



**Australian Government**  
**Anti-Dumping Commission**

Customs Act 1901 – Part XVB

## RETAIN HOLLOW STRUCTURAL SECTIONS EXPORTED FROM THE KINGDOM OF THAILAND

### Findings in Relation to a Dumping Investigation

Public notice under subsections 269TG (1) and (2) of the Customs Act 1901

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed the investigation into the alleged dumping of certain hollow structural sections (the goods) exported to Australia from the Kingdom of Thailand (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 copy of the goods is available in Anti-Dumping Notice No. 2014/59, which is available on the internet at [www.adcommission.gov.au](http://www.adcommission.gov.au)

The Commissioner reported his findings and recommendations to me in Anti-Dumping Commission Report No. 254 (REP 254). REP 254 outlines how the Anti-Dumping Commission (the Commission) conducted the investigation and recommends the publication of a dumping duty notice in respect of the goods.

I have considered REP 254 and have accepted the Commissioner's recommendations and reasons for those recommendations, including all material findings of fact or law on which the Commissioner's recommendations were based, and particulars of the evidence relied on to support the findings.

The method used to compare export prices and normal values to determine whether dumping had occurred, and to establish the dumping margin was to compare the weighted average of export prices with the weighted average of corresponding normal values over the investigation period pursuant to subsection 269TACB(2)(a) of the Customs Act 1901 (the Act).

The dumping margins that have been established in respect of the goods exported from Thailand are set out in the table below.

Exporter / Manufacturer	Dumping Margins	Duty Method
Tai Steel Pipe Public Company Limited	5.7%	Ad valorem
Steel Pipe Public Company Limited	15.1%	Ad valorem
Tai Steel Industries Public Company Limited	19.8%	Ad valorem
Cooperative 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.

I, KAREN ANDREWS, Parliamentary Secretary to the Minister for Industry and Science, have considered, and accepted, the recommendations of the Commissioner, including the reasons for those recommendations, the material findings of fact on which the recommendations are based and the evidence relied on to support those findings in REP 254.

I have decided, as to the goods that have been exported to Australia from Thailand, that the amount of the export price of the goods is less than the normal value of those goods and because of that, material injury to the Australian industry producing like goods might have been caused if the security had not been provided. Therefore under subsection 269TG(1) of the Act, I DECLARE that section 8 of the Customs Act 1901 (the Dumping Duty Act) applies to:

the goods; and  
like goods that were exported to Australia after 16 March 2015 (when the Commissioner made a preliminary affirmative determination under section 269TD of the Act that there appeared to be sufficient grounds for the publication of a dumping duty notice) but before the publication of this notice.

I am satisfied that the amount of the export price of like goods that have already been exported to Australia is less than the amount of the normal value of those goods, and the amount of the export price of like goods that may be exported to Australia in the future may be less than the normal value of the goods. In addition, material injury to the Australian industry producing like goods has been caused or is likely to be caused. Therefore under subsection 269TG(2) of the Act, I DECLARE that section 8 of the Dumping Duty Act applies to like goods that are exported to Australia after the date of publication of this notice.

The investigation applies in relation to all exporters of the goods and like goods from Thailand. Measures also apply to goods that are exported to Australia after publication of this notice. Measures also apply to goods that were exported to Australia after the Commissioner made a preliminary affirmative determination to the day before this notice was published. The considerations relevant to my determination of material injury to the Australian industry caused by dumping are the size of the dumping margins, the effect of dumped imports on Australian industry prices and the consequent injury to the Australian industry including reduced domestic revenues, price suppression, reduced profitability, reduced capital investment, reduced return on investment, write-down of assets associated with the HSS business, reduced research and development expenditure, reduced production and capacity utilisation, and reduced employment.

In my determination, I have considered whether any injury to the Australian industry is being threatened by a factor other than the exportation of dumped goods, and have not attributed any injury to other factors to the exportation of those dumped goods.

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

Details of the export prices, non-injurious prices, and normal values of the goods (as ascertained in confidential tables to this notice) will not be published in this notice as they may reveal commercially sensitive information.

Information about how measures are applied to 'goods on the water' is available in Australian Customs Notice No. 2012/34, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Other documents included in the public record may be examined at the Commission's website by contacting the case manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Information 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](mailto:operations4@adcommission.gov.au).

12th day of August 2015

KAREN ANDREWS  
Parliamentary Secretary to the Minister for Industry and Science



**Australian Government**  
**Anti-Dumping Commission**

Customs Act 1901 – Part XVB

## CERTAIN ALUMINIUM EXTRUSIONS EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA

### Findings in relation to a Review of Anti-Dumping Measures

Public Notice under subsection 269ZDB(1)(a)(iii) of the Customs Act 1901

The Commissioner of the Anti-Dumping Commission has completed the review, which commenced on 12 June 2014, of the anti-dumping measures in respect of certain aluminium extrusions ('the goods') exported from the People's Republic of China (China) to Australia.

The recommendation resulting from the review, reasons for the recommendation and material findings of fact and law in relation to the review are contained in *Anti-Dumping Commission Report No. 248 (REP 248)*.

I, KAREN ANDREWS, the Parliamentary Secretary to the Minister for Industry and Science, have considered REP 248 and have decided to accept the recommendation and reasons for the recommendation, including all material findings of fact and law set out in REP 248.

Under subsection 269ZDB(1)(a)(iii) of the Customs Act 1901 (the Act), I declare, for the purposes of the Act and the Customs Tariff (Anti-Dumping) Act 1975 (Dumping Duty Act), that, with effect from the date of publication of this notice, the dumping duty notice and countervailing duty notice currently applying to the goods exported to Australia from China is to be taken to have effect or to have had effect, in relation to all exporters from China, as if different variable factors had been fixed in respect of all exporters, relevant to the determination of duty.

The dumping duty that has been determined is an amount that has been worked out in accordance with the combination of fixed (ad valorem) and variable duty method pursuant to subsection 5(2) of the Customs Tariff (Anti-Dumping) Regulation 2013, as detailed in the table below and the notice has effect accordingly.

The countervailing duty that has been determined is an amount that has been ascertained as a proportion of the export price of the goods pursuant to subsection 10(3B)(a) of the Dumping Duty Act, as detailed in the table below and the notice has effect accordingly.

Exporter	Effective rate of interim dumping duty (fixed component)	Effective rate of interim countervailing duty	Duty Method
Guang Ya Aluminium Industries Co. Ltd	0.0%	4.5%	Dumping – combination of fixed (ad valorem) and variable duty method.
PanAsia Aluminium (China) Co Ltd	16.5%	5.4%	
Tai Shan City Kam Kiu Aluminium Extrusion Co Ltd	2.0%	1.8%	
Guangdong Zhongya Aluminium Co. Ltd	N/A	0.6%	
Residual Exporters#	9.4%	8.1%	
All other and uncooperative exporters (except Tai Ao)	28.3%	20.2%	

# - As specified in REP 248

The actual duty liability may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the Anti-Dumping Commission (the Commission) on telephone number 13 28 46 or email at [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au) for further information regarding the actual duty liability calculation in their particular circumstance.

To preserve confidentiality, the revised variable factors such as ascertained export price, normal value, non-injurious price and countervailable subsidy amount will not be published. Bona fide importers of the goods can obtain details of the new rates from the Commission on telephone number 13 28 46 or email at [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au).

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel ([www.adreviewpanel.gov.au](http://www.adreviewpanel.gov.au)) in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

REP 248 has been placed on the 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](http://www.adcommission.gov.au).

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2418, fax number +61 3 8539 2499, or email at [operations3@adcommission.gov.au](mailto:operations3@adcommission.gov.au).

Dated this 12th day of August 2015

KAREN ANDREWS  
Parliamentary Secretary to the Minister for Industry and Science

CONGRATULATION  
THE SECOND WINNER  
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The Productivity Commission  
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Hobart Monday  
Melbourne Tuesday  
Canberra Friday 1  
Perth Monday  
Adelaide Tuesday  
Sydney Thursday  
Ipswich Monday

If you wish to participate at  
Alternatively, contact Mel  
or phone (02) 6240 3206.

Participants who are not ba  
hearing remotely via teleco  
remote appearances so plea  
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Hearings will be held in acc  
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Website: [www.pc.gov.au/in](http://www.pc.gov.au/in)

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A postal ballot, if required,  
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Note: A copy of the AEC's  
from me after completion o

Benjamin Murray  
Returning Officer

