



4 July 2019

The Commissioner
Anti-Dumping Commission
55 Collins Street
Melbourne VIC 3000

BY EMAIL clientsupport@adcommission.gov.au

Dear Commissioner,

Re. Hot rolled structural steel sections exported from Japan, the Republic of Korea, Taiwan (except for exports by Feng Hsin Steel Co Ltd) and the Kingdom of Thailand

**APPLICATION FOR EXEMPTION FROM DUMPING DUTIES
BASED UPON A TARIFF CONCESSION ORDER**

The applicant, OneSteel Manufacturing Pty Limited (ABN 42 004 651 325), trading as 'Liberty Primary Steel' (Liberty Primary), is an importer of certain hot rolled structural steel sections (**HRS**).

HRS are currently subject to anti-dumping measures pursuant to Anti-dumping Notice (**ADN**) No. 2014/127, as amended from time to time.

The 'Exemption Goods'

The description of the goods the subject of this application to be exempt from interim dumping duty and dumping duty are as follows:

UNEQUAL ANGLES, hot-rolled steel sections complying with Australian and New Zealand Standard AS/NZS 3679.1:2016, Grade 300 OR Grade 350, having EITHER of the following:

- (a) Leg size 150 mm x 90 mm having ANY of the following:
 - (i) thickness being 8 mm OR 10 mm OR 12 mm;
 - (ii) lengths of 9 m OR 10.5 m OR 12 m,

- (b) Leg size 150 mm x 100 mm having ANY of the following:
 - (i) thickness being 10 mm OR 12 mm;
 - (ii) lengths of 9 m OR 10.5 m OR 12 m.

The basis of this application is that Liberty Primary has obtained a Tariff Concession Order (**TCO**) in the same term as the description of the goods stated above.



The TCO was issued on 13 May 2019 and was attributed the number, TC 19104997, as evidenced in the *Commonwealth Government Gazette No. TC19/18* published on 15 May 2019, copy of which is attached hereto and forms Appendix A.

Liberty Primary therefore applies to the Minister, by notice in writing, to exempt goods from interim dumping duty and dumping duty that fall within the scope of goods meeting the description in TC 19104997.

The legal basis of seeking this exemption is pursuant to subsection 8(7)(b) of the *Customs Tariff (Anti-Dumping) Act 1975 (Dumping Duty Act)*.

Relevant background

TC 19104997 has been in force since 15 May 2019 (with retrospective effect from 22 February 2019) and has not been revoked by the Department of Home Affairs. Liberty Primary, as applicant for the TCO satisfied the Department of Home Affairs that there was no Australian manufacturer or producer of substitutable goods in accordance with the core criteria under sections 269D and 269E of the *Customs Act 1901*, and accordingly the TCO was granted. Although Liberty Primary is capable of producing goods meeting the TCO description, it has ceased production of the goods.

Liberty Primary requests that this exemption for the TCO goods apply from the date of this application, in light of the power under subsection 8(8A) of the *Dumping Duty Act* for the Minister to issue an exemption instrument with effect from the date of the application.

Contact information and other interested parties

Liberty Primary's details for this application are as follows:

Name: [REDACTED]
Position: [REDACTED]
Address: [REDACTED]
Telephone: [REDACTED]
Email: [REDACTED]

A search of ACRS (Australian Certification Authority for Reinforcing Steel) records shows that Liberty Steel's facilities (Laverton and Rooty Hill) and Liberty Primary's facility at Whyalla are the only Australian manufacturers certified to produce Hot Rolled Structural Steel Sections including Unequal Angles to the Australian-New Zealand Standard AS/NZS 3679.1 Grade 300. Moly-Cop only has accreditation to produce round bar and square bar and BlueScope Steel only has accreditation to produce flat sections. In *Dumping Investigation No. 223* the Commission identified Liberty Primary as the sole manufacturer of HRS in Australia.



Please do not hesitate to contact your Liberty Primary representative to discuss any aspect of this application in further detail. Kindly confirm receipt of this application.

Yours sincerely,



Per:

OneSteel Manufacturing Pty Limited

Encl.

