



ANTI-DUMPING NOTICE NO. 2014/132

Power transformers

Exported from the People's Republic of China, the Republic of Indonesia, the Republic of Korea, Taiwan, Thailand and the Socialist Republic of Vietnam

Findings in Relation to a Dumping Investigation

Customs Act 1901 – Part XVB

I, Dale Seymour, Commissioner of the Anti-Dumping Commission have completed the investigation, which commenced on 29 July 2013, into the alleged dumping of power transformers (the goods), exported to Australia from the People's Republic of China (China), the Republic of Indonesia (Indonesia), the Republic of Korea (Korea), Taiwan, Thailand and the Socialist Republic of Vietnam (Vietnam).

The goods are classified to tariff subheadings 8504.22.00 (statistical code 40) and 8504.23.00 (statistical codes 26 and 41) of Schedule 3 to the *Customs Tariff Act 1995*. The various potential combinations of incomplete power transformers are not all classifiable to these classifications.

A full description of the goods is available in Anti-Dumping Notice No. 2013/64 which is available at www.adcommission.gov.au.

On 1 December 2014, I terminated the investigation in so far as it related to the goods exported by certain exporters in China, Indonesia and Korea and in so far as it related to all exporters in China and Korea. *Termination Report No. 219* sets out the reasons for these terminations. This report is available at www.adcommission.gov.au.

I reported my findings and recommendations to the Parliamentary Secretary to the Minister for Industry (the Parliamentary Secretary) in *Anti-Dumping Commission Report No. 219* (Report 219). Report 219 outlines how the Anti-Dumping Commission (the Commission) carried out the investigation and recommends the publication of a dumping duty notice in respect of the goods exported to Australia from Indonesia (except PT Unelec Indonesia), Taiwan, Thailand and Vietnam.

In Report 219, it was found that:

- power transformers exported to Australia from Indonesia (except PT Unelec Indonesia), Taiwan, Thailand and Vietnam were dumped with margins ranging from 3.6% to 39.1%;

- the dumped exports caused material injury to the Australian industry producing like goods; and
- continued dumping may cause further material injury to the Australian industry.

The Parliamentary Secretary has considered Report 219 and has accepted my recommendations and reasons for the recommendations, including all material findings of fact or law on which my recommendations were based, and particulars of the evidence relied on to support the findings.

Notice of the Parliamentary Secretary's decision was published in *The Australian* newspaper and the *Commonwealth of Australia Gazette* on 10 December 2014.

Particulars of the dumping margins established and an explanation of the methods used to compare export prices and normal values to establish the dumping margins are set out in the table below.

Country	Manufacturer / exporter	Dumping margin and effective rate of duty	Method to establish dumping margin	
Indonesia	PT CG Power Systems Indonesia	8.7%	Individual export prices were compared with corresponding normal values over the investigation period in accordance with subsection 269TACB(2)(b) of the <i>Customs Act 1901</i> (the Act).	
	All other Indonesian exporters except PT. Unelec Indonesia	8.7%		
Taiwan	Fortune Electric Co. Ltd	15.2%		
	Shihlin Electric & Engineering Corp	21.0%		
	Tatung Company	37.2%		
	All other Taiwanese exporters	37.2%		
Thailand	ABB Limited, Thailand	3.6%		Individual export prices were compared with weighted average corresponding normal values over the investigation period in accordance with subsection 269TACB(3) of the Act.
	Tirathai Public Company Limited	39.1%		Individual export prices were compared with corresponding normal values over the investigation period in accordance with subsection 269TACB(2)(b) of the Act.
	All other Thai exporters	39.1%		
Vietnam	ABB Limited, Vietnam	3.8%	Individual export prices were compared with weighted average corresponding normal values over the investigation period in accordance with subsection 269TACB(3) of the Act.	
	All other Vietnamese exporters	3.8%		

Dumping duties will be determined as a proportion of the export price of those particular goods as specified in Regulation 5(7) of the *Customs Tariff (Anti-Dumping) Regulation 2013*.

Measures apply to goods that are exported to Australia after publication of the Parliamentary Secretary's notice. Measures also apply to goods that were exported to Australia after the Commissioner made a preliminary affirmative determination to the day before the Parliamentary Secretary's decision was published.

Any dumping securities that have been taken on and from 27 November 2013 and that have not lapsed will be converted to interim dumping duty. Importers will be contacted by the Regional Securities Officer in their respective capital city detailing the required conversion action for each security taken.

To preserve confidentiality, the export price, normal value and non-injurious price applicable to the goods will not be published. Bona fide importers of the goods can obtain details of the rates from the Dumping Liaison Officer in their respective capital city.

Pursuant to section 12 of the *Customs Tariff (Anti-Dumping) Act 1975*, conversion of securities to interim dumping duty will not exceed the level of security taken. The rate of conversion for securities will reflect the initial securities and the revised securities imposed on 27 November 2013 and 18 December 2013 (as applicable).

Clarification about how anti-dumping measures are applied to 'goods on the water' is available in Australian Customs Dumping Notice No. 2012/34, available at www.adcommission.gov.au.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel in accordance with the requirements in Division 9 of Part XVB of the Act within 30 days of the publication of the Parliamentary Secretary's notice.

Report 219 has been placed on the Commission's public record, which is available at www.adcommission.gov.au. Alternatively, the public record may be examined at the Commission's office by contacting the case manager on the details provided below.

Enquiries about this notice may be directed to the case manager on telephone number +61 2 6275 6729, fax number +61 3 9244 8902 or email at operations3@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

10 December 2014