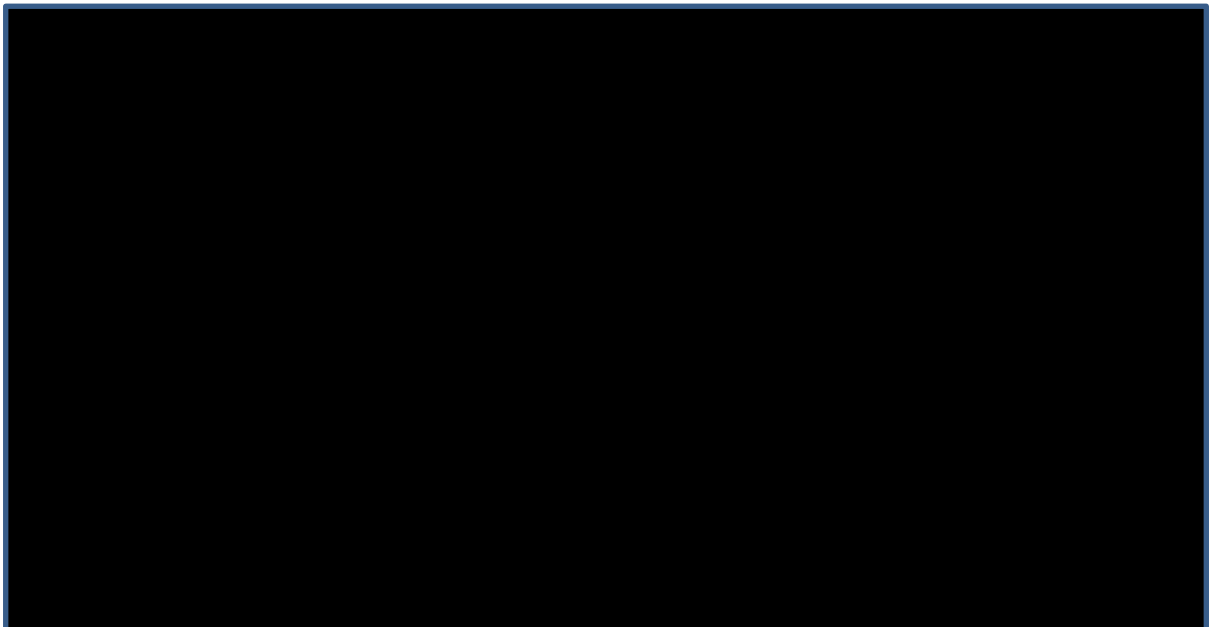
**Figure 2 - [REDACTED] HRC Price Index; [REDACTED]**



Confidential Figure 2 – [REDACTED] HRC Price Index; FY2016-FY2019 (Source: [REDACTED]).

The key driver for the change in the HRC prices is the change in the traded prices for the main raw materials used in steel making (i.e. iron ore and coking coal). Confidential Figure 3 depicts a strong correlation between the movement in iron ore and coking coal prices, and the above-noted movements in Taiwanese HRC prices.

**Figure 3 – [REDACTED] Iron Ore and Coking Coal Prices**



Confidential Figure 3 – [REDACTED] Iron Ore and Hard Coking Coal Price Index; FY2016-FY2019 (Source: [REDACTED]).

*Outlook for Raw Materials and Steel Prices*

BlueScope submits that the current price levels for HRC are sustainable due to the continued strong demand for steel globally, driving ongoing demand for steel making raw materials and downstream steel products. This is supported by industry analysis and assessment:

*“There will likely be a sufficient boost in the global steel industry’s operating rate in the second half of 2019 – for the world’s leading steel mills to enjoy an increase in their “pricing power”.*

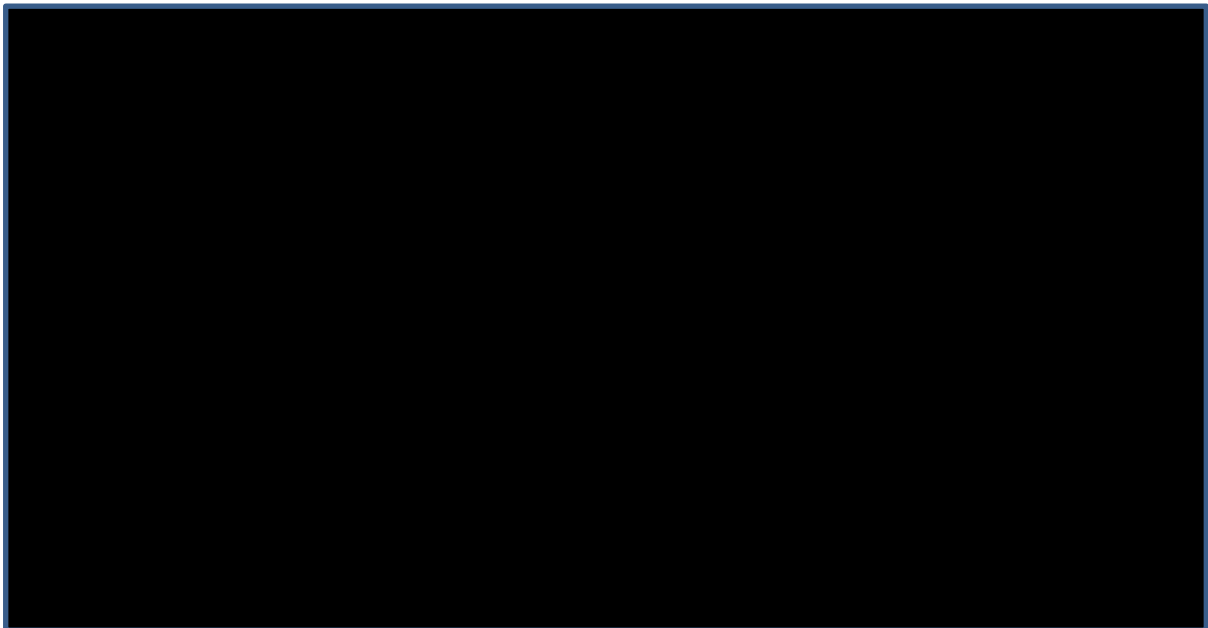
*Hence, for well-positioned steelmakers that are achieving good price levels in their home market...the profit outlook is favourable”.*<sup>3</sup>

Ascertained Export Price

Consistent with movements in domestic normal values, steel export prices are also impacted by raw material costs. Increases in steel prices, as influenced by raw materials, have also resulted in export price increases for the subject goods from Taiwan.

Export prices for HRC from Taiwan have increased following the changes made to the variable factors per Investigation 454. Commencing from quarter two of fiscal year 2017 (and therefore including the variable factors review investigation period), import prices have trended as follows:

**Figure 4 – Taiwanese HRC Export Prices to Australia**



Confidential Figure 4 – China HRC FOB Australian import prices (Source: [REDACTED]).

BlueScope would highlight with the Commission that weighted average export prices have increased [REDACTED]% from the investigation period in Investigation 454 to the twelve months ending June 2019.

***Recommendation***

To ensure that remedies are effective in preventing material injury to the Australian hot rolled coil steel industry, BlueScope requests that the Commission undertake a review of variable factors based on a contemporary investigation period and apply contemporary variable factors to subject-goods exporters from Taiwan.

For the proposed investigation period (i.e. the twelve months ending 30 June 2019), there has been a change in Taiwanese HRC normal values and export prices that are subject of measures, as compared to the earlier Investigation 454 period where the measures were last reviewed.

The increase in iron ore and coking coal prices – the primary raw material inputs used in the manufacture of HRC – has increased steelmaking raw material costs, hence also contributing to a change in variable factors.

BlueScope further contends that export prices have likely not increased to reflect the full change in raw material input prices, and it is considered likely that certain exporters have commenced dumping. BlueScope requests a review of the *Dumping Duty Notice* as it applies to all Taiwanese exporters of the subject goods to Australia.