



ANTI-DUMPING NOTICE NO. 2014/15

Certain hollow structural sections

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

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 certain hollow structural sections (HSS) exported to Australia from the Republic of China (China), the Republic of Korea (Korea), Malaysia, Taiwan and Thailand.

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 for the Minister for Industry (Parliamentary Secretary) may exempt goods from interim dumping and countervailing duties where he is 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 dumping and countervailing duty notices were initially imposed on HSS by public notice on 3 July 2012 by the relevant Minister following consideration of the *International Trade Remedies Branch Report to the Minister No. 177* (REP 177). These measures apply as follows:

- a dumping duty notice in respect of HSS exported by all exporters from China, Korea, Malaysia and Taiwan;¹ and
- a countervailing duty notice in respect of HSS exported from China by all exporters except two.²

¹ The Chief Executive Officer (CEO) of Australian Customs and Border Protection Service terminated the dumping investigation as far as it related to HSS from Thailand on 6 June 2012.

² The two exporters are Qingdao Xiangxing Steel Pipe Co Ltd and Huludao City Steel Pipe Industrial Co Ltd. The CEO terminated the countervailing investigation as far as it related to those two exporters on 6 June 2012.

The Exemption Goods

The goods the subject of the exemption inquiry are HSS meeting specific characteristics covered by Tariff Concession Order 1333313 (“the exemption goods”).

The exemption goods are currently classified to the tariff subheading 7306.61.00 (statistical codes 21, 22 and 25) of Schedule 3 to the *Customs Tariff Act 1995*.

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

The Current Inquiry

An application has been made to the Parliamentary Secretary for an exemption for the exemption goods from interim dumping and countervailing duties under the Dumping Duty Act. The application was lodged by Orrcon Operations Pty Ltd.

After making inquiries of the Australian industry producing HSS, I will recommend to the Parliamentary Secretary whether or not the exemption goods should be exempted.

Lodgment of submissions

Interested parties are invited to lodge written submissions concerning this inquiry, no later than the close of business on **18 March 2014**, addressed to:

The Director
Operations 2,
Anti-Dumping Commission
5th Floor, Customs House
5 Constitution Avenue
Canberra ACT 2601

or email Operations2@adcommission.gov.au, or fax to 1300 882 506 or +61 2 6275 6888 (outside Australia).

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly. Interested parties should note that I may not have regard to a submission received by the Commission after the date mentioned above if I consider it will prevent the timely preparation of a recommendation to the Parliamentary Secretary.

The Commission will maintain a public record of the inquiry. The public record will contain, among other things, a copy of all submissions from interested parties. Interested parties making submissions must also provide a non-confidential version for the public record.

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 the Commissioner 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".

Public Record

The public record for this inquiry is accessible at www.adcommission.gov.au. Alternatively, the public record may be examined at the Anti-Dumping Commission office by contacting the case manager on the details provided below.

Report to the Parliamentary Secretary

Submissions received 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) 6275 6173, fax number 1300 882 506 or +61 2 6275 6888 (outside Australia) or email Operations2@adcommission.gov.au.

Dale Seymour
Anti-Dumping Commissioner
Anti-Dumping Commission

3 March 2014