



Conference Summary

Review No. 182 - Hollow Structural Sections exported to Australia from the People's Republic of China, the Republic of Korea, Malaysia and Taiwan.

Panel Member	Paul O'Connor
Review type	Review of Minister's decision
Date	Tuesday 1 September 2026
Participants	Anti-Dumping Commission (Commission): [REDACTED] [REDACTED] [REDACTED]
Time opened	1.30pm AEST
Time closed	1:55pm AEST

Purpose

The Anti-Dumping Review Panel (Review Panel) opened the conference with an Acknowledgment of Country.

The purpose of this conference was to obtain further information in relation to the review before the 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 was able to ask parties to clarify any argument, claim or specific detail contained in their application or submission. The conference was not a formal hearing of the review and was not an opportunity for parties to argue their case before me.

In accordance with section 269ZZHA(2), in making a recommendation under subsection 269ZZK(1), I may have regard to:

- (a) further information provided at this conference to the extent that it relates to "relevant information" within the meaning of section 269ZZK(6) of the Act;
- (b) any conclusions reached at this conference based on "that relevant information".

At the time of the conference, I advised the participants:



- That the conference was being recorded and transcribed by Microsoft Teams (as facilitated by the Review Panel's Secretariat), and that the recording would capture everything said during the conference.
- That the conference was being recorded for the Review Panel to have regard to when preparing a conference summary. The conference summary would then be published on the Review Panel's website.
- Any confidential information discussed during the conference would be redacted from the conference summary prior to publication.

Prior to the conference, participants were provided with a copy of the Review Panel's Privacy Statement. The Privacy Statement outlines who the conference recording and transcript may be disclosed to. The Privacy Statement is available on the Review Panel's website [here](#). The participants indicated that they understood the Privacy Statement and consented to:

- The recording of the conference; and
- The recording being dealt with as set out in the Privacy Statement.

Further information requested

The specific information that the Review Panel sought in this conference was:

- **Swaging within Notice Scope:** The Review Panel sought clarification as to whether swaged hollow structural sections were covered by the operative notices. The Commission explained that swaging was not expressly stated in the notices but was considered covered by the tariff classifications and the historical difference between the notices and the report description.
 - **Notice Language:** The Commission confirmed that neither the original notice nor the 2016 operative notice expressly referred to swaging. The original notice used tariff classifications rather than a narrative goods description, which was unusual for these measures.
 - **Tariff Classification:** The Commission considers swaged goods to be classifiable under the tariff classifications identified in the original notice. On



that basis, the swaged goods fall within the scope of the original measures despite the absence of an express reference to swaging.

- **Report Footnote:** The Commission acknowledged that footnote 8 should have been removed from the final report after the Commission chose an alteration different from the one proposed in the SEF. The wording was standard text used in reports and the Dumping Commodity Register when tariff headings and statistical codes were referenced.
- **Historical Description:** Previously the Dumping Commodity Register used a text-based goods description drawn from the original report, which contained references to swaging and exclusions that did not appear in the notice itself. The register has since been updated to reflect the tariff-based goods description in the current notice.
- **Application of regulation 48 of the Customs (International Obligations)**

Regulation 2015 (Regulations): The Review Panel questioned how the comparison required by reg 48(3) contributes to determining the mandatory elements in reg 48(2). The Commission explained that the comparison is primarily used to assess whether the goods were slightly modified under Regulation 48.2(b).

 - **Mandatory Elements:** The Review Panel observed that reg 48(2) contains mandatory requirements concerning circumvention goods and that several elements—such as export from a relevant country, intended export, use and purpose, and whether the goods would otherwise be covered by the notice—can be determined objectively.
 - **Required Comparison:** The Review Panel asked how the comparison between the circumvention goods and the goods covered by the notice assists with resolving the objective requirements under reg 48(2). The question focused on the apparent relationship between the mandatory requirements in paragraph 2 and the comparison required by paragraph 3.
 - **Slight Modification Test:** The Commission indicated the comparison and the non-exhaustive factors in reg 48(3) help determine whether the goods were slightly modified as the factors are considered together and are normally reviewed in full as a matter of practice.



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- **Wire Mesh Example:** The Commission cited a recent wire-mesh matter in which wire rod was processed into mesh by cutting, crisscrossing, and welding. Despite the limited additional raw material, the transformation was found not to be a slight modification, with the significant modification cost identified as a relevant factor.
- **Australian Torque Tube Production:** The Review Panel sought clarification of the Australian industry's relationship with Nextpower and its production activities. The Commission confirmed the Australian industry operates swaging and drilling lines capable of converting hollow structural sections into torque tubes while alternative Australian processors could also perform drilling. The Commission confirmed the Australian industry has a facility in Queensland with two production lines installed enabling the production of torque tubes.
- **Swaging Process:** The lines receive tube at one end, enlarge or swage the tube end so that tubes can be fitted together, and then pass the tube through drilling stands. The equipment turns the tube and drills the required holes before the finished torque tube exits the line.
- **Production Sources:** The Commission indicated that the Australian industry can produce torque tubes from hollow structural sections at its own facility, potentially in required or non-standard sizes. The Commission clarified the arrangement did not assume drilling would need to occur in the field; swaged torque tubes could instead be supplied to another processor with suitable drilling capability.