



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.

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.

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.

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 an application for a dumping duty notice or countervailing duty notice or like goods, an 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).

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:	Suzhou Baojia New Energy Technology Co.,Ltd
Date:	9/07/2026

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

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.

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 application concerns the current dumping duty notice under section 269TG(2) and countervailing duty notice under section 269TJ(2) of the Customs Act 1901 applying to Hollow Structural Sections exported from China, as varied following Anti-Circumvention Inquiry No. 685 / REP 685 and reflected in the current Dumping Commodity Register for Hollow Structural Sections.

The goods to which the notices relate are certain electric resistance welded pipe and tube made of carbon steel or other alloy steel, comprising circular and non-circular hollow structural sections, including circular or oval hollow sections with other than plain ends such as threaded, swaged and shouldered ends, and any sections with holes, including holes created by drilling, punching, piercing, cutting or otherwise, at the end of the section or along its length, or both.

The goods relevant to this application are solar tracker torque tubes / hollow structural section components exported by Suzhou Baojia New Energy Technology Co.,Ltd to Australia via the Hong Kong Hao Yuan Sheng Trading Company Ltd.

The goods are understood to be classified under tariff subheading 7308.90.00, statistical code 65, subject to confirmation by the importer's customs broker.

This accelerated review is sought in respect of the current notices insofar as they apply to as a new exporter to Suzhou Baojia New Energy Technology Co.,Ltd and Hong Kong Hao Yuan Sheng Trading Company Ltd.

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

Information Field	Details
Applicant / exporter	Suzhou Baojia New Energy Technology Co.,Ltd
Street address	[REDACTED]
Postal address	Same as street address, unless Baojia confirms otherwise.
Country	People's Republic of China
Business licence number	[REDACTED]
Company type	Limited Liability Company - solely owned by a [REDACTED]
Establishment date	[REDACTED]
Legal Representative	[REDACTED]
Registration authority	[REDACTED]
Role	Exporter and manufacturer / producer of the goods subject to this application being subject to final manufacturing-process.

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

Contact Information	Details
Contact person	
Position	
Company	Suzhou Baojia New Energy Technology Co.,Ltd
Telephone	
Email	
Address	

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

Suzhou Baojia New Energy Technology Co.,Ltd the manufacturer / producer receives orders from the exporter Hong Kong Hao Yuan Sheng Trading Company Ltd, and is our trading company.

Our company does not merely purchase completed HSS from another supplier and perform minor modifications.

Baojia business licence records that its general business scope includes battery manufacturing; battery sales; energy storage technology services; manufacture of photovoltaic equipment and components; and sale of photovoltaic equipment and components. For items that do not require approval according to law, the company may independently carry out business activities on the basis of its business licence.

The company manufactures the exported solar tracker torque tubes / hollow structural section components at its own production facility and exported via our trading company Hong Kong Hao Yuan Sheng Trading Company Ltd.

The manufacturing process includes the procurement of steel input material, forming / tube production, cutting to length, end-forming or swaging where applicable, drilling / punching of holes where applicable, surface finishing / galvanising or coating where applicable, quality inspection, packing and export.

To the extent any upstream steel input or semi-finished tube is purchased from another supplier, that input is further processed by Suzhou Baojia New Energy Technology Co.,Ltd before export.

Baojia has provided further confidential production flow charts, factory photographs, product specifications, and can also provide mill certificates, purchase records and manufacturing records to the Commission if required.

5. Confirm that the applicant is a 'new exporter', meaning, in relation to goods the subject of an application for a dumping duty notice or countervailing duty notice or like goods, an 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 [REDACTED]. Details of those later exports are provided in the Attachment entitled 'Australia projects updated [REDACTED]'

6. Confirm whether the applicant has previously applied for an 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.

7. Confirm whether the applicant is related to an 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).

In determining whether the applicant is an associate of an 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? Or;
- (ii) Is one of them an officer or director of a body corporate controlled, directly or indirectly, by 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 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.

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 and can confirm the following:-

(a) Are both natural persons?

If yes:

(i) Are they members of the same family? Or; **No**

(ii) Is one of them an officer or director of a body corporate controlled, directly or indirectly, by the other? - **No**

(b) Are both body corporates?

If yes:

(i) Are both of them controlled by a third person (whether or not a body corporate)? Or; **No**

(ii) Do both of them together control, directly or indirectly, a third body corporate? Or; - **No**

(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? - **No**

(c) Is one of them, being a body corporate, directly or indirectly, controlled by the other (whether or not a body corporate)? - **No**

(d) Is one of them, being a natural person, an employee, officer or director of the other (whether or not a body corporate)? - **No**

(e) Are they members of the same partnership? - **No**

We have also provided supporting corporate structure, shareholder, director and related-party information in the Attachment entitled Org charts entitled 'organization chart -HYS' and 'Organizational structure - [REDACTED]

8. 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.

Impact of an all exporter review of measures

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.

Suzhou Baojia New Energy Technology Co.,Ltd the manufacturer / producer that receives orders from the exporter Hong Kong Hao Yuan Sheng Trading Company Ltd, and considers that the current dumping duty notice and countervailing duty notice are inappropriate so far as Baojia is concerned because Baojia and Hao Yuan Sheng are new exporters whose export prices, normal value, cost-to-make-and-sell information, subsidy position and commercial circumstances were not examined when the measures were originally imposed or subsequently reviewed.

Baojia was established on [REDACTED]. Baojia and Hao Yuan Sheng confirm that we did not export the goods the subject of the notices, or like goods, to Australia at any time during the original HSS investigation period of 1 July 2010 to 30 June 2011. J Baojia and Hao Yuan Sheng also confirm that they were not a respondent or subject to investigation in original HSS Inquiry No. 177.

Baojia and Hao Yuan Sheng further confirm that we have no ownership, control, management, affiliation or other associated relationship with any Chinese exporter whose exports were examined in original HSS Inquiry No. 177. Baojia and Hao Yuan Sheng has provided our corporate registration documents and corporate group chart in support of this statement.

As Baojia and Hao Yuan Sheng were not examined, the current residual / all-other China rate does not reflect Baojia and Hao Yuan Sheng's own export pricing, production costs, normal value, domestic sales position, subsidy circumstances or selling arrangements. The applicant therefore seeks an accelerated exporter review so that the Commission can determine an exporter-specific outcome for Baojia and Hao Yuan Sheng based on our own data.

Baojia and Hao Yuan Sheng are prepared to cooperate fully with the Commission, including by completing and submitting questionnaires, accepting verification where required, and providing supporting evidence on a confidential and non-confidential basis. This may include corporate structure information, shareholder and director information, production records, sales schedules, Australian export sales, domestic sales or confirmation of no domestic sales, cost-to-make-and-sell information, product specifications, purchase records, mill certificates and transaction documents.

Lodgement of the application

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 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

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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.