



ADRP Conference Summary

Review No. 151 – Aluminium Zinc Coated Steel of a width equal to or greater than 600 millimetres exported from the Republic of Korea, Taiwan and the Socialist Republic of Vietnam

Panel Member	Jaclyne Fisher
Review type	Review of Minister's decision
Date	16 March 2022
Participants	██████████ (representing Hoa Sen Group Joint Stock Company (HSG))
Time opened	9.00 am AEDT
Time closed	9.20 am AEDT

Purpose

The purpose of this conference was to obtain further information in relation to the review before the Anti-Dumping Review Panel (Review Panel) in relation to Aluminium Zinc Coated Steel of a width equal to or greater than 600 millimetres exported from the Republic of Korea (Korea) and the Socialist Republic of Vietnam (Vietnam).

The conference was held pursuant to section 269ZZHA of the *Customs Act 1901* (the Act).

In the course of the conference, I was able to ask HSG to clarify any argument, claim or specific detail contained in its application or submission. The conference was not a formal hearing of the review, and was not an opportunity for parties to argue their case before me.

I have only had regard to information provided at this conference to the extent that it relates to relevant information within the meaning of section 269ZZK of the Act. Any conclusions reached at this conference are based on that relevant information. Information that relates to some new argument not previously put in an application or submission is not something that the Review Panel may have regard to and, therefore, is not reflected in this conference summary.

At the time of the conference, I advised HSG:

- That the conference was being recorded and transcribed by Express Virtual Meetings Pty Ltd, and that the recording would capture everything said during the conference.



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- That the conference was being recorded for the Review Panel to have regard to when preparing a conference summary. The conference summary would then be published on the Review Panel's website.
- Any confidential information discussed during the conference would be redacted from the conference summary prior to publication.

Prior to the conference, participants were provided with a copy of the Review Panel's Privacy Statement. The Privacy Statement outlines who the conference recording and transcript may be disclosed to. The Privacy Statement is available on the Review Panel's website [here](#). The participants indicated that they understood the Privacy Statement and consented to:

- The recording of the conference; and
- The recording being dealt with as set out in the Privacy Statement.

Discussion

The specific information that the Review Panel sought in this conference was in relation to the HSG claim regarding the calculation of the timing adjustments, pursuant to s.269TAC(8) of the Act, to the normal value determination. This relates to whether the correct model control codes (MCC) had been used to base the timing adjustment calculation.

On the 7 March 2022, the Review Panel held a conference with the Anti-Dumping Commission (ADC) to obtain further information in relation to its submission which provided updated information on the timing adjustment analysis of the HSG models provided in HSG's review application. HSG was provided with a copy of the confidential version of that conference summary. The Review Panel asked if there was any additional information HSG wished to provide following the 7 March conference and the references in the ADC submission.

HSG referred to the comments in its submission and to its review application and provided the following comments

- *It considered the ADC had not followed the approach outlined in Section 14 Model Matching of the Dumping and Subsidy Manual (the Manual) with respect to the Model Control Code (MCC) hierarchy in its choice of the*



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appropriate MCC to use for the timing adjustment. It commented that importers and exporters relied on the Manual to provide certainty as to how the ADC would treat particular issues so that there was transparency, certainty and objectivity in the administration of the anti-dumping system. Given the ADC's comments on having followed long-standing practices, it suggested long-standing practices should be contained in the Manual;

- It remained of the view that the ADC should choose for timing adjustment purposes the model most 'like' the export models;*
- It proposed that the timing adjustment approach adopted with HSG for two of the export models (in question) was different to its approach with its export model P2D33C where MCC [REDACTED] had been used. This model did not have sales in all quarters, nor did it follow the quarterly aggregate price trend. It noted that it only had prices for the first two quarters and the missing quarter was the first quarter. It questions the different approach adopted by the ADC between export models;*
- It suggests that once sales are in the ordinary course of trade and suitable for normal value consideration, all such transactions are available for use as a surrogate for timing adjustment purposes regardless of whether such selling prices are consistent with overall market price trends. It suggests the approach adopted by the ADC has taken into account an irrelevant consideration.*
- It claims that the requirement to have sales in all quarters and to have prices of available models follow overall price trends is unnecessary;*
- It suggests that the decision-making process to be followed regarding the MCC hierarchy as expressed in the Manual does not refer to basing decisions on the least number of category/sub-category differences. It considers this an irrelevant consideration.*

The Review Panel referred HSG to the clarification by the ADC, at the 7 March 2022 conference, regarding the requirement for quarterly prices in all quarters. The ADC advised that for the two models in question quarterly prices for the June and December quarters as a minimum would be required, given the missing quarters.¹

¹ Non-confidential conference summary with the ADC on 7 March 2022 page 3.



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I requested that HSG confirm the accuracy and confidentiality of the conference summary within one working day.

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