



ANTI-DUMPING NOTICE NO. 2019/153

Hot Rolled Structural Steel Sections

Exported to Australia from Japan, the Republic of Korea,

Taiwan and the Kingdom of Thailand

Findings of an Exemption Inquiry No 0077

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have completed an exemption inquiry in relation to anti-dumping measures applying to certain hot rolled structural steel sections (the goods) exported to Australia from Japan, the Republic of Korea (Korea), Taiwan and the Kingdom of Thailand (Thailand).

The exemption was sought pursuant to subsection 8(7)(b) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under this provision the Minister for Industry, Science and Technology (the Minister) may exempt goods from interim dumping and dumping duty if satisfied:

that a Tariff Concession Order under Part XVA of the *Customs Act 1901* in respect of the goods is in force.

The anti-dumping measures

Anti-dumping measures, in the form of a dumping duty notice, were initially imposed on certain hot rolled structural steel sections by public notice on 20 November 2014.¹ These measures were continued for a further five years from 12 November 2019.²

For further details as to the current rates of duty, refer to the Anti-Dumping Commission website at www.adcommission.gov.au.

¹ Anti-Dumping Commission Report 223 refers.

² Anti-Dumping Commission Report 505 refers.

The goods

The goods to which the current anti-dumping measures apply are:

Hot rolled structural steel sections in the following shapes and sizes, whether or not containing alloys:

- universal beams (I sections), of a height greater than 130 mm and less than 650 mm;
- universal columns and universal bearing piles (H sections), of a height greater than 130 mm and less than 650 mm;
- channels (U sections and C sections) of a height greater than 130 mm and less than 400 mm; and
- equal and unequal angles (L sections), with a combined leg length of greater than 200 mm.

Sections and/or shapes in the dimensions described above, that have minimal processing, such as cutting, drilling or painting do not exclude the goods from coverage of the investigation.

The measures do not apply to the following goods:

- hot rolled 'T' shaped sections, sheet pile sections and hot rolled merchant bar shaped sections, such as rounds, squares, flats, hexagons, sleepers and rails; and
- sections manufactured from welded plate (e.g. welded beams and welded columns).

Goods identified as hot rolled non-alloy steel sections (meeting the specified shapes and sizes set out above) are generally classified to the tariff subheading in Schedule 3 of the Customs Tariff Act 1995:

- 7216.31.00 statistical code 30 (channels — U and C sections);
- 7216.32.00 statistical code 31 (universal beams — I sections);
- 7216.33.00 statistical code 32 (universal column and universal bearing piles — H sections); and
- 7216.40.00 statistical code 33 (equal and unequal angles — L sections).

Goods identified as hot rolled alloy steel sections (meeting the specified shapes and sizes set out above) are generally classified to tariff subheading 7228.70.00 (statistical codes 11 and 12) in schedule 3 of the Customs Tariff Act 1995.

The exemption goods

The exemption goods are specified in TCO No. 19104997, being:

UNEQUAL ANGLES, hot-rolled steel sections, complying with Australian and New Zealand standard AS/NZS 3679:1:2016, Grade 300 OR Grade 350, having EITHER of the following:

- (a) leg size 150 mm x 90 mm having ANY of the following:

- (i) thickness being 8 mm OR 10 mm OR 12 mm;
 - (ii) lengths of 9 m OR 10.5 m OR 12 m,
- (b) leg size 150 mm x 100 mm having ANY of the following:
- (i) thickness being 10 mm OR 12 mm;
 - (ii) lengths of 9 m OR 10.5 m OR 12 m

The goods subject to measures are currently classified to the tariff subheading 7216.40.00 of Schedule 3 to the *Customs Tariff Act 1995*.

The inquiry

An application was lodged by OneSteel Manufacturing Pty Ltd (OneSteel)³ on 4 July 2019. I sought information from interested parties, including the Australian industry producing the goods.

Following these inquiries, I made a recommendation to the Minister that she exercise the discretion under subsection 8(7)(b) to exempt the exemption goods from the duties on the basis that the requirements of that subsection had been satisfied.

The Minister has accepted my recommendation and has exempted the goods, the subject of the application, from interim dumping and dumping duties through *Ministerial Exemption Instrument No. 5 of 2019*, from 4 July 2019.

Exemption Inquiry Report No. 0077 details the findings of this exemption inquiry and is available on the Anti-Dumping Commission's (Commission's) website: www.adcommission.gov.au.

Further Information

If importers believe that goods they are importing are exempted from dumping duty in accordance with the exemption instrument, when they or their broker enter these goods for home consumption via the Integrated Cargo System, the exemption category 'GOODS' should be selected and no dumping duties will be applied to the shipment.

Parties seeking a refund of the duties already paid should contact the Commission's client support team on 132846 or +61 2 6213 6000 or email: clientsupport@adcommission.gov.au.

The exemption granted as a result of this inquiry may be subject to review and may be revoked by the Minister if circumstances change.

³ From 29 July 2019, the applicant is known as OneSteel Manufacturing Pty Ltd trading as *Infrabuild Steel*.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Commission on 13 28 46 or for international callers on +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

19 December 2019