



ANTI-DUMPING NOTICE NO . 2024/055

Hollow structural sections (HSS) exported from the People's Republic of China, the Republic of Korea, Malaysia and Taiwan

Findings of Exemption Inquiry No 0100

Customs Tariff (Anti-Dumping) Act 1975

I, Isolde Lueckenhausen, the Acting Commissioner of the Anti-Dumping Commission, have completed exemption inquiry EX0100. This inquiry is about certain hollow structural sections (HSS, or the goods) exported to Australia from the People's Republic of China (China), the Republic of Korea (ROK), Malaysia and Taiwan. Exports of the goods from these countries are subject to anti-dumping measures.

The exemption was 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

Anti-dumping measures, in the form of a dumping duty notice and countervailing duty notice, were initially imposed on the goods exported from China, the ROK, Malaysia and Taiwan by public notice on 3 July 2012.¹ This followed the then Minister for Home Affairs' consideration of *International Trade Remedies Branch Report No 177*.

The dumping duty notice applies to all exporters from China, the ROK, Malaysia and Taiwan other than Kukje Steel Co Ltd and Hi-Steel Co Ltd.

The countervailing duty notice applies to all exporters from China other than Huludao City Steel Pipe Industrial Co. Ltd, Qingdao Xiangxing Steel Pipe Co and Dalian Steelforce Hi-Tech Co Ltd.

For further details as to the anti-dumping measures and the duties, refer to the Anti-Dumping Commission (the commission) website, www.adcommission.gov.au.

¹ ADN No. 2012/31 contains details of the measures imposed at that time.

The goods subject to measures may be classified under the following subheadings in Schedule 3 of the *Customs Tariff Act 1995*:

Tariff subheading	Statistical codes
7306.30.00	31, 32, 33, 34, 35, 36, 37
7306.61.00	21, 22, 25
7306.69.00	10
7306.50.00*	45*
7306.61.00*	90*

* Note: The tariff subheadings (7306.61.00 (90) and 7306.50.00 (45)) only apply to the following exporters/suppliers:

- Dalian Steelforce Hi-Tech Co. (China)
- Tianjin Friend Steel Pipe Co. Ltd (China)
- Tianjin Ruitong Iron and Steel Co. Ltd (China)
- Roswell S A R Ltd (China) and
- Alpine Pipe Manufacturing SDN BHD (Malaysia).

The exemption goods

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

350 Grade 60mm x 120mm x 10mm thick steel rectangular tube, length of 11.9m.

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

The inquiry

An application was lodged by MGN Civil Pty Ltd on 25 January 2024. After examining the application, I initiated an exemption inquiry on 9 February 2024.

I reviewed evidence gathered from interested parties, including the Australian industry member that produces HSS. Based on the 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 do not exempt the exemption goods from the duties because the 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 EX0100 provides details of the findings of this exemption inquiry and is available on the commission website (www.adcommission.gov.au).

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 +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au.

Isolde Lueckenhausen
Acting Commissioner
Anti-Dumping Commission

28 August 2024