



ANTI-DUMPING NOTICE NO 2023/041

Certain Hollow Structural Sections exported to Australia from countries subject to Anti-Dumping Measures

Findings of Exemption Inquiry No. 0093

Customs Tariff (Anti-Dumping) Act 1975

I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, have completed exemption inquiry EX0093. This inquiry is about certain hollow structural sections (HSS) exported to Australia from countries subject to anti-dumping measures.

The exemptions were 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 (Minister) may exempt goods from interim dumping duty, dumping duty, interim countervailing duty and countervailing duty (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

The anti-dumping measures on HSS were initially imposed by public notices on 3 July 2012 following *International Trade Remedies Branch Report No. 177*. A dumping duty notice applies to certain HSS exported to Australia from the People's Republic of China (China), the Republic of Korea, Malaysia and Taiwan. A countervailing duty notice applies to certain HSS exported to Australia from China.

Further details about the anti-dumping measures and the duties is available on the Anti-Dumping Commission (the commission) website, www.adcommission.gov.au.

The exemption goods

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

Electric resistance welded pipe made of carbon steel, comprising circular and hollow sections normally referred to as CHS (circular hollow sections), RHS (square or rectangular) and trapezoidal hollow sections comprising ALL of the following:

- a) an air-blown hot-dipped galvanised finish; and
- b) a zinc coating mass of 200-300g/m².

The application states that the exemption goods are generally classified to tariff subheading 7306.30.00 of Schedule 3 to the *Customs Tariff Act 1995*.

The inquiry

An application was lodged by Kasia Nominees Pty Ltd t/as DE Engineers. After examining the application, I initiated an exemption inquiry.

I reviewed information and evidence gathered from interested parties, including the Australian industry that produces HSS. Based on the available information and evidence, I concluded that like or directly competitive goods to the exemption goods are offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.

I made a recommendation to the Minister that they not exempt the exemption goods from the duties because the available information and evidence does not provide a sufficient basis for the Minister to be satisfied under sections 8(7)(a) and 10(8)(a) of the Dumping Duty Act.

The Minister has accepted my recommendation and has not exempted the exemption goods the subject of the inquiry from the duties.

Exemption Inquiry Report No. EX0093 provides details of the findings of this exemption inquiry and is available on the commission website.

The decision to not grant the exemption does not prevent further applications for exemption 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.

Anti-Dumping Commission contact

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

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

02 August 2023