



ANTI-DUMPING NOTICE NO. 2022/084

Customs Act 1901 – Part XVB

Hollow Structural Sections

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

Findings of Exemption Inquiry No. 0087

I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, have completed exemption inquiry EX0087. This inquiry is about hollow structural sections (the goods) exported to Australia from the People’s Republic of China (China), the Republic of Korea (ROK), Malaysia and Taiwan. Exports of the goods from these countries are subject to anti-dumping measures.

The exemption was sought under sections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions the Minister for Industry and Science (the Minister) may exempt goods from interim dumping duty, dumping duty, interim countervailing duty and countervailing duty (collectively, the duties) if 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 duty notice and countervailing duty notice, were initially imposed on the goods exported from China, the ROK, Malaysia and Taiwan by public notice on 3 July 2012. This followed the then Minister for Home Affairs’ consideration of *International Trade Remedies Branch Report No. 177*. The dumping duty notice applies to all exporters from China, the ROK, Malaysia and Taiwan other than Kukje Steel Co Ltd and Hi-Steel Co Ltd. The countervailing duty notice applies to all exporters from China other than Huludao City Steel Pipe Industrial Co. Ltd, Qingdao Xiangxing Steel Pipe Co and Dalian Steelforce Hi-Tech Co Ltd.

For further details as to the anti-dumping measures and the duties, refer to the Anti-Dumping Commission (the commission) website, www.adcommission.gov.au.

The goods subject to measures may be classified under the following subheadings in Schedule 3 of the *Customs Tariff Act 1995*:

Tariff subheading	Statistical code
7306.30.00	31, 32, 33, 34, 35, 36, 37
7306.61.00	21, 22, 25
7306.69.00	10
7306.50.00*	45*
7306.61.00*	90*

* Note: The tariff subheadings (7306.61.00 (90) and 7306.50.00 (45)) only apply to the following exporters/suppliers:

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

The exemption goods

The goods the subject of the application for exemption (the exemption goods) are:

Curtain rods with:

- 25mm outside diameter in 0.5mm gauge/wall thickness in both powdercoated (White/Ivory/Black) and electroplated (Brushed Chrome).
- 32mm outside diameter in 0.7mm gauge/wall thickness in electroplated finish (Brushed Chrome).

The curtain rods come in lengths 2.0m and 3.0m, and are individually heat/shrink wrapped and labelled. The curtain rods are made of A class hot-rolled strip metal comprising of 0.12% carbon and are made using a roll forming process and a longitudinal welding technique.

The inquiry

An application was lodged by Pillar Products Pty Ltd. After examining the application, I initiated an exemption inquiry.

I made a recommendation to the Minister that he exempt the exemption goods from the duties in accordance with sections 8(7)(a) and 10(8)(a) of the Dumping Duty Act. The reasons for my recommendation are set out in *Exemption Inquiry Report No. 0087* (EX0087).

The Minister has accepted my recommendation and has exempted the exemption goods from the duties through *Ministerial Exemption Instrument No. 5 of 2022*. The exemption takes effect from 29 September 2021.

A copy of EX0087 and the exemption instrument is available on the commission website.

Further Information

If importers believe that goods they are importing are exempted from the duties in accordance with the exemption instrument, when they or their broker enter these goods for home consumption via the Integrated Cargo System, the exemption category 'GOODS' should be selected and no interim dumping or interim countervailing duties will be applied to the shipment. Parties seeking a refund of the duties already paid should contact the

commission's client support team on 13 28 46 or +61 2 6213 6000 or email:
clientsupport@adcommission.gov.au.

The decision to grant the exemption does not prevent further applications for exemptions from the duties being considered. Parties can apply for an exemption where they believe their goods satisfy any of the conditions for exemption detailed in sections 8(7) and 10(8) of the Dumping Duty Act. Further information on the application process can be found on the commission's website.

The exemption granted as a result of this inquiry may be subject to review and may be revoked by the Minister if circumstances change.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the commission on 13 28 46 or +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au.

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission
16 November 2022