

## 駐澳大利亞代表處經濟組 函

受文者：經濟部國際貿易署

發文日期：中華民國113年7月24日

發文字號：澳經發字第1130000328號

速別：普通件

密等及解密條件或保密期限：

附件：如文（澳經發1130000328\_Attach1.pdf、澳經發1130000328\_Attach2.pdf）

主旨：有關澳洲反傾銷委員會(ADC)公告展延「自日本、韓國、泰國及臺灣(我商豐興鋼鐵、志成及東和除外)進口熱軋結構型鋼反傾銷措施檢討案」報告事，報請鑒察。

說明：

一、依據ADC本(2024)年7月22日第2024/044號公告及同年4月2日第2024/021號公告辦理。

二、前揭ADC公告要點如次：

(一)ADC於2014年11月20日裁定對自我國等進口之特定熱軋結構型鋼(certain hot rolled structural steel sections)實施反傾銷措施。適用產品稅號包括：

7216.31.00、7216.32.00、7216.33.00、7216.40.00。

(二)ADC受理澳洲業者OneSteel Manufacturing Limited申請，就本案產品展開反傾銷措施檢討(review of anti-dumping measures)。檢討期間為2023年4月1日至2024年3月31日。ADC將撰擬檢討建議並提請產業部長裁定是否續實施或修改反傾銷措施。

(三)另公布本案型號代碼結構(MCC structure)，用以比較出口國出口至澳洲貨品及出口國在本國銷售同類貨品。

(四)本案基礎事實報告(Statement of Essential Facts, SEF)原訂2024年7月22日完成，最後認定報告(final report)於2024年9月5日前完成。因ADC內部因素，延後至2024年11月29日完成SEF，2025年2月10日完成最後認定報告。

(五)倘擬詢問本案內容，請逕電郵至  
investigations@adcommission.gov.au。

三、檢陳ADC公告如附件，併請鑒參。

正本：經濟部國際貿易署

副本：經濟部國際貿易署雙邊貿易一組





Customs Act 1901 – Part XV B

## **Anti-Dumping Notice No 2024/021**

### **HOT ROLLED STRUCTURAL STEEL SECTIONS**

**EXPORTED FROM JAPAN, THE REPUBLIC OF KOREA,  
TAIWAN (EXCEPT BY FENG HSIN STEEL CO LTD,  
T S STEEL CO., LTD AND TUNG HO STEEL ENTERPRISE  
CORPORATION) AND THE KINGDOM OF THAILAND**

### **Initiation of a Review of Anti-Dumping Measures No 642**

#### ***Notice under section 269ZC(4) of the Customs Act 1901<sup>1</sup>***

I, Isolde Lueckenhausen, the Acting Commissioner of the Anti-Dumping Commission (the Acting Commissioner),<sup>2</sup> have initiated a review of the anti-dumping measures applying to certain hot rolled structural steel sections (the goods) exported to Australia from Japan, the Republic of Korea, Taiwan (except by Feng Hsin Steel Co., Ltd, T S Steel Co., Ltd and Tung Ho Steel Enterprise Corporation) and the Kingdom of Thailand.

The review will be limited to examining whether the variable factors relevant to the taking of the anti-dumping measures as they affect all exporters in general should be varied.

#### **The goods**

The goods subject to anti-dumping measures, in the form of a dumping duty notice, are:

<b>Full description of the goods the subject of the application</b>
<p>Hot rolled structural steel sections in the following shapes and sizes, whether or not containing alloys:</p> <ul style="list-style-type: none"><li>• universal beams (I sections), of a height greater than 130 mm and less than 650 mm;</li><li>• universal columns and universal bearing piles (H sections), of a height greater than 130mm and less than 650 mm;</li><li>• channels (U sections and C sections) of a height greater than 130 mm and less than 400mm; and</li><li>• equal and unequal angles (L sections), with a combined leg length of greater than 200mm.</li></ul> <p>Sections and/or shapes in the dimensions described above, that have minimal processing, such as cutting, drilling or painting do not exclude the goods from coverage of the investigation.</p>



<sup>1</sup> All legislative references in this notice are to the *Customs Act 1901*, unless otherwise stated.

<sup>2</sup> Any reference to my current role as Acting Commissioner in this notice, should be read to include whoever occupies the role at a future time.

Further information
<p>The goods subject to the anti-dumping measures do not include:</p> <ul style="list-style-type: none"> <li>• hot rolled 'T' shaped sections, sheet pile sections and hot rolled merchant bar shaped sections, such as rounds, squares, flats, hexagons, sleepers and rails; and</li> <li>• sections manufactured from welded plate (e.g. welded beams and welded columns).</li> </ul>

The goods are generally, but not exclusively, classified to the following tariff subheadings of Schedule 3 to the *Customs Tariff Act 1995* (Cth):<sup>3</sup>

Tariff code	Description			
<b>7216</b>	ANGLES, SHAPES AND SECTIONS OF IRON OR NON-ALLOY STEEL:			
<b>7216.3</b>	- U, I or H sections, not further worked than hot-rolled, hot-drawn or extruded, of a height of 80 mm or more:			
	Statistical code	Unit	Description	Duty rates
<b>7216.31.00</b>	30	tonnes (t)	-- U sections	5% (DCS: Free) <sup>4</sup>
<b>7216.32.00</b>	31	t	-- I sections	5% (DCS: Free)
<b>7216.33.00</b>	32	t	-- H sections	5% (DCS: Free)
<b>7216.40.00</b>	33	t	- L or T sections, not further worked than hot-rolled, hot-drawn or extruded, of a height of 80 mm or more	5% (DCS: Free)

### **Background to the measures**

The anti-dumping measures were initially imposed by public notice on 20 November 2014 by the then Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary) following consideration of *Anti-Dumping Commission Report No 223*.<sup>5</sup>

The dumping duty notice was subsequently altered as the result of recommendations made in:

- Review 345 – exports of the goods from Taiwan by Tung Ho Steel
- Review 346 – exports of the goods from Thailand by Siam Yamato Steel Co Ltd
- Accelerated review 359 – exports of the goods from Taiwan by Dragon Steel Corporation
- Review 465 – exports of the goods from Korea by all exporters
- Review 499 – exports of the goods by all exporters
- Continuation 505 – exports of the goods by all exporters.

Further details on the goods and existing measures are available on the Dumping Commodity Register on the Anti-Dumping Commission (commission) website, [www.adcommission.gov.au](http://www.adcommission.gov.au).

<sup>3</sup> These tariff classifications and statistical codes may include goods that are both subject and not subject to the anti-dumping measures. The listing of these tariff classifications and statistical codes is for convenience and reference only and does not form part of the goods description. Refer to the goods description for authoritative detail regarding goods subject to the anti-dumping measures.

<sup>4</sup> DCS refers to Developing Countries Status; the list of relevant countries can be found in the [Customs Tariff Regulations 2004](#). None of the countries subject to measures have DCS.

<sup>5</sup> [Anti-Dumping Notice \(ADN\) No 2014/127](#).

## **The current review**

An application was lodged by OneSteel Manufacturing Limited under section 269ZA(1) of the Act for a review of the anti-dumping measures.

Particulars of the reasons for the decision to review the measures covered by the application are shown in *Attachment 1: Review of Measures Application – Consideration Assessment*, which has been placed on the public record.

The review period is 1 April 2023 to 31 March 2024. The review will examine whether the variable factors relevant to the taking of the measures have changed.

After concluding the review, the Commissioner will recommend to the Minister that the dumping duty notice:

- i. remain unaltered, or
- ii. have effect in relation to a particular exporter or to exporters generally, as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy the Commissioner that there are reasonable grounds for determining that anti-dumping measures are no longer warranted, that party may lodge an application<sup>6</sup> no later than 10 May 2024 to request that the Commissioner consider that evidence to extend a review of anti-dumping measures to include revocation.

## **Proposed Model Control Code structure**

The commission undertakes model matching using a Model Control Code (MCC) structure to identify key characteristics that will be used to compare the goods exported to Australia and the like goods sold domestically in the country of export.<sup>7</sup>

The table below outlines the commission's proposed MCC structure for this review.

Category	Sub-category	Identifier	Sales data	Cost data
Prime	Prime	P	Mandatory	Not applicable
	Non-prime	N		
Shape	Universal Beams ('I' sections)	I	Mandatory	Mandatory
	Universal Columns and Universal Bearing Piles ('H' sections)	H		
	Channels ('U' or 'C' sections)	C		
	Angles (Equal and Unequal Angle sections)	A		
Minimum yield strength	Less than 265 MPa	A	Mandatory	Mandatory
	Greater than or equal to 265 MPa	B		
Tensile strength	Less than 400 MPa	A	Optional	Optional
	Greater than or equal to 400 MPa and less than 450 MPa	B		
	Greater than or equal to 450 MPa and less than 500 MPa	C		
	Greater than or equal to 500 MPa	D		

<sup>6</sup> In accordance with section 269ZCB of the Act.

<sup>7</sup> Guidance on the commission's approach to model matching is in the Dumping and Subsidy Manual, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Category	Sub-category	Identifier	Sales data	Cost data
Thickness	Minimum cross-sectional thickness less than 11 mm	1	Optional	Optional
	Minimum cross-sectional thickness greater than or equal to 11 mm	2		
Dimension	Beam or section height less than 230 mm	S	Optional	Optional
	Beam or section height equal to or greater than 230 mm	L		
Weldability	Carbon equivalent value specified in relevant standard	Y	Optional	Optional
	Carbon equivalent value not specified in relevant standard	N		

‘Prime’ refers to steel that is of acceptable quality for the application for which it is intended and not of some lower level of quality such as ‘defective’. ‘Shape’ refers to section such as beam, column, channel or angle. ‘Minimum yield strength’ refers to steel made to a standard which explicitly specifies minimum yield strength. ‘Tensile strength’ refers to minimum tensile strengths. ‘Thickness’ refers to the minimum thickness of flanges or webs. ‘Dimension’ refers to beam, column, channel or angle height. ‘Weldability’ refers to steel made to a standard which explicitly specifies a maximum carbon equivalent value.

As an example of how goods will be classified using this MCC structure, a prime ‘I’ section universal beam with:

- minimum yield strength of 400 MPa
- tensile strength of 400 MPa
- 10 mm cross sectional thickness
- height of 200 mm and
- specified carbon equivalent value,

would have an MCC of P-I-B-B-1-S-Y.

Proposals to modify the proposed MCC structure should be raised as soon as is practicable, but no later than 10 May 2024.

Interested parties are encouraged to make a submission on whether any proposed modifications to the MCC structure should be accepted by the commission. Any changes to the MCC structure will be considered by the commission and reported in verification reports or in the statement of essential facts (SEF).

### **Future reviews**

Under section 269ZA(2) of the Act, an application for a review must not be made earlier than 12 months after the publication of the notice implementing the original measure or the notice declaring the outcome of the last review. Once a notice declaring the outcome of this review is published (regardless of the outcome), an application for a review of measures in relation to the dumping duty notice that is the subject of this review cannot be made for a period of 12 months.

### **Public record**

A public record must be maintained for each review. The public record must contain, among other things, a copy of all submissions from interested parties. The public record for this review is available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

## **Lodgement of submissions**

Interested parties, as defined by section 269T(1) of the Act, are invited to lodge written submissions concerning this review, no later than 10 May 2024, addressed to:

The Director - Investigations  
Anti-Dumping Commission  
GPO Box 2013  
Canberra ACT 2601

or email [investigations2@adcommission.gov.au](mailto:investigations2@adcommission.gov.au), or fax to +61 3 8539 2499.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that the Commissioner is 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 SEF 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 the Commissioner 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 "OFFICIAL: Sensitive".

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 the Commissioner to report to the Minister within the legislative timeframe. A SEF will be placed on the public record by 23 July 2024, or by such later date as allowed in accordance with section 269ZHI of the Act.<sup>8</sup>

The SEF will set out the essential facts on which the Commissioner propose to base a recommendation to the Minister. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

## **Report to the Minister**

Submissions received in response to the SEF will be taken into account in preparing the report and recommendation to the Minister. A recommendation to the Minister will be made in a report on or before 5 September 2024 (or such later date as allowed under section 269ZHI of the Act).

## **Anti-Dumping Commission contact**

Enquiries about this notice may be directed to [investigations@adcommission.gov.au](mailto:investigations@adcommission.gov.au).

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<sup>8</sup> On 14 January 2017, the Parliamentary Secretary delegated the powers and functions of the Minister under section 269ZHI of the Act to the Commissioner of the Anti-Dumping Commission. Refer to Anti-Dumping Notice No. 2017/10 for further information.

Isolde Lueckenhausen  
Acting Commissioner  
Anti-Dumping Commission

2 April 2024





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# **ANTI-DUMPING NOTICE No 2024/044**

## **Review of Measures No 642 in relation to Hot Rolled Structural Steel Sections**

**Exported from Japan, The Republic of Korea,  
Taiwan (except by Feng Hsin Steel Co Ltd,  
T S Steel Co., Ltd and Tung Ho Steel Enterprise  
Corporation) and The Kingdom of Thailand**

## **Extension of time granted to issue the Statement of Essential Facts and Final Report**

*Customs Act 1901 – Part XVB*

The Commissioner of the Anti-Dumping Commission (the Commissioner) has extended the due date to publish the Statement of Essential Facts (SEF) and provide the final report and recommendation to the Minister about the above case.<sup>1</sup>

### **New milestone dates**

**SEF** – The SEF is now due to be placed on the public record on, or before, **29 November 2024**

**Response to SEF** – Interested parties are invited to make submissions in response to the SEF within 20 days of the SEF being placed on the public record.

**Final Report** – A recommendation to the Minister will be made in a final report which is now due on, or before, **10 February 2025**.

The previous due date for the SEF was 22 July 2024. The previous due date for the final report was 5 September 2024.

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<sup>1</sup> They do so under section 269ZHI(3) of the *Customs Act 1901*. On 19 January 2017, the Parliamentary Secretary to the Minister for Industry, Innovation and Science delegated the powers and functions of the Minister under section 269ZHI of the Act to the Commissioner. See Anti-Dumping Notice 2017/10 for further information.

## **PUBLIC RECORD**

### **Basis for extension**

I, Matthew Williams, am the Acting Deputy Commissioner, Investigations, Anti-Dumping Commission (commission). I requested the extension of the due date to publish the SEF and to provide the final report and recommendation to the Minister.

I requested the extension because of the commission's changing business requirements.

### **Further information and enquiries**

The commission's website ([www.adcommission.gov.au](http://www.adcommission.gov.au)) contains all public records for commission cases. The public record for each case includes the initiating notice and also notices of any previously granted extensions of time. Initiating notices contain full case details, including original milestone dates and a description of the goods.

You can enquire about this notice by contacting the Case Manager via email at [investigations@adcommission.gov.au](mailto:investigations@adcommission.gov.au).

Matthew Williams  
Acting Deputy Commissioner, Investigations  
Anti-Dumping Commission

22 July 2024