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Application for an accelerated review of anti-dumping measures

Applications are taken to be lodged or received by the Commissioner when it is first received by a commission staff member doing duty in relation to applications.

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See Page 5 for more details.

Applicants are encouraged to contact the Commission prior to lodgement if they wish to discuss their application or the process.

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APPLICATION UNDER SECTION 269ZE OF THE *CUSTOMS ACT 1901* FOR AN ACCELERATED REVIEW OF ANTI-DUMPING MEASURES

In accordance with section 269ZE of the *Customs Act 1901* (the Act) ¹, I request that the Commissioner of the Anti-Dumping Commission conduct an accelerated review of a dumping duty notice and/or countervailing duty notice (the notice(s)) insofar as it affects this exporter².

NB: Only a new exporter is eligible to apply for an accelerated review. A new exporter means that in relation to goods the subject of a 1 application for a dumping duty notice or countervailing duty notice or like goods, the exporter did not export such goods to Australia at any time during the investigation period in relation to the application (ss 269ZE(1) and 269T(1) refers).

DECLARATION

I believe that the information contained in this application:

- provides reasonable grounds for an accelerated review of the dumping or countervailing duty notice(s) in so far as it relates to the applicant; and
- is complete and correct.

Signature:



Name:



Position:



Company:

Jiangsu Jin Run Intelligent Equipment Co., Ltd

Date:



¹All legislative references are to the *Customs Act 1901*.

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Signature requirements

Where the application is made:

By a company - the application must be signed by a director, servant or agent acting with the authority of the corporate body.

By a joint venture - a director, employee, agent of each joint venturer must sign the application. Where a joint venturer is not a company, the principal of that joint venturer must sign the application form.

On behalf of a trust - a trustee of the trust must sign the application.

By a sole trader - the sole trader must sign the application.

In any other case - contact the Anti-Dumping Commission's (the commission's) client support section for advice.

NB: Where an application is made by an agent acting with authority on behalf of a company, joint venture, trust or sole trader, an authority to act letter must be provided with this application.

Assistance with the application

The commission provides a free-of-charge document checking service, available prior to formal lodgement, to assist applicants to ensure that their applications meet the documentary requirements, see "before you apply":

<https://www.industry.gov.au/anti-dumping-commission/apply-anti-dumping-or-countervailing-duties-measures>

The commission has also published guidelines to assist applicants with the completion of this application: <https://www.industry.gov.au/anti-dumping-commission/how-importers-and-exporters-can-participate-anti-dumping-system>

The commission's client support section can also provide information about dumping and countervailing procedures and the information required by the application form. Contact the team on:

Phone: 13 28 46 or +61 2 6213 6000 (outside Australia)

Email: clientsupport@adcommission.gov.au

Further information is available from the commission's website at www.adcommission.gov.au.

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Required
information

1. Provide details of the current anti-dumping measure(s) the subject of this review application, including:
- identify the notice(s) imposing measures that the applicant seeks an accelerated review of, and
 - a description of the goods to which the notice(s) relates.

The applicant seeks an accelerated review of the Anti-Dumping and countervailing measures applying to hollow structural sections (HSS) from the People's Republic of China, as those measures relate to the applicant. The relevant measures arise from the original HSS investigation and have been amended/extended to capture certain 7308.90.00 goods following Anti-Circumvention Inquiry No. 685 and Anti-Dumping Notice No. 2026/064.

The goods relevant to this application are steel torque tube elements for solar tracker systems exported to Australia by the applicant. The goods are electric resistance welded pipe/tube of carbon or other alloy steel, classified/entered under tariff subheading 7308.90.00, statistical code 65, and include circular hollow sections with swaged ends and/or holes at the end or along the length of the section.

Further product specifications, drawings, photographs and transaction details are provided in Attachment [Project for Export to Australia] and Drawing - 61510-38_TORQUE TUBE REFERENCE DRAWING, [REDACTED]

Provide details of the name, street and postal address, of the applicant seeking the accelerated review;

Company name	Jiangsu JinRun Intelligent Equipment Co., Ltd
Street and postal address	[REDACTED]

2. Provide details of the name of a contact person, including their position, telephone number and e-mail address;

Contact person	[REDACTED]
Position	[REDACTED]
Telephone number	[REDACTED]
E-mail address	[REDACTED]

3. Describe the applicant's role in the exportation of the goods (e.g. producer or manufacturer, distributor or trader of the goods);

The applicant is the manufacturer and exporter of the goods. The applicant manufactures the steel torque tube elements at its facility in [REDACTED]

, including tube rolling & welding, cutting, straightening, swaging, drilling, packaging.

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The applicant sells/exports the goods to Australia under purchase orders/contracts with Nextpower Australia Pty Ltd, and is the exporter of record unless otherwise stated in the transaction schedule at Attachment [Project for Export to Australia]. We are the manufacturer and also the exporter.

4. Confirm that the applicant is a 'new exporter', meaning, in relation to goods the subject of a, application for a dumping duty notice or countervailing duty notice or like goods, a, exporter who did not export such goods to Australia at any time during the investigation period in relation to the application (ss 269ZE(1) and 269T(1) refers).

The applicant confirms that it did not export HSS, steel torque tube elements or like goods to Australia, whether directly or indirectly through any trader, distributor, related party or other intermediary, at any time during the original HSS investigation period for dumping and subsidisation, being 1 July 2010 to 30 June 2011.

For transparency, the applicant confirms that exports of steel torque tube elements to Australia commenced after that original investigation period, from approximately 2 years. Details of those later exports are provided in Attachment [Project for Export to Australia].

5. Confirm whether the applicant has previously applied for a, accelerated review in relation to the notices the subject of this application.

The applicant confirms that it has not applied previously for an accelerated exporter review with the ADC.

6. Confirm whether the applicant is related to a, exporter whose exports were examined in relation to the application for publication of the notice(s), and the nature of the relationship (s 269ZE(2)(b) refers).

The applicant confirms that it is not related to, and is not an associate of, any exporter whose exports were examined in the original HSS investigation.

The applicant has addressed each of the association tests in section 269TAA(4) of the Customs Act 1901 in Attachment [2026.06.30 - Nextpower_exporter_100_ [REDACTED]_support_letter_Jiang su JinRun Intelligent Equipment Co., Ltd-signed] and [Exporter Information Request Torque Tubes [REDACTED] (1)(5)], and provides supporting corporate structure, shareholder, director and related-party information in Attachment [jinrun Org chart].

In determining whether the applicant is a, associate of a, exporter whose exports were examined in relation to the application for publication of the notices(s), answer the following (s 269TAA(4) refers):

- (a) Are both natural persons?

If yes:

- (i) Are they members of the same family? ☒;
(ii) Is one of them a, officer or director of a body corporate controlled, directly or indirectly, in, the other?

- (b) Are both body corporates?

If yes:

- (i) Are both of them controlled by a third person (whether or not a body corporate)? Or,
(ii) Do both of them together control, directly or indirectly, a third

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- body corporate? Or;
- (iii) Is the same person (whether or not a body corporate) in a position to cast, or control the casting of, 5% or more of the maximum number of votes that might be cast at a general meeting of each of them?

(c) Is one of them, being a body corporate, directly or indirectly, controlled by the other (whether or not a body corporate)?

(d) Is one of them, being a natural person, an employee, officer or director of the other (whether or not a body corporate)?

(e) Are they members of the same partnership?

NB: Please include appropriate evidence in support of your view that the applicant is or is not related to another company whose exports were examined in relation to the application for publication of the notice(s) (i.e. during the original investigation). This should include an overview of your corporate structure, including entities that the applicant has an interest in and entities that have an interest in the applicant, list of directors and annual report(s) where applicable.

7. Provide a statement setting out the basis on which you consider the particular dumping or countervailing duty notice is inappropriate, so far as the applicant is concerned.

The applicant did not export the goods or like goods to Australia during the original investigation period and was not examined in the original HSS investigation. No exporter-specific dumping margin, normal value, export price, subsidy level or combined IDD/ICD rate has been determined for the applicant.

The applicant considers that the current all-other exporter rate is inappropriate insofar as it applies to the applicant because it is not based on the applicant's own verifiable commercial data. The applicant's pricing, production costs, sales channels, product specifications, normal value, export price and subsidy position differ from the data and assumptions used to determine the all-other exporter rate.

The applicant therefore requests that the Commissioner accept this accelerated review application and determine exporter-specific variable factors/rates for the applicant, including a nil or lower rate once supported by the applicant's data. The applicant is willing to cooperate fully with the ADC and provide confidential normal value, export price, cost-to-make-and-sell, domestic sales, export sales and subsidy information as required.

**Impact
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Where a review of measures applies to all exporters of the goods generally (that is, not a single exporter), the changes to the notice(s) that result from the review may apply to all relevant exporters of the goods, including past applicants for an accelerated review. This means that changes to a notice as an outcome of an all-exporter review of measures may replace an earlier published outcome of an accelerated review.

**Lodgem
ent of**

This application, together with the supporting evidence, must be lodged in the manner approved by the Commissioner under subsection 269SMS(2) of the Act. The

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Commissioner has approved lodgement of this application by either:

- email, preferably, using the email address clientsupport@adcommission.gov.au;
- upload to SIGBOX (SIGBOX is our secure online lodgement platform, suitable for large files or attachments - email us to arrange access), or
- post to:

The Commissioner of the Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

As currently applied:

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- Staff members are taken to be on duty receiving applications from 9:00am to 5:00pm (AEST or AEDST) on business days that are not an Australian Capital Territory public holiday, or during Annual Closedown.*

Definitions in this application:

- **AEST** means Australian Eastern Standard Time.
- **AEDST** means Australian Eastern Daylight Savings Time
- **business day** means a day that is not a Saturday or Sunday.
- **Annual Closedown** means the 3 business days the Commission is closed between Christmas Day and New Year's Day.

* Public holidays are listed at: <https://www.fairwork.gov.au/employment-conditions/public-holidays>

Public Record

There is no legislative requirement to maintain a public record for accelerated reviews. However, in the interests of transparency, a public record for an accelerated review will be opened and accessible on the commission's website at www.adcommission.gov.au. The public record will contain, among other things, a copy of the application, all submissions from interested parties and commission reports.

At the time of making the application, the commission requests both a confidential version (for official use only) and non-confidential version (public record) of the application be submitted. Please ensure each page of the application is clearly marked "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD". The non-confidential application should enable a reasonable understanding of the substance of the information submitted in confidence, clearly showing the reasons for seeking the accelerated review, or, if those reasons cannot be summarised, a statement of reasons why summarisation is not possible. If you cannot provide a non-confidential version, contact the commission's client support section for advice.