

PUBLIC VERSION

The Commissioner
Anti-Dumping Commission
55 Collins Street
Melbourne VIC 3000

12th May 2018

Dear Sir/Madam

**APPLICATION FOR EXEMPTION FROM DUMPING DUTIES
WIND TOWER SECTIONS - KEPPEL PRINCE ENGINEERING PTY LTD and
GOLDWIND AUSTRALIA PTY LTD**

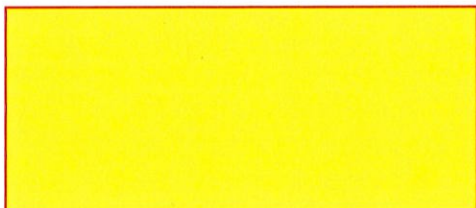
On behalf of Keppel Prince Engineering Pty. Ltd. and Goldwind Australia Pty Ltd. I hereby wish to request an Exemption from Anti-Dumping Duties for certain steel wind tower sections.

APPLICANTS

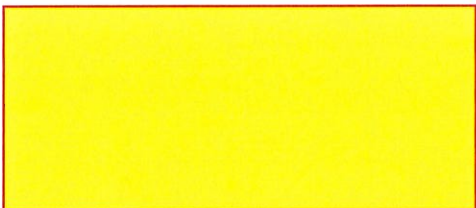
Keppel Prince Engineering Pty Ltd
ABN 62 004 727 619
184 Darts Road
Portland, Victoria, 3305
Telephone : 03 5523 8888

Goldwind Australia Pty Ltd
ABN 32 140 108 390
Level 7, 31 Queen Street,
Melbourne Victoria. 3000

CONTACT PERSON – KEPPEL PRINCE



CONTACT PERSON – GOLDWIND



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PERSON LODGING APPLICATION AND CONTACT

Robert Long
Customs Adviser



APPLICANTS INTEREST AS AN AFFECTED PARTY

Keppel Prince is a manufacturer of steel wind tower sections in Australia using Bluescope steel.
Bluescope Steel is a manufacturer of steel in Australia.
Keppel Prince was also a co-applicant in relation to these particular Dumping and Countervailing Measures.
Goldwind is a Project Manager for wind tower farms

OTHER PARTIES

Crisp Brothers and Hayward Pty Ltd trading as
Haywards Steel Fabrication & Construction
ACN 009 483 694



1 Boral Road
Western Junction TAS 7212
Telephone : (03) 6391 8508

BlueScope Steel Pty Ltd



Manager, International Trade Affairs Level 2
Sirius Building
Five Islands Rd, Port Kembla NSW 2505
Telephone : 02 4240 1201



There are no other parties known to have an interest in this particular Exemption Application. No parties objected to the granting of the TCO which is the basis for this Application.

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GROUNDINGS FOR EXEMPTION

Under the Customs Tariff (Anti-Dumping) Act 1975, The Minister may, by notice in writing exempt goods from Dumping Duty [paragraphs 8(7)(b)] and countervailing duty [paragraph 10(8)(aa)] where a Tariff Concession Order (TCO) in respect of the goods is in force.

Exemptions

(7) The Minister may, by notice in writing, exempt goods from interim dumping duty and dumping duty if he or she is satisfied:

(b) that a Tariff Concession Order under Part XVA of the Customs Act 1901 in respect of the goods is in force;

(8) The Minister may, by notice in writing, exempt goods from interim countervailing duty or countervailing duty if he or she is satisfied:

(aa) that a Tariff Concession Order under Part XVA of the Customs Act 1901 in respect of the goods is in force.

TC 1813104 Operative Date 29.01.2018 is in force for the goods subject to this Application.

KNOWN AUSTRALIAN MANUFACTURERS

There are no known manufacturers of the goods subject to this Exemption Application other than the Applicant Keppel Prince Engineering Pty Ltd and Haywards Steel Fabrication and Construction.

CURRENT MEASURES

Report Number 221

Anti-Dumping Notice No 2014/33

Anti-Dumping Notice No 2013/68

Preliminary Affirmative Determination Number 221 (PAD 221)

Statement of Essential Fact No. 221 (SEF 221)

Dumping Commodity Register – Wind Towers

DESCRIPTION OF GOODS SUBJECT TO MEASURES

The ‘description of goods’ subject to measures are:

Certain utility scale wind towers, whether or not tapered, and sections thereof (whether exported assembled or unassembled), and whether or not including an embed being a tower foundation section. Wind turbines that have electrical power generation capacities equal to or in excess of 1.00 megawatt (MW) and with a minimum height of 50 metres measured from the base of the tower to the bottom of the nacelle (i.e. where the top of the tower and nacelle are joined) when fully assembled. A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, end-finish, painting, treatment or method of manufacture, and with or without flanges, doors, or internal or external components (e.g., flooring/decking, ladders, lifts, electrical junction boxes, electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section.

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DESCRIPTION OF GOODS SUBJECT TO MEASURES (continued)

The following descriptions are excluded from measures, exemption type "GOODS" applies:
Nacelles and rotor blades, regardless of whether they are attached to the wind tower.
Any internal or external components which are not attached to the wind towers or sections thereof.

Goods subject to measures should be classified using the tariff sub-headings and associated statistical codes below:

Tariff subheading	Statistical code
7308.20.00	03, 04
7308.90.00	52, 53, 54, 55, 56, 63, 65
8502.31.10	31

COUNTRIES SPECIFIED IN DUMPING AND COUNTERVAILING MEASURES

Exported from the People's Republic of China and the Republic of Korea

EXPORTERS SPECIFIED

As listed in in the Dumping Commodity Register.

DATE MEASURES IMPOSED

16th April 2014

REASONS FOR SEEKING EXEMPTION DETAILED DESCRIPTION OF GOODS

Tariff Classification 7308.90.00

SECTIONS, WIND GENERATOR TOWER, having ALL of the following:

- (a) plate steel having a thickness of NOT less than 30 mm and NOT greater than 60 mm;
- (b) section length NOT less than 15 500 mm and NOT greater than 22 000 mm;
- (c) section weight NOT less than 80 metric tonnes and NOT greater than 120 metric tonnes;
- (d) outer diameter NOT less than 4 400 mm and NOT greater than 4 900 mm

As specified in TC 1813104 Operative Date 29.01.2018

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CONDITIONS THAT PROVIDE GROUNDS TO MAKE EXEMPTION

Substitutable goods are not manufactured in Australia.

The Applicant was the Applicant in relation to TCO 1761480.

The Applicant met the requirements of Section 269FA of the Customs Act 1901 in relation to this TCO. There was no Objection to the granting of this TCO

The other Applicant for Dumping Measures does not object to the granting of such an Exemption.

The Application for Exemption from Dumping Duties is hereby submitted for your consideration. Should you have any questions or require any clarification in relation to this Application please do not hesitate to contact me on 0405736732.

Yours Sincerely

Robert Long

Robert Long

Customs and Tariff Adviser

On behalf of Keppel Prince Engineering Pty. Ltd. and Goldwind Australia Pty Ltd



Reply to Comptroller General of Customs

Quote: TC 1813104

Your Ref: [REDACTED]

Department of Home Affairs
PO Box 25
Belconnen ACT 2616
Ph: (02) 6198 7289
Fax: (02) 6198 7203
Email: tarcon@border.gov.au

11 May 2018

By email: [REDACTED]

BOB LONG
[REDACTED]

Dear Bob,

TARIFF CONCESSION SYSTEM
APPLICATION SUCCESSFUL

I refer to your application for Tariff Concession Order (TCO) Number TC 1813104 lodged on 29 January 2018.

As a delegate of Comptroller-General of Customs I am satisfied that the application meets the core criteria on the basis of section 269C of the *Customs Act 1901* and have accordingly made a written Tariff Concession Order.

The decision to make a TCO will be published in Gazette Number TC18/18 of 16 May 2018.

The TCO, as detailed in the attachment, will also be published in the Schedule of Concessional Instruments as soon as possible.

Yours sincerely,

Matthew LLEWELLYN

Delegate of the Comptroller-General of Customs

