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

Expiry review of wind towers exported from the Peoples Republic of China

Dear Director

This submission is made on behalf of Penglai Dajin Offshore Heavy Industry Co., Ltd. ("Dajin") in response to the Anti-Dumping Commission's (Commission) findings outlined in Statement of Essential Facts Report No. 621 (SEF 621).

Dajin supports the Commission's findings and recommendation that expiry of the measures would not lead, or be likely to lead, to a continuation of, or recurrence of dumping and the material injury that the measures are intended to prevent. The Commission's reasoning is well supported by the research and analysis of the wind tower market in Australia, and the obvious challenges facing the applicant, Keppel Prince Engineering Pty Ltd (KPE).

Each of the identified challenges are factors unrelated to dumping and/or subject imports, and are known to have contributed to injury suffered by KPE, despite the imposition of measures. That is, upon distinguishing and isolating the effects of these other factors, as required by subsection 269TAE(2A) of the *Customs Act 1901* (the Act), it is clear that subject imports have not caused, and are not likely to cause, a continuation or recurrence of material injury.

These other factors as detailed in SEF 621 and highlighted in Dajin's submission of 11 September 2023 include:

- KPE's manufacturing location and the associated difficulties with delivery of wind towers to wind farms outside of its regional area;
- the Australian market was dominated by non-dumped imports of wind towers from China and other countries;
- market demand is trending towards offshore wind towers and larger sized onshore towers, neither of which KPE is capable of manufacturing.

Therefore, Dajin concurs with the Commission's findings and conclusion that measures are no longer warranted to address the effects of dumping, given the critical other factors at play in the Australian market.

John Bracic