



## **ANTI-DUMPING NOTICE NO. 2015/45**

### **Certain Hollow Structural Sections Exported from the People's Republic of China Initiation of a Review of Anti-Dumping Measures Relating to Dalian Steelforce Hi-Tech Co Ltd**

#### ***Customs Act 1901 – Part XVB***

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (the Commission) have initiated a review of the anti-dumping measures applying to certain hollow structural sections (HSS) exported to Australia from the People's Republic of China (China) by Dalian Steelforce Hi-Tech Co Ltd (Dalian Steelforce).

#### **The Goods**

The goods subject to anti-dumping measures, in the form of dumping and countervailing duty notices, (the goods) are:

*certain electric resistance welded pipe and tube made of carbon steel, comprising circular and non-circular hollow sections in galvanised and non-galvanised finishes. The goods are normally referred to as either CHS (circular hollow sections) or RHS (rectangular or square hollow sections). The goods are collectively referred to as HSS (hollow structural sections). Finish types for the goods include in-line galvanised (ILG), pre-galvanised, hot-dipped galvanised (HDG) and non-galvanised HSS.*

Sizes of the goods are, for circular products, those exceeding 21mm up to and including 165.1mm in outside diameter and, for oval, square and rectangular products those with a perimeter up to and including 1277.3mm. Categories of HSS excluded from the goods are conveyor tube; precision RHS with a nominal thickness of less than 1.6mm and air heater tubes to Australian Standard (AS) 2556.

The goods are currently classified to the tariff subheadings 7306.30.00 (statistical codes 31, 32, 33, 34, 35, 36 and 37); 7606.50.00 (statistical code 45); 7306.61.00 (statistical codes 21, 22, 25 and 90); and 7306.69.00 (statistical code 10) in Schedule 3 of the *Customs Tariff Act 1995*. These goods are subject to a 5 per cent Customs duty.

The review will examine whether the variable factors relevant to the taking of the anti-dumping measures have changed.

#### **Background to the measures**

The anti-dumping measures were initially imposed by public notice on 3 July 2012 by the then Minister for Home Affairs following a dumping and countervailing investigation into HSS exported from China, and the Minister's consideration of *International Trade Remedies Report No. 177* (REP 177).

Following a review by the former Trade Measures Review Officer, Australian Customs and Border Protection Service (ACBPS) conducted a reinvestigation into certain findings made in REP 177. *International Trade Remedies Report No. 203* sets out the new findings made by ACBPS as a result of the reinvestigation.

To give effect to this decision the former Minister published new dumping and countervailing duty notices under the then section 269ZZM of the *Customs Act 1901* (the Act). These notices, which came into effect on 13 May 2013, replaced the dumping and countervailing duty notices published on 3 July 2012.

### **The current review**

An application has been made under subsection 269ZA(1) of the Act for a review of the dumping and countervailing duty notices in relation to the goods exported to Australia from China by Dalian Steelforce. The application was lodged by Steelforce Australia Pty Ltd and Steelforce Traders Pty Ltd.

A notice indicating that I am proposing to review the measures was published in *The Australian* on 9 April 2015. The review period is 1 January 2014 to 31 December 2014 and covers exports by Dalian Steelforce from China. The review will examine whether the variable factors relevant to the taking of the measures have changed.

After concluding the review, I will recommend to the Parliamentary Secretary to the Minister for Industry and Science (the Parliamentary Secretary) that the dumping duty notice:

- i. remain unaltered; or
- ii. have effect as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that anti-dumping measures applying to HSS are no longer warranted, that party may lodge an application<sup>1</sup> no later than 19 May 2015 to request that I consider that evidence to extend this review of anti-dumping measures to include revocation.

### **Public Record**

A public record must be maintained for each review of anti-dumping measures undertaken by the Commission. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined at the Commission office by contacting the case manager on the details provided below. Alternatively, the public record is available at [www.adcommission.gov.au](http://www.adcommission.gov.au)

### **Lodgment of submissions**

<sup>1</sup> In accordance with section 269ZCB of the Act.

Interested parties, as defined by subsection 269T(1) of the Act, are invited to lodge written submissions concerning this review, no later than the close of business on 19 May 2015, addressed to:

The Director  
Operations 2,  
Anti-Dumping Commission  
GPO Box 1362  
Melbourne VIC 3001

or email [operations2@adcommision.gov.au](mailto:operations2@adcommision.gov.au), or fax to 1300 882 506.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received by the Commission after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY".

Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

### **Statement of Essential Facts**

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Parliamentary Secretary within the legislative timeframe. A statement of essential facts will be placed on the public record by 28 July 2015, or by such later date as the Parliamentary Secretary allows in accordance with section 269ZHI of the Act. The statement will set out the essential facts on which I proposes to base a recommendation to the Parliamentary Secretary. That statement will invite interested parties to respond to the issues raised within 20 days of the statement being placed on the public record.

### **Report to the Parliamentary Secretary**

Submissions received in response to the statement of essential facts will be taken into account in preparing the report and recommendation to the Parliamentary Secretary. A recommendation to the Parliamentary Secretary will be made in a report on or before

11 September 2015 (or such later date as the Parliamentary Secretary allows under section 269ZHI of the Act).

**Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the case manager on telephone number 02 6275 6393, fax number 1300 882 506 or +61 3 9244 8902 (outside Australia) or email at [operations2@adcommission.gov.au](mailto:operations2@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

9 April 2015