



ANTI-DUMPING NOTICE NO. 2019/48

Certain Hollow Structural Sections

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

Findings of exemption inquiry no. EX0064

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have completed exemption inquiry no. EX0064 in relation to certain goods which are the subject of anti-dumping measures applying to hollow structural sections exported to Australia from the People's Republic of China (China), the Republic of Korea (Korea), Malaysia and Taiwan.

The exemption was sought by JG Thomas Pty Ltd (JG Thomas) pursuant to subsections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions the Minister for Industry, Science and Technology (the Minister) may exempt goods from interim dumping duty, dumping duty, interim countervailing duty and countervailing duty (collectively, the duties) if satisfied:

'that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.'

The anti-dumping measures

The goods for which the exemption was sought are exported from China, Korea, Malaysia and Taiwan and subject to anti-dumping measures in the form of a dumping duty notice and countervailing duty notice (the notices). These measures were initially imposed on the goods by public notice on 3 July 2012. A notice to continue the measures on and after 2 July 2017 by the then Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science was published following consideration of *Anti-Dumping Commission Report No. 379*.

The dumping duty notice is applicable to all exporters from China, Korea, Malaysia and Taiwan and the countervailing duty notice is applicable to all exporters from China except Dalian Steelforce Hi-Tech Co Ltd, Huludao City Steel Pipe Industrial Co Ltd and Qingdao Xianxing Steel Pipe Co Ltd.

The exemption goods

The goods the subject of the exemption inquiry (the exemption goods) are certain hollow structural sections described as follows:

Circular hollow steel conduit pipe that has been manufactured through an electric resistance welding process, in pre-galvanised or hot dipped galvanised finish, and meeting specifications required by Australian Standard AS/NZS 61386.21. Wall thickness ranging from 1.6 mm to 3.0 mm, with a length of 3 to 4 metres, Outside Diameters of 25 mm, 32 mm, 40 mm, 50 mm and 63 mm, both ends threaded to AS/NZS 61386.21 clause 8.203.3 and supplied with coupling on one end. The conduit to be marked with Standard and Size.

The applicant further advised that the exemption goods are used in the electrical industry. The application states that the exemption goods are classified to tariff subheading 7306.30.00 (statistical codes 31 and 34) of Schedule 3 to the *Customs Tariff Act 1995*.

The inquiry

Following an application by JG Thomas, an importer of the exemption goods, I have reviewed information gathered from interested parties, including the Australian industry that manufactures hollow structural sections. I concluded that like or directly competitive goods are offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.

I made a recommendation to the Minister that she not be satisfied that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.

The Minister has accepted my recommendation.

A copy of *Exemption Inquiry Report No. EX0064* is available on the Anti-Dumping Commission (Commission) website (www.adcommission.gov.au).

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Commission on 13 28 46 or for international callers on +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

3 April 2019