



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	Thursday 3 September 2026
Participants	<u>Gransolar Construction Australia Pty Ltd (Gransolar)</u> • Russell Wilkinson, Applicant's Representative • Dean Merriman, Barrister • Andrea Wilson, Gransolar • Katherine Hawley, Gransolar • Pedro Azamar, Gransolar • Alfonso Gonzalez Moreno, PV Hardware
Time opened	3:00pm AEST
Time closed	3:50pm 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 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 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 is set out below.

- **Ground Two Comparison Methodology:** The Review Panel examined the argument that the Anti-Dumping Commission incorrectly compared the alleged circumvention goods with a narrow subset of hollow structural sections, while Gransolar representatives explained that the comparison should instead consider the broad universe of goods covered by the original notices.
 - **Commission Comparison:** The Review Panel identified a potential distinction between the goods covered by the notice under tariff classification 7306 and the imported torque tubes classified under 7308. The Review Panel noted the Commission report discussed the local manufacturer's capability to produce torque tubes in addition to comparing the goods described in the notice with the imported product.



- **Narrowed Product Scope:** Gransolar noted Regulation 48 requires comparison between the goods covered by the notice and the alleged circumvention goods. Gransolar explained that the Commission instead took the broad universe of products capable of falling within the original notice and excluded everything except products comparable to torque tube material with holes, making a finding of comparability almost inevitable.
- **Required Analytical Approach:** Gransolar suggested the Commission should have considered the full universe of products within the original notices and distilled from it the relevant factors required under Regulation 48(3). Gransolar acknowledged that this is difficult because the notices use tariff classifications covering a broad range of products, but said that difficulty does not remove the statutory requirement.
- **Effect On Regulation 48 Factors:** Gransolar suggested narrowing the comparison from a broad group of products (HSS) to a narrow product (HSS with holes) distorted the assessment of end use, manufacturing process, customer preferences, physical characteristics and likely pricing, and that this distortion affected the application of Regulation 48(2)(c), resulting in an error of law.
- **Torque Tube Product Specificity:** Gransolar described the imported goods as engineered components of a complete solar-tracker system, designed for particular projects and environmental conditions rather than as generic steel tube, supporting Grand Solar's position that the products have a distinct use and manufacturing process.
 - **Tracker System Procurement:** Gransolar noted it imports components as original equipment from an original equipment manufacturer that engineers them for a specific tracker. The components are imported separately for logistical reasons, assembled on site in Australia, and incorporated into the complete tracker system delivered to the end client.
 - **Project-Specific Design:** Gransolar said the torque tube is not a standard component taken from an existing manufacturing process. Its dimensions, thickness, material grade, finish and length are designed according to project-site coordinates and environmental conditions, particularly wind speed.



- **Octagonal Torque Tube:** Gransolar purchases a complete solar tracker system from its OEM supplier. The OEM supplier has transitioned from square torque tubes to octagonal torque tubes as part of the evolution of its tracker design to improve torsional performance, tilt **accuracy**, and overall tracker efficiency. Gransolar does not design or engineer the tracker system and imports the product as supplied by the OEM without further modification.
- **Approved Manufacturing** The OEM supplier manages the qualification, approval, and validation of manufacturers through its own quality assurance and supply chain processes. Components are produced according to the OEM's design specifications and quality requirements. Gransolar does not select, appoint, or qualify manufacturers, but purchases the complete tracker system from the OEM supplier, who is responsible for sourcing and manufacturing decisions.
- **Manufacturing And Functional Differences:** Gransolar maintains that drilled and engineered torque tubes are not interchangeable with generic hollow structural sections because their holes, shape, strength, tolerances and connections support specialised tracker functions and exclude ordinary uses such as conveying liquids or supporting general structures.
 - **Hole Functions:** It was noted that holes at one end accommodate cable bonding to establish electrical connectivity and comply with applicable Australian electrical requirements. Other holes are shaped and positioned to connect the octagonal tube to the slew drive and transmit torsional force.
 - **Segmented Construction:** The torque tube forms one component of a complete, project-specific solar tracking system supplied by the OEM. While torque tube sections are imported separately for transportation, handling, and logistics purposes, they are designed and manufactured to be assembled with the other tracker components into a finished solar tracking system at the project site. Gransolar does not undertake any manufacturing, fabrication, or modification of the torque tubes after importation, but only performs installation and assembly activities in accordance with the OEM's design and specifications.
 - The supply of torque tube sections as separate lengths does not change their intended function as dedicated components of an integrated solar tracker



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system. Gransolar's normal procurement model is the purchase of a complete tracker system from the OEM, rather than the purchase of standalone torque tubes.

- **Market Interchangeability:** Gransolar noted drilling holes can make a product incapable of serving substantial generic HSS uses, including conveying liquids or gases. A drilled torque tube is therefore not interchangeable with products used for those purposes, and its specialised engineering and higher manufacturing demands create different market dynamics from generic tube.
- **Different End Uses:** Gransolar contrasted the specialised torque tube with generic HSS used for purposes such as supporting a street sign. The products differ in manufacturing processes, customer preferences, physical characteristics, likely pricing and end use, and that comparing only an undrilled tube with a drilled tube conceals those broader differences.

The Review Panel confirmed that the oral submissions clarified the arguments Gransolar had made in Ground Two of its application for review and thanked all participants for their assistance.