



ANTI-DUMPING NOTICE NO. 2022/110

Hollow Structural Sections

Exported to Australia from the People's Republic of China, the Republic of Korea, Malaysia and Taiwan Initiation of Exemption Inquiry No EX0096

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 hollow structural sections (HSS) exported to Australia from the People's Republic of China (China), the Republic of Korea (ROK), Malaysia and Taiwan.

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 these sections the Minister for Industry and Science (Minister) may exempt goods from dumping and countervailing 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

The current anti-dumping measures were initially imposed by public notices on 3 July 2012 following International Trade Remedies Branch Report No. 177. Interim dumping duties apply to all exporters of HSS from China, Malaysia and Taiwan. Interim dumping duties apply to all exporters of HSS from ROK except Kukje Steel Co Ltd and Hi-Steel Co., Ltd. Interim countervailing duties apply to all exporters from China, except Dalian Steelforce Hi-Tech Co. Ltd, Huludao City Steel Pipe Industrial Co. Ltd and Qingdao Xianxing Steel Pipe Co. Ltd.

The Exemption Goods

The goods subject to the exemption inquiry (the exemption goods) are certain hollow structural sections.

Emro Products Pty Ltd (the applicant) provided further details regarding the exemption goods as follows:

- Chrome plated steel tube in 25mm outside diameters (circular) and

- Chrome plated steel tube 30x15mm (oval).

The exemption goods are classified to the tariff subheading 7306.30.00 (statistical code 31) for circular tube and 7306.69.00 (statistical code 10) for oval tube of Schedule 3 to the *Customs Tariff Act 1995*.

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

The Current Inquiry

Emro Products Pty Ltd applied for this exemption.

After making inquiries of the Australian industry producing HSS and other interested parties, I will recommend to the Minister whether to exempt the exemption goods 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

I invite interested parties to lodge written submissions concerning this inquiry via email to investigations4@adcommission.gov.au no later than the close of business on 30 January 2023, addressed to:

The Director
Investigations 4
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

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 via email at investigations4@adcommission.gov.au.

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

22 December 2022