



**Australian Government**  
**Anti-Dumping Commission**

---

## **INVESTIGATION 239**

# **ALLEGED DUMPING OF CERTAIN CRYSTALLINE SILICON PHOTOVOLTAIC MODULES OR PANELS EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA**

## **EXPORTER SAMPLING**

**20 May 2014**

## **PUBLIC RECORD**

### **Background**

On 14 May 2014, the Anti-Dumping Commission (the Commission) initiated an investigation into the alleged dumping of certain crystalline silicon photovoltaic modules or panels (PV modules or panels) exported to Australia from the People's Republic of China (China).

This investigation follows an application by Tindo Manufacturing Pty Ltd, a member of the Australian industry manufacturing like goods, for the publication of a dumping duty notice.

### **Exporter Sampling**

The Anti-Dumping Notice (ADN) number 2014/38 stated that the import data available to the Commission indicates that there is a large number of exporters and importers of PV modules or panels from China.

Section 269TACAA of the *Customs Act 1901* states that where the number of exporters is so large that it is not practicable to examine the exports of all those exporters, a selection can be made on the basis of exporters who are responsible for the largest volume of exports to Australia that can be reasonably examined. The Commission will contact those identified exporters directly and invite them to complete a questionnaire.

The Commission has selected and contacted the following four exporters in the sample:

- Renesola Jiangsu Ltd;
- Trina Solar Ltd ;
- ET Solar Energy Limited; and
- Wuxi Suntech Power Co. Ltd.

These exporters are considered to be responsible for the largest volume of exports to Australia that can reasonably be examined.

### **What should exporters do now**

#### **Selected exporters**

For the four identified selected exporters, the Commission intends determining individual dumping margins for them. Therefore each of these exporters must complete and provide a response to the exporter questionnaire by the due date of 20 June 2014.

Where a selected exporter fully cooperates with the investigation (including providing a completed response to the questionnaire and making themselves available to allow the Commission to verify the information submitted), the Commission will determine

## PUBLIC RECORD

export prices, normal values and dumping margins having regard to the exporter's information.

Where a selected exporter does not fully cooperate with the investigation, the Commission will determine export prices, normal values and dumping margins having regard to all relevant information.

### **Residual exporters**

All other exporters of PV modules or panels from China are regarded as residual exporters. The residual exporters are under no obligation to complete and provide information to the exporter questionnaire.

Where a residual exporter chooses to request and complete the information requested in the exporter questionnaire, that information must be provided by the due date of 20 June 2014. For residual exporters that choose this option, the Commission must examine their exportations unless to do so would prevent the timely completion of the investigation.

The extent to which the Commission will be able to extend the investigation to these residual exporters will be determined by:

- the level of cooperation from the four selected exporters;
- the number of residual exporters seeking an individual dumping margin determination; and
- the available resources within the Commission to undertake either on-site or remote verification.

For residual exporters that opt not to complete the exporter questionnaire, the Commission must not calculate:

- export prices that are less than the weighted average of export prices for cooperative exporters, excluding those export prices from cooperative exporters whose dumping margins were less than 2%, and
- normal values that exceed the weighted average of normal values for cooperative exporters, excluding those normal values from cooperative exporters whose dumping margins were less than 2%.

### **Anti-Dumping Commission Contact**

If a residual exporter wishes to request and complete an exporter questionnaire, it should contact the Commission as soon as possible by emailing [operations3@adcommission.gov.au](mailto:operations3@adcommission.gov.au) or by fax to 1300 882 506 or +61 2 6275 6888 (outside Australia) or telephone +61 2 6275 8008.

The responses to the exporter questionnaire are due by 20 June 2014.