



ANTI-DUMPING NOTICE NO. 2022/011

Precision Pipe and Tube Steel

Exported to Australia from the People's Republic of China

and the Republic of Korea

Initiation of Exemption Inquiry EX0091

Customs Tariff (Anti-Dumping) Act 1975

I, Dr Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, have initiated an exemption inquiry in relation to certain goods the subject of anti-dumping measures applying to precision pipe and tube steel (the goods) exported to Australia from the People's Republic of China (China) and the Republic of Korea (ROK).

The exemption category being sought is under sections 8(7) and 10(8) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under this provision the Minister for Industry, Energy and Emissions Reduction (Minister) may exempt goods from interim dumping and dumping duties and interim countervailing duties and countervailing duties (the duties) where 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 and countervailing duty notice, were initially imposed on precision pipe and tube steel by public notice on 29 September 2021 by the Anti-Dumping Notices (ADNs) Nos. 2021/109 and 2021/110 following consideration of the *Anti-Dumping Commission Report No. 550* (REP 550). Dumping duties are applicable to exports of the goods from China and the Republic of Korea, and countervailing duties are applicable to exports of the goods from non-cooperative entities from China. The Ministerial Exemption Instrument No 4 of 2021 effective from 2 June 2021 exempts the following goods from the duties:

Air heater tubes to the Australian Standard (AS) 2556, up to and including 101.6 mm outside diameter.

The Exemption Goods

The goods the subject of the exemption inquiry are certain precision pipe and tube steel (“the exemption goods”).

The applicant provided further details as follows:

Chrome plated steel tube in 16mm and 19mm outside diameters.

The exemption goods are classified to the tariff subheading 7306.30.00 of Schedule 3 to the *Customs Tariff Act 1995*.

The exemption inquiry will examine whether the goods the subject of the application satisfy the conditions of the sections 8(7) and 10(8) of the Dumping Duty Act.

The Current Inquiry

An application for exemption has been made to the Minister by Emro Products Pty Ltd.

After making inquiries of the Australian industry producing precision pipe and tube steel and other interested parties, I will recommend to the Minister whether the goods should be exempted from the anti-dumping measures.

Public Record

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of transparency, a public record will be maintained. This notice, along with a non-confidential version of the application and any non-confidential submissions that are received, will be published on the public record, available at www.adcommission.gov.au.

Lodgment of Submissions

Interested parties are invited to lodge written submissions concerning this inquiry no later than the close of business on 16 March 2022, addressed to:

The Director
Investigations,
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

or email investigations@adcommission.gov.au.

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests; or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "OFFICIAL: Sensitive".

Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

Report to the Minister

There is no legislated timeframe for completing the report and recommendation to the Minister.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the case manager on email investigations@adcommission.gov.au.

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

2 February 2022