



Australian Government
Department of Industry,
Innovation and Science

Anti-Dumping
Commission

ANTI-DUMPING NOTICE NO. 2018/74

Certain Hollow Structural Sections

Exported from the People's Republic of China, the Republic of
Korea, Malaysia and Taiwan

Findings in Relation to a Review of Anti-Dumping Measures

*Notice under subsection 269ZDB(1) of the Customs Act 1901
and subsections 8(5) and 10(3B) of the Customs Tariff (Anti-Dumping) Act 1975*

The Commissioner of the Anti-Dumping Commission has completed a review, which commenced on 14 July 2017, of the anti-dumping measures applying to certain hollow structural sections (the goods) exported to Australia from the People's Republic of China (China), the Republic of Korea (Korea), Malaysia and Taiwan. The anti-dumping measures are in the form of a countervailing duty notice in respect of China and a dumping duty notice in respect of China, Korea, Malaysia and Taiwan.

Recommendations resulting from that review, reasons for the recommendations and material findings of fact and law in relation to the review are contained in *Anti-Dumping Commission Report No. 419 (REP 419)*.

I, ZED SESELJA, the Assistant Minister for Science, Jobs and Innovation (Assistant Minister)¹ have considered REP 419 and have decided to accept the recommendations and reasons for the recommendations, including all the material findings of facts or law set out in REP 419.

Under subsection 269ZDB(1)(a)(iii) of the *Customs Act 1901* (the Act), I declare that, for the purposes of the Act and the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act), that, with effect from the date of publication of this notice the dumping duty notice applying to the goods exported to Australia from China, Korea, Malaysia and Taiwan and the countervailing duty notice applying to the goods exported to Australia from China are to be taken to have effect as if different variable factors had been fixed in respect of exporters generally, relevant to the determination of duty.

To preserve confidentiality, details of the revised variable factors being the Ascertained Export Price (AEP), Ascertained Normal Value (ANV) and amount of countervailable subsidy received will not be published.

I, ZED SESELJA, the Assistant Minister, DETERMINE, pursuant to subsection 8(5) of the Dumping Duty Act, that the interim dumping duty (IDD) payable on the goods exported to Australia be an amount worked out in accordance with the

¹ On 20 December 2017, the Prime Minister appointed the Assistant Minister for Science, Jobs and Innovation. For the purposes of this decision the Minister is the Assistant Minister for Science, Jobs and Innovation.

combination of fixed and variable duty method pursuant to subsections 5(2) and (3), and the floor price duty method pursuant to subsections 5(4) and (5), of the *Customs Tariff (Anti-Dumping) Regulation 2013*, as detailed in the table below, to take effect the day following publication of this notice.

I, ZED SESELJA, the Assistant Minister, DIRECT, pursuant to subsection 10(3B)(a) of the Dumping Duty Act, that the interim countervailing duty (ICD) payable be ascertained as a proportion of the export price of the goods.

Exporter	Dumping margin	Subsidy margin (if applicable)	Fixed rate of combined IDD and ICD (if applicable)	Variable component of IDD
CHINA				
Dalian Steelforce	11.0%		11.0%	Combination of fixed and variable duty method
Huludao	22.0%		22.0%	
Tianjin Youfa	10.2%	1.3%	10.4%	
Residual exporters#	12.2%	1.3%	12.4%	
Uncooperative and all other	77.3%	46.7%	121%	
MALAYSIA				
Uncooperative and all other	53.1%			Floor price method
KOREA				
Kukje	0%			Combination of fixed and variable duty method
Uncooperative and all other	0%			
TAIWAN				
FEMCO	26.7%			Floor price method
Shin Yang	0%			
Ta Fong	9.8%			Combination of fixed and variable duty method
Ursine	8.5%			
Residual exporters#	16.2%			
Uncooperative and all other	42.6%			

The calculation of the combined fixed rate of ICD and IDD is not simply a matter of adding the dumping and subsidy margins together for any given exporter, or group of exporters. For each exporter or group of exporters, the combined fixed rate of ICD and IDD will be the sum of:

- the subsidy rate calculated for all countervailable programs; and
- the dumping rate calculated, less an amount for the subsidy rate applying to Program 20 (where this has been received by the exporter or group of exporters).

as specified in REP 419.

The actual duty liability may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the Anti-Dumping Commission (the Commission) business.gov.au on 132846 or +61 2 6213 6000 or at clientsupport@adcommission.gov.au for further information regarding the actual duty liability calculation in their particular circumstance.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel (www.adreviewpanel.gov.au) in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

The Anti-Dumping Review Panel can be contacted by mail, phone, fax or email:

Anti-Dumping Review Panel
c/o Legal, Audit and Assurance Branch
Department of Industry, Innovation and Science
10 Binara Street
CANBERRA CITY
ACT 2601, AUSTRALIA
Phone: +61 2 6276 1781
Fax: +61 2 6213 6821
Email: ADRP@industry.gov.au

REP 419 has been placed on the Commission's public record. The public record may be examined at www.adcommission.gov.au. Alternatively, the public record may be examined at the Commission's office during business hours by contacting the case manager on the details provided below.

Enquiries about this notice may be directed to the case manager on telephone number (02) 6243 7446, fax number +61 3 8539 2499 (outside Australia) or email investigations4@adcommission.gov.au.

Dated this 31st day of May 2018.



ZED SESELJA
Assistant Minister for Science, Jobs and Innovation