



AUSTRALIAN CUSTOMS DUMPING NOTICE NO.2012/25

Certain Hollow Structural Sections

**Exported from the People's Republic of China, the Republic of
Korea, Malaysia, Taiwan and the Kingdom of Thailand**

Termination of part of an investigation

CUSTOMS ACT 1901 – PART XVB

On 19 September 2011 the Chief Executive Officer (CEO) of the Australian Customs and Border Protection Service (Customs and Border Protection) initiated an investigation following an application lodged by OneSteel Australian Tube Mills Pty Ltd, a manufacturer of hollow structural sections (HSS) in Australia. The application requests the publication of a dumping duty notice in respect of certain HSS exported to Australia from the People's Republic of China (China), the Republic of Korea (Korea), Malaysia, Taiwan and the Kingdom of Thailand (Thailand), and the publication of a countervailing duty notice in respect of certain HSS exported to Australia from China.

Customs and Border Protection published a notice in *The Australian* on 19 September 2011 notifying of the initiation of the investigation, and released Australian Customs Dumping Notice (ACDN) 2011/43, which contains further details on the investigation (available at www.customs.gov.au).

As a result of Customs and Border Protection's investigation, I am satisfied that:

- in relation to the following Thai exporters, there has been no dumping by those exporters of any of those goods the subject of the application and, therefore, I have decided to terminate the investigation in accordance with s.269TDA(1) of the *Customs Act 1901* so far as it relates to exporters, Saha Thai Steel Pipe Public Co., Ltd and Pacific Pipe Public Co. Ltd; and
- the total volume of goods that have been exported to Australia over a reasonable examination period from Thailand that have been dumped from all other Thai exporters is negligible and, therefore, I have decided to terminate the investigation so far as it relates to Thailand in accordance with s.269TDA(3) of the *Customs Act 1901*.

In making the decisions to terminate, I have considered the application, submissions from interested parties, Statement of Essential Facts no. 177 (SEF 177), submissions in response to SEF 177, and other relevant information.

Termination Report no. 177, which sets out reasons for the termination decisions, including the material findings of fact or law upon which the decisions are based, is available online at www.customs.gov.au, or by contacting International Trade Remedies Branch office management on (02) 6275 6547.

A notice of the decision to terminate was published in *The Australian* newspaper on 6 June 2012.

The investigation into the alleged dumping of the goods from China, Korea, Malaysia and Taiwan and the investigation into the alleged subsidisation of goods from China will continue. Customs and Border Protection is due to report to the Minister for Home Affairs in respect of this investigation on or by 7 June 2012.

The applicant may request a review of my decision to terminate the investigation by lodging an application with the Trade Measures Review Officer (TMRO) in the approved form and manner within 30 days of the publication of this notice.

Enquiries concerning this notice may be directed to the Case Manager on telephone number (02) 6275 6173, facsimile number (02) 6275 6990 or email tmops3@customs.gov.au.

Geoffrey Maxwell Gleeson
Delegate of the Chief Executive Officer
International Trade Remedies Branch
Canberra ACT
6 June 2012