



Australian Government
Anti-Dumping Review Panel

Customs Act 1901

Notice under section 269ZZI

Hollow Structural Sections exported from the People’s Republic of China, the Republic of Korea, Malaysia and Taiwan

The Anti-Dumping Review Panel (“Review Panel”) received applications from Austube Mills Pty Ltd (“ATM”) and Orrcon Manufacturing Pty Ltd (“Orrcon”) (“the applicants”) seeking a review of a decision by the Minister for Industry and Science to:

- secure the continuation of the anti-dumping measures applying to Hollow Structural Sections exported from the People’s Republic of China, Korea, Malaysia and Taiwan pursuant to s.269ZHG(1)(b) of the *Custom Act 1901* (“the Act”); and
- in accordance with s.269ZHG(4)(a)(ii) of the Act, determine that the dumping duty notice cease to apply to Hi-Steel Co., Ltd (“Hi-Steel”) (“Reviewable Decision”).

The applicants have sought review of the Reviewable Decision in so far as it relates to the decision under s.269ZHG(4)(a)(ii), relating to Hi-Steel. The Reviewable Decision was published on the Anti-Dumping Commission (“ADC”) website on 1 July 2022.¹

The Review Panel is satisfied that the following grounds are reasonable grounds for the Reviewable Decision not being the correct or preferable decision:

Austube Mills

- i. Incorrect determination of the date of sale for the export sales for the Korean exporter Hi-Steel in the determination of the dumping margin.
- ii. The inclusion of non-manufactured goods in the determination of normal value of goods exported to Australia by Hi-Steel, was not the correct or preferable decision.
- iii. The decision not to secure the continuation of the anti-dumping measures applying to HSS exported to Australia from Korea by Hi-Steel, was not the correct or preferable decision.

Orrcon

- i. The determination of the dumping margin for the Korean exporter Hi-Steel based on an export price assessment using the order date as the date of sale, was not the correct or preferable decision.

The Review Panel proposes to conduct a review of the Reviewable Decision in relation to the above grounds.

¹ ADN 2022/049.

The goods to which these applications relate are:

Certain electric resistance welded pipe and tube made of carbon steel, comprising circular and non-circular hollow sections in galvanised and non-galvanised finishes. 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 in-line galvanised (ILG), pre-galvanised or hot-dipped galvanised (HDG) and non-galvanised 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 1277.3 mm.

Categories of HSS excluded from the goods are conveyor tube; precision RHS with a nominal thickness of less than 1.6 mm and air heater tubes to Australian Standard (AS) 2556.

Submissions

Interested parties have **30 days** from the date on which this notice is published to provide the Review Panel with a submission. Your submission should indicate your eligibility to make a submission as either an interested party to the Reviewable Decision or as one of the specified entities under section 269ZZJ of the Act.

If your submission contains confidential information, you must provide a public version that can be published on the Review Panel website. Failure to do so will result in your submission not being considered.

You may either email your submission to ADRP@industry.gov.au or mail the submission to:

Anti-Dumping Review Panel Secretariat
GPO Box 2013
Canberra City ACT 2601

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the applications for review, which set out the grounds for seeking review in full, and other documents are available on the public record of the review at www.adreviewpanel.gov.au

The reports of the original investigation are available on the ADC website at www.adcommission.gov.au

Leora Blumberg
Panel Member
Anti-Dumping Review Panel
1 September 2022