



ANTI-DUMPING NOTICE NO. 2018/45

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, 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 category being sought is under subsections 8(7) and 10(8) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under this provision the Assistant Minister for Science, Jobs and Innovation and Parliamentary Secretary to the Minister for Jobs and Innovation (the Parliamentary Secretary)¹ may exempt goods from dumping and countervailing duties where satisfied:

'that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.'

The anti-dumping measures

Anti-dumping measures, in the form of a dumping and 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 Branch Report No. 177*. The measures currently apply as follows:

- the dumping duty notice applies to all exporters of HSS from China, Korea, Malaysia and Taiwan; and
- the countervailing duty notice applies to all exporters of HSS from China except Dalian Steelforce Hi-Tech Co. Ltd, Huludao City Steel Pipe Industrial Co. Ltd and Qingdao Xianxing Steel Pipe Co Ltd.

¹ On 20 December 2017, the Prime Minister appointed the Parliamentary Secretary to the Minister for Jobs and Innovation as the Assistant Minister for Science, Jobs and Innovation. For the purposes of this decision the Minister is the Parliamentary Secretary to the Minister for Jobs and Innovation.

The anti-dumping measures were continued after 2 July 2017 (*Anti-Dumping Commission Report No. 379* refers); the dumping duty notice and countervailing duty notice have effect as if different variable factors had been fixed relevant to the determination of duty from 3 July 2017.

The goods

The goods (“the goods”) to which the current anti-dumping measures apply are:

certain electric resistance welded pipe and tube made of carbon steel, comprising circular and non-circular hollow sections in galvanised and non-galvanised finishes.

The goods are normally referred to as either CHS (circular hollow sections) or RHS (rectangular or square hollow sections). The goods are collectively referred to as HSS (hollow structural sections). Finish types for the goods include in-line galvanised (ILG), pre-galvanised or hot-dipped galvanised (HDG) and non-galvanised HSS.

Sizes of the goods are, for circular products, those exceeding 21 mm up to and including 165.1 mm in outside diameter and, for oval, square and rectangular products those with a perimeter up to and including 1277.3 mm. Categories of HSS excluded from the goods are conveyor tube; precision RHS with a nominal thickness of less than 1.6 mm; and air heater tubes to Australian Standard (AS) 2556.

The goods are classified to the following tariff subheadings under Schedule 3 to the *Customs Tariff Act 1995*:

- 7306.30.00 (statistical codes 31, 32, 33, 34, 35, 36 and 37);
- 7306.61.00 (statistical codes 21, 22 and 25);
- 7306.61.00 (statistical code 90);²
- 7306.69.00 (statistical code 10); and
- 7306.50.00 (statistical code 45).³

The exemption goods

The goods the subject of the exemption inquiry (“the exemption goods”) are:

6 meter length API 5L B PSL1 ERW 152mm outside diameter, 4.0 mm thickness which is an Electric Resistant Welded round B-Grade carbon pipe product mild steel pipe.

The exemption goods are classified to the tariff subheading 7306.30.00 (statistical code 37) of Schedule 3 to the *Customs Tariff Act 1995*.

The exemption inquiry will examine whether the goods the subject of the application satisfy the conditions of the subsections 8(7) and 10(8) of the Dumping Duty Act.

² This tariff subheading applies only to alloyed HSS, and results in an interim dumping and / or interim countervailing duty liability if the goods have been exported by:

- Dalian Steelforce Hi-Tech Co. Ltd. (China);
- Tianjin Friend Steel Pipe Co. Ltd. (China);
- Tianjin Ruitong Iron and Steel Co. Ltd. (China);
- Roswell S A R Limited (China); and
- Alpine Pipe Manufacturing SDN BHD (Malaysia).

Further information is contained in *Anti-Dumping Commission Report No. 291* and the relevant dumping commodity register on the Anti-Dumping Commission [website](#).

³ *ibid.*

The current inquiry

An application for exemption has been made by Ronih Enterprises Pty Ltd T/A SureGuide Australia, an importer of HSS from China. After making inquiries of the Australian industry producing HSS and other interested parties, I will recommend to the Parliamentary Secretary whether the 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 transparency, a public record will be maintained. This notice, along with a non-confidential version of the application and any non-confidential submissions that are received, will be published on the public record, available at www.adcommission.gov.au.

Lodgment of Submissions

Interested parties are invited to lodge written submissions concerning this inquiry no later than the close of business on 29 April 2018 addressed to:

The Director, Investigations 1
Anti-Dumping Commission
GPO Box 2013
CANBERRA ACT 2601

or email investigations1@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

There is no legislated timeframe for completing the report and recommendation to the Parliamentary Secretary.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2409 or email investigations1@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission