



Australian Government

Anti-Dumping Review Panel

Customs Act 1901

Notice under section 269ZZI

CERTAIN HOLLOW STRUCTURAL SECTIONS exported from THE KINGDOM OF THAILAND

The Anti-Dumping Review Panel has received applications from COMMERCIAL METALS PTY LTD ('CMC') for review of a decision by the Parliamentary Secretary to the former Minister for Industry and Science ('Parliamentary Secretary') to publish a dumping duty notice in respect of certain HOLLOW STRUCTURAL SECTIONS ('HSS') exported from THE KINGDOM OF THAILAND. Notice of the decision was published in the Commonwealth Gazette on 19 August 2015.

The grounds raised by CMC's application for the decision under review not being the correct or preferable decision include:

- (a) The Parliamentary Secretary did not properly consider whether injury to the Australian industry was caused by factors other than the export into Australia of the goods; and
- (b) The Parliamentary Secretary was not authorised to publish a Dumping Duty Notice under s 269TG(1) of the Act because no Thai exporter had requested, pursuant to s 45(3A) of the Act, an extension of any the securities beyond the period of 4 months contemplated by s 45.

The goods to which this application relates are certain electric resistance welded pipe and tube made of steel, comprising circular and non-circular hollow sections in galvanised and non-galvanised finishes, whether or not including alloys. Finish types for the goods include pre-galvanised, hot-dipped galvanised, and non-galvanised sections. 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 950.0 mm. Circular hollow sections with other than plain ends (such as threaded, swaged and shouldered) are included within the goods coverage.

The Anti-Dumping Review Panel proposes to conduct a review of the decision. Interested parties may make submissions to the Panel within **30 days** after the date of publication of this notice.

Submissions may be emailed to **ADRP@industry.gov.au** Submissions may also be posted to:

The Anti-Dumping Review Panel, c/o ADRP Secretariat, Legal, Audit & Assurance, Department of Industry, Innovation and Science, GPO Box 9839 ACT 2600 Australia.

Please note that the Panel has also received applications for review of the decision from Sahathai Steel Pipe Public Company Limited ('Sahathai') and Pacific Pipe Public Company Limited ('Pacific Pipe'). The Panel indicated by notice published on 12 October 2015 that it intended to conduct a review in response to those applications.

The review arising from CMC's application is separate from the review arising from the applications of Sahathai and Pacific Pipe. The time limits in this review are different from the time limits applicable to the review arising from the applications of Sahathai and Pacific Pipe. Further, s269ZZK of the Act limits the matters to which the Panel may have regard in conducting reviews. If it is considered that submissions are relevant to both the review the subject of this notice and the review arising out of the applications by Sahathai and Pacific Pipe, submissions should be made in respect of both reviews.

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the application for review, which set out the full grounds for seeking review 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 Anti-Dumping Commission website at www.adcommission.gov.au

Scott Ellis, Member
Anti-Dumping Review Panel