

Summary record of Anti-Dumping Review Panel (ADRP) Conference held under Section 269ZZHA of the Customs Act 1901 (Customs Act) in relation to an application by CITIC Australia Steel Products Pty Ltd for review of the Minister's decision made under Section 269ZDBH(1) of the Customs Act lodged with the ADRP on 18 April 2016.

20th May 2016 - 11:00am

Participants: Joan Fitzhenry (Joan) and Jeff Waincymer (Jeff)

Joan confirmed who was attending for CITIC and Jeff confirmed his attendance.

Joan confirmed the reasons for the formal conference under section 269ZZHA including the technical deficiency with regard to the response to question 12 of the application. Joan asked Jeff to identify how the decision CITIC proposes is materially different from the reviewable decision.

Jeff stated that the proposed decision is different from the reviewable decision because it would result in the original notice not being amended. In the alternative, the amended notice would only be operative on goods exported from the date that the Assistant Minister made the reviewable decision, and/or would be narrower in scope, and/or would have a different interim dumping duty, and/or would be subject to a new investigation. Jeff further added that in all such circumstances the duty payable would be materially different to the duty payable under the amended notice.

Joan confirmed that this information would be recorded and included in the public record.

Joan noted that there had been some delay in processing the application in part due to the new amendments to the legislation which allowed the panel to accept an application but not accept all grounds in that application.

Joan advised that the approach she would take with the CITIC application is to view the broad headings of the attachment as the grounds being put forward by CITIC for the decision not being the correct or preferable decision.

Jeff confirmed his understanding of this approach.