



ADRP Conference Summary

2018/88 Certain Hollow Structural Sections exported from the People's Republic of China, the Republic of Korea and Taiwan

Panel Member	Paul O'Connor
Review type	Review of Minister's Decision - Certain Hollow Structural Sections exported from the People's Republic of China, the Republic of Korea, Malaysia and Taiwan
Date	20 February 2019
Participants	Mr Rhys Piper and Mr Adam Hourigan, Anti-Dumping Commission (Commission)
Time opened	11:00 AEDT
Time closed	11:30 AEDT

Purpose

The purpose of this conference was to obtain further information in relation to the review before the Anti-Dumping Review Panel (Review Panel) in relation to Hollow Structural Sections exported from the People's Republic of China, the Republic of Korea, Malaysia and Taiwan.

The conference was held pursuant to section 269ZZHA of the *Customs Act 1901* (the Act).

In the course of the conference, I asked the Commission representatives to clarify certain aspects of the Reinvestigation of Certain Findings in Report 419 (Reinvestigation Report) and accompanying documentation submitted by the Commission to the Review Panel on 31 January 2019. The conference was not a formal hearing of the review, and was not an opportunity for parties to argue their case before me.

I have only had regard to information provided at this conference as it relates to relevant information, within the meaning of section 269ZZK(6) of the Act. Any conclusions reached at this conference are based on that relevant information. Information that relates to some new argument not previously put in an application or submission is not something that the Review Panel has regard to, and is therefore not reflected in this conference summary.



Discussion

1. The specific information the Review Panel sought in this conference was limited to information relating to two Applicants: Ursine Steel Co., Ltd (Ursine) and Tianjin Youfa International Trade Co Ltd (Tianjin Youfa).
2. The Commission representatives confirmed Ursine had been given a draft copy of the Reinvestigation Report and was asked for comment. Ursine did not raise any issue with the methodology and analysis adopted by the Commission, as reflected in the draft report. Ursine did raise some issues regarding adjustments. Those comments were accepted by the Commission and consequential amendments were made to the Reinvestigation Report prior to its submission to the Review Panel.
3. At a conference convened on 15 January 2019, Commission representatives indicated acceptance of an argument put by Tianjin Youfa to the effect that the Commission should limit its focus, in relation to raw material input costs of HRC and HR strip, only to those entities within the Tianjin Youfa group who had consumed those materials in the production of goods exported to Australia. Previously, the Commission had focused upon the production costs of the Tianjin Youfa group as a whole.
4. The Commission then undertook to provide recalculated figures for the consideration of the Review Panel. The recalculations were submitted to the Review Panel on 31 January 2019.
5. In light of the changed approach to the determination of the cost of HRC and HR strip, the Commission considers it would also be appropriate to only have regard to other production costs incurred by the entities that produced the goods exported to Australia rather than to the production of the group as a whole. The Review Panel agreed such an approach appeared consistent with the argument advanced by Tianjin Youfa. The relevant production costs incurred by the entities who had exported the goods to Australia included: other raw material costs; direct labour; manufacturing overheads; and other costs.
6. The changed methodology resulted in a slight increase in the dumping margin.



7. At conference it was agreed Commission representatives would provide Tianjin Youfa with copies of the relevant documents detailing the new methodology and the resulting calculations and invite them to forward any comments direct to the Review Panel. Given the limited period available for adherence to the statutory review period, it was acknowledged, Tianjin Youfa's opportunity to comment would necessarily be limited.

Paul O'Connor
Panel Member
Anti-Dumping Review Panel
22 February 2019