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# **ANTI-DUMPING NOTICE NO. 2024/005**

## **Hollow Structural Sections Exported to Australia from the People's Republic of China, the Republic of Korea, Malaysia and Taiwan**

### **Initiation of Exemption Inquiry No EX0100**

*Customs Tariff (Anti-Dumping) Act 1975*

I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, have initiated an exemption inquiry in relation to certain goods the subject of anti-dumping measures applying to hollow structural sections (HSS) exported to Australia from the People's Republic of China (China), Republic of Korea (ROK), Malaysia and Taiwan.

The exemption category being sought is under sections 8(7) and 10(8) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these sections the Minister for Industry and Science (Minister) may exempt goods from dumping and countervailing duties where 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 for goods from China, ROK, Malaysia and Taiwan and a countervailing duty notice for goods from China, were initially imposed on HSS by public notice on 3 July 2012 following consideration of *International Trade Remedies Branch Report No 177*. As a result of previous decisions by the relevant Minister, certain HSS which is subject to measures has been declared exempt from dumping and/or countervailing duties.

Details of the duty rates currently applying to relevant exporters and the exempt goods can be found on the Dumping Commodity Register for HSS.<sup>1</sup>

#### **The exemption goods**

The goods the subject of the exemption inquiry (the 'exemption goods') are described as:

350 grade, 60 mm x 120 mm x 10 mm thick steel bars with a length of 11.9 metres

The exemption goods are generally classified to the tariff subheading 7306.61.00 (statistical code 22 and 25) of Schedule 3 to the *Customs Tariff Act 1995*.

The exemption inquiry will examine whether the exemption goods satisfy the conditions of sections 8(7) and 10(8) of the Dumping Duty Act.

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<sup>1</sup> [https://www.industry.gov.au/sites/default/files/adc/measures/2023-10/dcr\\_-\\_hollow\\_structural\\_sections.pdf](https://www.industry.gov.au/sites/default/files/adc/measures/2023-10/dcr_-_hollow_structural_sections.pdf).

## **The current inquiry**

An application for exemption has been made to the Minister by MGN CIVIL Pty Ltd.

After making inquiries of the Australian industry producing HSS and other interested parties, I will recommend to the Minister whether the goods should be exempted from the anti-dumping measures.

## **Public record**

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of transparency, a public record will be maintained. This notice, along with a non-confidential version of the application and any non-confidential submissions that are received, will be published on the public record, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

## **Lodgment of submissions**

Interested parties are invited to lodge written submissions concerning this inquiry no later than the close of business on **12 March 2024**, addressed to:

The Director, Investigations Unit 1  
Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601

or email [investigations1@adcommission.gov.au](mailto:investigations1@adcommission.gov.au).

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly. Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests; or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "OFFICIAL: Sensitive". Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

## **Report to the Minister**

There is no legislated timeframe for completing the report and recommendation to the Minister.

## **Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the Case Manager on telephone number +61 2 6276 1599 or email [investigations1@adcommission.gov.au](mailto:investigations1@adcommission.gov.au).

Dr Bradley Armstrong PSM  
Commissioner  
Anti-Dumping Commission

9 February 2024