



Australian Government
**Department of Industry,
Innovation and Science**

**Anti-Dumping
Commission**



Application for the
continuation of a dumping
and/or
countervailing notice

or

continuation of an undertaking

Hollow Structural Sections exported from
The Kingdom of Thailand

**APPLICATION UNDER SECTION 269ZHC OF THE *CUSTOMS ACT 1901*
FOR THE CONTINUATION OF A DUMPING AND/OR COUNTERVAILING
DUTY NOTICE OR CONTINUATION OF AN UNDERTAKING**

I hereby request, in accordance with section 269ZHC of the *Customs Act 1901* (the Act) that the Minister:

- continue a dumping duty notice, or
- continue a countervailing duty notice, or
- continue the undertaking given under the Act by

Orrcon Manufacturing Pty Ltd

in respect of the goods the subject of this application.

I believe that the information contained in this application:

- provides reasonable grounds for continuation of the anti-dumping measure; and
- is complete and correct to the best of my knowledge and belief.

Signature:

Name:

[REDACTED]

Position:

[REDACTED]

Company:

Orrcon Manufacturing Pty Ltd

ABN:

15 113 998 066

Date

29 October 2019

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 body corporate.

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 Commission's client support section for advice.

Assistance with the application

The Anti-Dumping Commission has published guidelines to assist applicants with the completion of this application. Please refer to the '*Instructions and Guidelines for applicants: Application for continuation*' on the Commission's website.

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

Phone: 13 28 46

Fax: (03) 8539 2499

Email: clientsupport@adcommission.gov.au

Other information is available from the Commission's website at www.adcommission.gov.au

Small and medium enterprises (i.e., those with less than 200 full-time staff, which are independently operated and which are not a related body corporate for the purposes of the *Corporations Act 2001*), may obtain assistance, at no charge, from the Department of Industry, Innovation and Science's International Trade Remedies Advisory (ITRA) Service. For more information on the ITRA Service, visit www.business.gov.au or telephone the ITRA Service Hotline on +61 2 6213 7267.

Required information**1. Provide details of the name, street and postal address, of the applicant seeking the continuation.**

The applicant company seeking the continuation of the anti-measures on exports of hollow structural sections ("HSS") from The Kingdom of Thailand ("Thailand") is Orrcon Manufacturing Pty Ltd ("Orrcon").

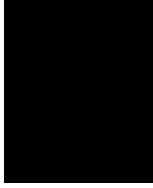
Orrcon is a 100 per cent subsidiary company of BlueScope Steel Limited.

Orrcon's HSS manufacturing site is located at:

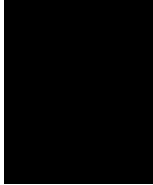
Orrcon Manufacturing Pty Ltd
121 Evans Road
Salisbury Queensland 4107

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

Primary Contact



Alternative Contact



3. Provide the names, addresses, telephone numbers and facsimile numbers of other parties likely to have an interest in this matter e.g. Australian manufacturers, importers, exporters, users.

The following parties are likely to have an interest in this matter:

Exporters:

Sahathai Steel Pipe Public Company Limited
78 Moo 3 Poochao Road, Bangyapraek
Phrapradaeng, Samuthprakarn 10130 Thailand
Tel: +662 385 9288
Email: methita@sahathai.com

Pacific Pipe Public Co., Ltd
298, 298/2 Suksawad Road
Amphur Prasamutjedee
Samutprakarn Thailand 10290
Tel: +662 816 2701, 816 2211, 816 2199
Fax: +662 463 9277, 816 2210
Email: sunisa@pacificpipe.co.th

Samchai Steel Industries Public Company Limited (Samutsakorn Province)
75/14, 75/17, 85 Moo 5,
Soi Watsopanaram, Ekkachai Road
Amphur Muang, Sumutsakorn 74000 Thailand
Tel: 66 034 833 891-3
Fax: 66 034 833894-5
Email: pipe@samchaisteel.com

Samchai Steel Industries Public Company Limited (Samutprakan Province)
56-56/1Moo 2 Poochasamingprai Road
Bangyaphraek
Amphur Phrapradaeng, Samutprakan 10130 Thailand
Tel: 66 02 754 3555
Fax: 66 02 754 3975
Email: pipe@samchaisteel.com

Importers:

Commercial Metals Pty Ltd
(refer GAM Steel Pty Ltd)
557 Mount Derrimut Road
Derrimut Victoria 3030
Tel: 61 3 8368 1555
www.gamsteel.com.au

Marubeni-Itochu Steel Oceania Pty Ltd
Level 28, 570 Bourke Street
Melbourne Victoria 3000
Tel: 61 3 9242 1500
Email: info@benichu.com.au

Stemcor Australia Pty Ltd
Level 13, 15 Blue Street
North Sydney NSW 2060
Tel: 61 2 9959 3088
Web: www.stemcor.com

ThyssenKrupp Mannex Pty Ltd
Level 4, Tower B
799 Pacific Highway
Chatswood NSW 2067
Tel: (02) 8424 2000

Macsteel International Australia Pty Ltd
Level 1, 40 Burwood Road
Hawthorn Victoria 3122
Tel: 61 3 9805 0400
Email: miaus-info@mitgr.com

Australian Industry:

Liberty Austube Mills Pty Ltd / Infrabuild
Industrial drive
Mayfield NSW 2304
Tel: 1800 281 424
Email: info@austubemills.com

Australian Pipe and Tube
2-4 Independent Way
Ravenhall Victoria 3023
Tel: 61 3 8361 8366
Email: sales@auspipetube.com.au

4. The application must include a detailed statement setting out reasons for seeking continuation of the anti-dumping measure. Applicants must provide evidence addressing whether, in the absence of measures, dumped or subsidised imports would cause material injury to the local industry producing like goods. Applicants should refer to the “Guidelines for Preparing an Application for Continuation of Measures” for assistance.

I. Introduction

(a) *Investigation Report*

Orrcon is requesting the Commissioner to conduct a continuation of measures investigation into hollow structural sections (“HSS”) exported from Thailand. The measures were imposed on exports of HSS to Australia following an investigation by the Anti-Dumping Commission (“the Commission”). The Commission’s findings and recommendations to the Parliamentary Secretary are included in Report No. 254 (“Report 254”).

(b) *The goods*

The goods covered by the measures are as follows:

“Certain electric resistance welded pipe and tube made of steel, comprising circular and non-circular hollow sections in galvanized and non-galvanized finishes, whether or not including alloys. The goods are normally referred to as either CHS (circular hollow sections) or RHS (rectangular or square hollow sections). The goods are collectively referred to as HSS (hollow structural sections). Finish types for the goods include pre-galvanized, hot-dipped galvanized (HDG), and non-galvanized HSS.

Sizes of the goods are, for circular products, those exceeding 21 mm up to and including 165.1 mm in outside diameter and, for oval, square and rectangular products those with a perimeter up to and including 950.0 mm. CHS with other than plain ends (such as threaded, swaged and shouldered) are also included within the goods coverage.”

Excluded goods

The following categories of HSS are excluded from the measures:

- conveyor tube made for high speed idler rolls on conveyor systems, with inner and outer fin protrusions removed by scarfing (not exceeding 0.1mm on outer surface and 0.25mm on inner surface), and out of round standards (i.e. ovality) which do not exceed 0.6mm in order to maintain vibration free rotation and minimum wind noise during operation;
- precision RHS with a nominal thickness of less than 1.6 mm (i.e. not used in structural applications); and
- stainless steel CHS and RHA sections.

(c) *Findings*

The Commission’s assessment determined that HSS was exported to Australia at dumped prices during the 1 July 2013 to 30 June 2014 investigation period. The margins of dumping were determined as not negligible and the volume of dumped goods was not negligible. The dumping margins determined were as follows:

Exporters	Dumping Margin
Sahathai Steel Pipe Public Company Limited (Sahathai)	5.7 per cent
Pacific Pipe Public Company Limited (Pacific Pipe)	15.1 per cent
Samchai Steel Industries Public Company Limited (Samchai)	19.8 per cent
Uncooperative/all other exporters	29.7 per cent

The Commission established that the dumping had caused material injury to the Australian industry and recommended that the Parliamentary Secretary impose anti-dumping measures.

The measures were imposed with effect from 19 August 2015.

(d) Expiry of measures

On 2 September 2019 the Commission published ADN No 2019/106 notifying that the anti-dumping measures on HSS exported from Thailand are due to expire on 19 August 2020 (refer Non-Confidential Attachment 2). Applications by interested parties seeking the extension of the measures for a further five-year period must be lodged with the Commission by 1 November 2019.

If an application for the continuation of the measures is not received by COB 1 November 2019, the anti-dumping measures will expire on 19 August 2020.

(b) Will the dumping or subsidization continue, or recur?

• *Anti-dumping actions by other countries;*

Anti-dumping measures apply to exports of HSS from Thailand to both Canada and the USA.

The measures were applied in Canada in December 2012 and were the subject of a sunset investigation that continued the measures from 7 May 2018 for a further five-year period.

Orrcon understands that the measures in the USA have applied since 1985 and were recently extended on 7 February 2018 for a further five-year period.

• *Relevant evidence as to the current normal values in the exporting country;*

Orrcon has not been able to obtain domestic selling prices for HSS sold in Thailand in 2018/19 as pricing information is not published in industry newsletters or journals and is considered commercially sensitive. Orrcon has therefore constructed HSS domestic selling prices in Thailand for the 2018/19 period in Table 1 below.

Orrcon has constructed the Thailand domestic selling price for HSS using a monthly [*constructed normal value methodology*], plus [*constructed normal value methodology*], plus amounts for selling and administrative expenses. A labour cost adjustment has been made [*constructed normal value methodology*]. A [%] per cent profit has been applied based upon [*constructed normal value methodology*].

The constructed selling price for HSS sold in Thailand is therefore considered to be a representative price, exclusive of [*commercially sensitive cost considerations*].

Table 1 – Domestic selling prices for HSS sold in Thailand in 2018/19, by quarter (A\$/MT)

Period	Constructed Domestic Selling Price A\$/MT	Weighted Average Export Price A\$/MT	Dumping Margin (as % of export price)
Oct - Dec 2018	1,505	1,413	6.5 per cent
Jan – Mar 2019	1,435	1,252	14.6 per cent
Apr – Jun 2019	1,455	1,136	28.1 per cent
Jul – Sep 2019	1,530	1,313	16.5 per cent

Source: Refer Confidential Attachment 3.

The normal values for HSS sold in Thailand during the 2018/19 period are in the range AU\$1,435 per metric tonne to AU\$1,530 per metric tonne.

- *Whether exports have continued following imposition of the measure and estimates of export price;*

Exports of HSS to Australia from Thailand have continued post the imposition of measures in August 2015. The following Table 2 details the export volumes from Thailand to Australia over the last four-year period.

Table 2 – Exports of hollow structural sections from Thailand to Australia – volume (Tonnes)

Period	Volume (Tonnes)	Customs Value A\$
2016/17	17,743	\$ [REDACTED]
2017/18	22,909	\$ [REDACTED]
2018/19	17,946	\$ [REDACTED]

Source: [REDACTED] Refer Confidential Appendix A2.

Table 2 confirms that Thai exporters have continued to export HSS to Australia following the imposition of measures in August 2015.

- *Whether the exporter(s) has retained distribution links in Australia;*

Orrcon is aware that Thailand manufacturers of HSS have maintained distribution channels into the Australian market. In the recent HSS Canada Border Services Agency (“CBSA”) continuation investigation, it was noted by the CBSA that Australia is one of the major export markets for Thai HSS exporters¹. Table 2 above confirms that Thailand continues to be a major source of supply for HSS into Australia and, should the measures be allowed to expire, Thailand exporters of the subject goods would likely increase export volumes to Australia.

It is also observed that there have been two accelerated review of measures inquiries involving exports of HSS to Australia since measures were imposed in August 2015. Accelerated review Investigation No. 382 involved the export of HSS to Australia by Thai Premium Pipe Co., Ltd (“Thai Premium”) and accelerated review Investigation No. 451 by Atlantic Pipe Co., Ltd (“Atlantic Pipe”) also commenced. The accelerated review for Atlantic Pipe was withdrawn and did not proceed to finalization, whereas the Thai Premium accelerated review investigation resulted in the determination of separate variable factors for the applicant exporter.

¹ CBSA Statement of Reasons CSWP2 2017 ER, 22 May 2018, P. 38.

Orrcon has also furnished competitive offers for Thai. HSS, including most recently by [*commercially sensitive import offer details*] (refer Confidential Attachments 4 and 5). Orrcon monitors competitive offers for all HSS and has observed [*commercially sensitive import offer details*] (refer Confidential Attachment 6).

Orrcon therefore is satisfied that Thai. exporters of HSS have maintained distribution links into the Australian HSS market.

- *Whether the exporter retains an excess capacity that may be directed to Australia;*

The CBSA cited in its recent continuation investigation a report by the Economic Intelligence Centre (EIC) of the Siam Commercial Bank Public Company Ltd on Thailand's domestic market conditions, stating there has been:

*"...a rapid increase of steel pipe imports from China [that] has had a significant impact on Thailand's steel pipe industry as Chinese imports are gaining market share by undercutting prices of domestic Thai steel pipe. In 2014, the share of Chinese producers in the steel pipe import market increased by 40 per cent from the previous year. This trend continued in 2015, increasing by 16% in the first six months in comparison to the same period in 2014."*²

The CBSA confirmed that exports of Thailand origin welded steel pipe had increased since 2015, with a 22 per cent increase in 2016, and a further 106 per cent increase for first nine months of 2017 (over 2016 imports).

Despite measures being in place, Thailand exporters have actively sought to increase HSS export volumes as domestic market share has been eroded by Chinese exports to Thailand.

Orrcon views the competitive position in the Thailand domestic market viz-a-viz the influx of Chinese welded pipe and the increase in export volumes to Canada as indicative that the Thailand exporters retain excess capacity to supply attractive markets such as Canada and Australia – even with anti-dumping measures in place.

(c) Will the material injury recur?

- *Market trends following the imposition of the measures;*

The Australian market for HSS has remained relatively buoyant following the imposition of measures on exports from Thailand in August 2015. In Report No. 379 the Commission determined that the Australian HSS market was approximately 480,000 tonnes and this "*was driven primarily by housing and construction activity*".

Over the periods subsequent to the investigation period in Report No. 379 (i.e. investigation period 1 July 2015 to 30 June 2016), housing starts and construction activity have maintained moderately stable demand for HSS, up until 2019/20 when housing and construction activity is forecast to decline.

Should the size of the Australian market decline, the impact of dumped imports increases as there is a diminishing volume for all suppliers to service – from local production and import sources. The identified influence of Chinese exports on the Thailand domestic market suggests that Thailand exporters would seek to supply export markets with increasing volumes. In 2017/18, imports from Thailand had increased by 29 per cent on the previous year. Orrcon considers that this increase in Thai-origin exports to Australia can be attributed to the delay in anti-dumping measures being reviewed to reflect contemporary prices.

² Ibid, P.39.

It is Orrcon's view that the Australian market has remained relatively stable over the last two years, and that Thailand exporters of the subject goods continue to supply the Australian market with significant volumes as evidenced in published import data.

• *Likelihood of material injury in the absence of the anti-dumping measures;*

Orrcon submits that should the measures be allowed to expire on 19 August 2020, there exists a strong likelihood that the Australian industry manufacturing HSS will again experience material injury that the measures are intended to prevent.

The anti-dumping measures were imposed in 2015 on the basis that margins of dumping considered not insignificant existed on exports of HSS from Thailand to Australia. The margins of dumping determined were in the range 5.7 per cent to 29.7 per cent. The Commission concluded that during the investigation period HSS exports from Thailand had undercut the Australian industry's selling prices by between 7.2 per cent and 21.0 per cent³. The Commission's analysis confirmed that the price undercutting existed "for all importers over the investigation period."

In making its determination, the Commission also concluded that:

"The information collected from the Australian industry and importers support ATM's claim that the Australian HSS market shows significant price sensitivity and price is the major criteria in customers' purchasing decisions. The Commission also understand[s] that the product and brand differentiation is minimal as long as the products sold satisfy the standards' (i.e. AS/NZS 1163) chemical, mechanical, quality and tolerance criteria. The Commission therefore considers that price undercutting has had significant injury effects on Australian industry."

Orrcon does not consider that the Commission's confirmation that the Australian HSS market is a price-sensitive market has altered over the intervening period. In review of measures Report No. 445 ("Report 445") the Commission confirmed that Pacific Pipe was continuing to export at dumped prices (with measures in place) and determined a dumping margin of 5.6 per cent. For Sahathai, a negative 3.6 per cent margin was calculated. In respect of Thai Premium, a 0.7 per cent margin was calculated and for Atlantic, a zero margin was determined.

In a price sensitive market, it is likely that Thai exporters – that are subject to increasing pressures in their own domestic market from Chinese exporters of welded pipe – would, should the measures be allowed to expire, reduce export prices to increase export volumes to Australia. This would result in a recurrence of price undercutting of Australian HSS producers, causing price depression and price suppression, and reduced profits and profitability.

• **Conclusion and recommendation**

Orrcon therefore considers that it is reasonable to assume that should the anti-dumping measures applicable to HSS exported from Thailand be allowed to expire on 19 August 2020, then there exists a very strong likelihood that the Australian industry manufacturing like goods would experience a recurrence of the material injury that the anti-dumping measures are intended to prevent.

It is further noted that the same conclusions have recently been made by administrations in both Canada and the USA on the expiry of anti-dumping measures on certain welded pipe (i.e. HSS) exported from Thailand into their respective countries.

³ Report No. 254, Section 8.4.2, P. 58.

Orrcon requests the Commissioner to conduct an investigation into the continuation of the anti-dumping measures on HSS exported from Thailand to Australia. Orrcon looks forward to assisting the Commission with its investigations to secure an extension of the measures on HSS exported from Thailand for a further five-year period.

5. The applicant must provide details of the current anti-dumping measure(s) the subject of this continuation application, including:

- *tariff classification*

The tariff classifications of HSS exported to Australia are as follows:

- 7306.30.00 statistical codes 31, 32, 33, 34, 35, 36 and 37 (circular hollow sections);
- 7306.50.00 statistical code 45 (other circumlar cross sections of other alloys of steel);
- 7306.61.00 statistical codes 21, 22 25 and 90 (rectangular or square hollow sections); and
- 7306.69.00 statistical code 10 (other non-circular cross-sections).

- *the countries or companies:*

The anti-dumping measures apply to all exporters of HSS from Thailand.

- *specified date of publication of the measure:*

The Parliamentary Secretary to the Minister for Industry ("the Parliamentary Secretary") decision was published in *The Australian* newspaper and the *Commonwealth of Australia Gazette* on 19 August 2015.

ADN 2015/102 was published on 20 August 2015 also notifying of the decision. A copy of ADN 2015/102 is included at Non-Confidential Attachment 1.

Provision of data

Industry financial data must, wherever possible, be submitted in an electronic format.

- The data should be submitted on a media format compatible with Microsoft Windows.
- Microsoft Excel, or an Excel compatible format, is required.
- If the data cannot be presented electronically please contact the Commission's client support section for advice.

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:

- preferably, email, using the email address clientsupport@adcommission.gov.au, or

- post to:

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

- facsimile, using the number (03) 8539 2499.

Public Record

During an investigation all interested parties are given the opportunity to defend their interests, by making a submission. The Commission maintains a

public record of these submissions. The public record is available on the Commission's website at www.adcommission.gov.au.

At the time of making the application both a confidential version (for official use only) and non-confidential version (public record) of the application must 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. If you cannot provide a non-confidential version, contact the Commission's client support section for advice.



ANTI-DUMPING NOTICE NO. 2015/102

Certain Hollow Structural Sections Exported from the Kingdom of Thailand

Findings in Relation to a Dumping Investigation

Customs Act 1901 – Part XVB

On 21 July 2014 I, Dale Seymour, the Commissioner of the Anti-Dumping Commission published a notice announcing the initiation of an investigation into the alleged dumping of certain hollow structural sections (HSS) exported to Australia from the Kingdom of Thailand.

The goods are classified to the following tariff subheadings in Schedule 3 of the *Customs Tariff Act 1995*:

- 7306.30.00 (statistical codes 31, 32, 33, 34, 35, 36 and 37);
- 7306.50.00 (statistical code 45);
- 7306.61.00 (statistical codes 21, 22, 25 and 90); and
- 7306.69.00 (statistical code 10).

A full description of the goods is available in Anti-Dumping Notice No. 2014/59, which is available on the internet at www.adcommission.gov.au

Findings and recommendations were reported to the Parliamentary Secretary to the Minister for Industry (the Parliamentary Secretary) in *Anti-Dumping Commission Report No. 254* (REP 254), in which it outlines the investigations carried out by the Commission and recommends the publication of a dumping duty notice in respect of the goods. The Parliamentary Secretary has considered REP 254 and has accepted the recommendations and reasons for the recommendations, including all material findings of fact or law on which the recommendations were based, and particulars of the evidence relied on to support the findings.

Notice of the Parliamentary Secretary's decision was published in *The Australian* newspaper and the *Commonwealth of Australia Gazette* on 19 August 2015.

In REP 254, it was found that:

- HSS exported from Thailand to Australia were dumped with margins ranging from 5.7% to 29.7%;
- the dumped exports caused material injury to the Australian industry producing like goods; and
- continued dumping may cause further material injury to the Australian industry.

Accordingly, I recommended that a dumping duty notice in respect of HSS exported from Thailand be published in accordance with subsections 269TG(1) and 269TG(2) of the *Customs Act 1901* (the Act).

The method used to compare export prices and normal values to establish the dumping margin was to compare the weighted average export prices with corresponding normal values over the investigation period under subsection 269TACB(2)(a) of the Act. The normal value was established under subsections 269TAC(1) of the Act. The export price was established under subsections 269TAB(1)(a) of the Act.

Particulars of the dumping margins established for each of the exporters and the effective rates of duties are set out in the following table.

Exporter / Manufacturer	Dumping Margins	Duty Method
Sahathai Steel Pipe Public Company Limited	5.7%	Ad valorem
Pacific Pipe Public Company Limited	15.1%	Ad valorem
Samchai Steel Industries Public Company Limited	19.8%	Ad valorem
Uncooperative and all other exporters	29.7%	Ad valorem

The effective rate of duty that has been determined is an amount worked out in accordance with the ad valorem duty method, as detailed in the table above.

Measures apply to goods that are exported to Australia after publication of the Parliamentary Secretary's notice. Measures also apply to goods that were exported to Australia after the Commissioner made a preliminary affirmative determination to the day before the Parliamentary Secretary's decision was published.

Any dumping securities that have been taken on and from 16 March 2015 will be converted to interim dumping duty.¹ Pursuant to section 12 of the *Customs Tariff (Anti-Dumping) Act 1975* (the Dumping Duty Act), conversion of securities to interim duty will not exceed the level of security taken.

The actual duty liability may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the Commission on 13 28 46 or at clientsupport@adcommission.gov.au for further information regarding the actual duty liability calculation in their particular circumstance.

To preserve confidentiality, the export price, normal value and non-injurious price applicable to the goods will not be published. Bona fide importers of the goods can obtain details of the rates from the Dumping Liaison Officer in their respective capital city.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel, in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

Clarification about how measures are applied to 'goods on the water' is available in Australian Customs Dumping Notice No. 2012/34, available at www.adcommission.gov.au.

¹ Within the time limitations of section 45 of the Act.

REP 254 has been placed on the Commission's public record. The public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au.

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2409, fax number +61 3 8539 2499 or email at operations4@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

20 August 2015



ANTI-DUMPING NOTICE NO. 2019/106

Customs Act 1901 – Part XVB

Hollow Structural Sections

Exported from the Kingdom of Thailand

Expiry of anti-dumping measures

Notice under subsection 269ZHB(1) of the Customs Act 1901

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, in accordance with subsection 269ZHB(1) of the *Customs Act 1901* (the Act),¹ advise that the anti-dumping measures on hollow structural sections, exported to Australia from the Kingdom of Thailand, are due to expire.

The anti-dumping measures were initially imposed by public notice (a dumping duty notice) on 19 August 2015 by the then Parliamentary Secretary to the Minister for Industry and Science following consideration of the *Anti-Dumping Commission Report No.254*. The dumping duty notice is due to expire on 19 August 2020.

Those persons as specified in subsection 269ZHB(1)(b) of the Act are invited to apply for the continuation of the measures. The application must be in writing, be in the form I have approved for the purposes of section 269ZHC, contain such information that the form requires, be signed in the manner indicated in the form, and be lodged in the manner approved under section 269SMS. Applications must be lodged by 1 November 2019.

The application must provide evidence addressing whether there appear to be reasonable grounds for asserting that the expiration of the anti-dumping measures to which the application relates might lead, or might be likely to lead, to a continuation of, or a recurrence of, the material injury that the measures are intended to prevent.

If an application is received that complies with the prescribed requirements and I decide not to reject that application, I will publish a notice on the Anti-Dumping Commission's website indicating that it is proposed to inquire whether continuation of the measures is justified. I will undertake an inquiry and report my recommendation to the Minister for Industry, Science and Technology within 155 days of publication of the notice advising the commencement of the inquiry (or such longer period as may be allowed in accordance with section 269ZHI of the Act).

If no application is received within the period specified above, the anti-dumping measures applying to hollow structural sections, exported to Australia from the Kingdom of Thailand will expire on 19 August 2020. Therefore on and from 20 August 2020 anti-dumping measures would no longer apply.

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

Copies of the approved application form and the accompanying guidelines are available at www.adcommission.gov.au. Enquiries about this notice should be made to business.gov.au on telephone 13 28 46 or +61 2 6213 6000 (outside Australia) or email clientsupport@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

2 September 2019