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Australian Government
Anti-Dumping Review Panel

Anti-Dumping Review Panel
C/O Legal , Audit & Assurance
Department of Industry, Science, Energy and Resources
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By EMAIL

Commissioner of the Anti-Dumping Commission
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

Dear Commissioner,

**ADRP Review No. 143 – Precision Pipe and Tube Steel exported from the People’s
Republic of China and the Socialist Republic of Vietnam**

Please be advised that the Anti-Dumping Review Panel (Review Panel) has initiated a review of the decision by the then Acting Minister for Industry, Science and Technology (the Minister) made under section 269TJ(1) and (2) of the *Customs Act 1901* in respect of Precision Pipe and Tube Steel exported from China and Vietnam (the Reviewable Decision). The review was initiated on 10 November 2021. An application for review of the Reviewable Decision was made by Orrcon Manufacturing Pty Ltd (Orrcon).

Orrcon has limited its Ground of Review to the determination by the Minister that the Government of China’s countervailable subsidy described as “*Program 20 - Hot Rolled Steel provided by government at less than fair market value*” did not confer a benefit upon the exporters of the goods under consideration where such exporters sourced HRC from “private” entities and not from State Invested/State Owned Enterprises.

The Review Panel notes that Orrcon’s application is limited to the Minister’s decisions under section 269TJ(1) and (2) insofar as they relate to the “non-cooperative entities”. However, the Anti-Dumping Commission’s (ADC) analysis of purchases of HRC from cooperative exporters, particularly Dalian Steelforce, will be relevant to the review.

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In light of this limitation, and for the purpose of obtaining the relevant information, the Review Panel restricts its requests to the ADC for the provision of only those documents relevant to the Ground of Review. Such documents may include the following:

1. Any confidential attachments to the Statement of Essential Facts (SEF) relevant to the Ground of Review.
2. Any submissions to the ADC commenting on the application or otherwise of Program 20, including confidential attachments.
3. Any confidential attachments to the Final Report relevant to the application or otherwise of Program 20.
4. The Work Program and Verification Report relating to Dalian Steelforce including any confidential attachments detailing its purchases of HRC.
5. Any analysis of the co-operative exporters' purchases of HRC, especially those made by Dalian Steelforce.
6. Dalian Steelforce's response to its Exporter Questionnaire in so far as it related to the application or otherwise of Program 20 and to its purchases of HRC.

Confidential Applications

I **attach** a copy of the confidential version of the application submitted to the Review Panel.

Confidential and Public ADC Documents

Only confidential versions of documents need to be provided. Public versions of documents that have been published on the ADC's Electronic Public Record for the relevant case, are not required.

Due date for documents

The Panel Member, Paul O'Connor, requests the ADC provide the documents requested by **17 November 2021**.

Provision of documents

Documents are to be uploaded to the ADC Document Drop-Box in the folder hyperlinked below. Please notify the Secretariat once the files are available to transfer to the Panel Member.



Regards,

ADRP Secretariat on behalf of the Panel Member, Paul O'Connor
10 November 2021