



Australian Government
Department of Industry,
Innovation and Science

Anti-Dumping
Commission

Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE NO. 2016/110

Certain crystalline silicon photovoltaic modules or panels

Exported from the People's Republic of China

Termination of Investigation

Public notice under subsection 269TDA(15) of the Customs Act 1901

On 14 May 2014, I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, initiated an investigation into the alleged dumping of certain crystalline silicon photovoltaic modules or panels (the goods) exported to Australia from the People's Republic of China (China), following an application lodged by Tindo Manufacturing Pty Ltd under subsection 269TB(1) of the *Customs Act 1901* (the Act).

Public notice of my decision to not reject the application and to initiate the investigation was published in *The Australian* newspaper on 14 May 2014 (Anti-Dumping Notice (ADN) 2014/38 refers). The ADN is available at the Anti-Dumping Commission's (Commission) website, www.adcommission.gov.au.

On 6 October 2015, I terminated the investigation in accordance with subsection 269TDA(13) of the Act.

On 22 December 2015 the Anti-Dumping Review Panel (ADRP) revoked my decision to terminate the investigation. The effect of the ADRP's revocation is that I was required, as soon as practicable after the ADRP's revocation, to publish a further statement of essential facts (SEF). After the SEF was published, the investigation resumed.

As a result of the resumed investigation, I:

- am satisfied that the injury to the Australian industry that has been, or may be, caused by the exports of dumped PV panels from China during the investigation period is negligible and, therefore, have terminated the resumed investigation in accordance with subsection 269TDA(13) of the Act.

In making the decision to terminate, I have had regard to the reasons of the ADRP for revoking my earlier decision to terminate the investigation, submissions from interested parties, *Statement of Essential Facts no. 239A*, submissions in response to that SEF, and the evidence described and considered in *Termination Report no. 239A*.

Termination Report no. 239A, which sets out reasons for the termination decision, including the material findings of fact or law upon which the decision is based, has been placed on the Commission's public record at www.adcommission.gov.au.

The applicant may request a review of this decision to terminate the investigation by lodging an application with the Anti-Dumping Review Panel in the approved form and manner within 30 days of the publication of this notice.

Enquiries about this notice may be directed to the case manager on telephone number +613 8539 2454 or email at operations2@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

17 October 2016