



ANTI-DUMPING NOTICE NO. 2015/91

Hollow structural sections

Exported to Australia from the People's Republic of China, the Republic of Korea, Malaysia and Taiwan

Initiation of an exemption inquiry

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (Commissioner) have initiated an exemption inquiry in relation to certain goods the subject of anti-dumping measures applying to hollow structural sections (HSS) exported to Australia from the People's Republic of China (China), the Republic of Korea (Korea), Malaysia and Taiwan.

The exemption being sought is under paragraphs 8(7)(b) and 10(8)(aa) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions the Parliamentary Secretary to the Minister for Industry and Science (Parliamentary Secretary) may exempt goods from dumping and countervailing duties where satisfied:

'that a Tariff Concession Order under Part XVA of the *Customs Act 1901* in respect of the goods is in force.'

The Anti-Dumping Measures

Anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice, were initially imposed on HSS by public notice on 3 July 2012 by the then Minister for Home Affairs following consideration of *International Trade Remedies Report No. 177*.

All exporters from China, Korea, Malaysia and Taiwan are subject to anti-dumping measures.

The Exemption Goods

The goods the subject of the exemption inquiry (the exemption goods) are HSS meeting specific characteristics covered by TCO number TC 9508551.

The exemption goods are classified to tariff subheading 7306.30.00 (statistical code 32) of Schedule 3 to the *Customs Tariff Act 1995*. For these goods the general rate

of duty is currently 5 per cent for goods imported from Korea and Taiwan and 4 per cent for goods imported from China and Malaysia.

The exemption inquiry will examine whether the exemption goods satisfy the conditions of paragraphs 8(7)(b) and 10(8)(aa) of the Dumping Duty Act.

The Current Inquiry

An application for exemption has been made to the Anti-Dumping Commission (the Commission) by Hi-Vis Signs and Safety, an importer of the exemption goods. Evidence was provided that TC 9508551 is currently in place for certain HSS products.

After making inquiries of the Australian industry producing HSS and other interested parties, I will recommend to the Parliamentary Secretary whether the exemption goods should be exempted from the anti-dumping measures.

Public Record

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of ensuring this process is conducted in an open and transparent manner, a public record for this inquiry may be examined at Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is accessible at www.adcommission.gov.au

The public record will contain, among other things, a copy of the application including details of TC 9508551, and a copy of all non-confidential submissions from interested parties.

Lodgment of Submissions

Interested parties are invited to lodge written submissions concerning this inquiry no later than the close of business on 12 August 2015, addressed to:

The Director
Operations 9
Anti-Dumping Commission
Level 5,
224 Bunda Street
Canberra ACT 2601

or via email at Operations9@adcommission.gov.au or fax to (03) 8539 2499 or +61 3 8539 2499 (outside Australia).

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests; or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "For Official Use Only".

Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

Report to the Parliamentary Secretary

Submissions received in the timeframe stated above will be taken into account in completing the report and recommendation to the Parliamentary Secretary. There is no legislated timeframe for this process.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the case manager on telephone number (02) 6102 9939, fax number (03) 8539 2499 or +61 3 8539 2499 (outside Australia) or email at Operations9@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

22 July 2015