



ANTI-DUMPING NOTICE NO. 2015/102

Certain Hollow Structural Sections Exported from the Kingdom of Thailand

Findings in Relation to a Dumping Investigation

Customs Act 1901 – Part XVB

On 21 July 2014 I, Dale Seymour, the Commissioner of the Anti-Dumping Commission published a notice announcing the initiation of an investigation into the alleged dumping of certain hollow structural sections (HSS) exported to Australia from the Kingdom of Thailand.

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

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

A full description of the goods is available in Anti-Dumping Notice No. 2014/59, which is available on the internet at www.adcommission.gov.au

Findings and recommendations were reported to the Parliamentary Secretary to the Minister for Industry (the Parliamentary Secretary) in *Anti-Dumping Commission Report No. 254* (REP 254), in which it outlines the investigations carried out by the Commission and recommends the publication of a dumping duty notice in respect of the goods. The Parliamentary Secretary has considered REP 254 and has accepted the recommendations and reasons for the recommendations, including all material findings of fact or law on which the recommendations were based, and particulars of the evidence relied on to support the findings.

Notice of the Parliamentary Secretary's decision was published in *The Australian* newspaper and the *Commonwealth of Australia Gazette* on 19 August 2015.

In REP 254, it was found that:

- HSS exported from Thailand to Australia were dumped with margins ranging from 5.7% to 29.7%;
- the dumped exports caused material injury to the Australian industry producing like goods; and
- continued dumping may cause further material injury to the Australian industry.

Accordingly, I recommended that a dumping duty notice in respect of HSS exported from Thailand be published in accordance with subsections 269TG(1) and 269TG(2) of the *Customs Act 1901* (the Act).

The method used to compare export prices and normal values to establish the dumping margin was to compare the weighted average export prices with corresponding normal values over the investigation period under subsection 269TACB(2)(a) of the Act. The normal value was established under subsections 269TAC(1) of the Act. The export price was established under subsections 269TAB(1)(a) of the Act.

Particulars of the dumping margins established for each of the exporters and the effective rates of duties are set out in the following table.

Exporter / Manufacturer	Dumping Margins	Duty Method
Sahathai Steel Pipe Public Company Limited	5.7%	Ad valorem
Pacific Pipe Public Company Limited	15.1%	Ad valorem
Samchai Steel Industries Public Company Limited	19.8%	Ad valorem
Uncooperative and all other exporters	29.7%	Ad valorem

The effective rate of duty that has been determined is an amount worked out in accordance with the ad valorem duty method, as detailed in the table above.

Measures apply to goods that are exported to Australia after publication of the Parliamentary Secretary's notice. Measures also apply to goods that were exported to Australia after the Commissioner made a preliminary affirmative determination to the day before the Parliamentary Secretary's decision was published.

Any dumping securities that have been taken on and from 16 March 2015 will be converted to interim dumping duty.¹ Pursuant to section 12 of the *Customs Tariff (Anti-Dumping) Act 1975* (the Dumping Duty Act), conversion of securities to interim duty will not exceed the level of security taken.

The actual duty liability may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the Commission on 13 28 46 or at clientsupport@adcommission.gov.au for further information regarding the actual duty liability calculation in their particular circumstance.

To preserve confidentiality, the export price, normal value and non-injurious price applicable to the goods will not be published. Bona fide importers of the goods can obtain details of the rates from the Dumping Liaison Officer in their respective capital city.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel, in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

Clarification about how measures are applied to 'goods on the water' is available in Australian Customs Dumping Notice No. 2012/34, available at www.adcommission.gov.au.

¹ Within the time limitations of section 45 of the Act.

REP 254 has been placed on the Commission's public record. The public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au.

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2409, fax number +61 3 8539 2499 or email at operations4@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

20 August 2015