



ANTI-DUMPING NOTICE NO. 2019/107

Investigation No. 507 into Alleged Dumping of Certain Power Transformers Exported to Australia from the People's Republic of China

Extension of time granted to issue the Statement of Essential Facts and the Final Report

Customs Act 1901 – Part XVB

On 18 March 2019, the Commissioner of the Anti-Dumping Commission (Commissioner) published a notice (the initiation notice) announcing the initiation of an investigation into the alleged dumping of certain power transformers (the goods) exported to Australia from the People's Republic of China (China).

A full description of the goods is available in Anti-Dumping Notice (ADN) No. 2019/35. This ADN is available on the Anti-Dumping Commission's (Commission) website at www.industry.gov.au.

The initiation notice advised that:

- a statement of essential facts (SEF) would be placed on the public record by 8 July 2019 or such later date as allowed;
- the SEF would set out the facts on which the Commissioner proposes to base his recommendations to the Minister for Industry, Science and Technology (the Minister) in relation to this investigation; and
- the Commission would provide his recommendation to the Minister in a final report on or before 20 August 2019 or such later date as allowed.

On 3 June 2019, under subsection 269ZH(3) of the *Customs Act 1901* (the Act), the Commissioner granted an extension of time to publish the SEF to 22 August 2019; and an extension of time to provide the final report to the Minister to 4 October 2019.¹

I, Paul Sexton, General Manager, Anti-Dumping Commission, consider that a further extension of the time periods for the Commissioner to publish the SEF and provide his final report and recommendation to the Minister is required. This extension is required to further assess evidence obtained in relation to the causation of injury, and to enable the finalisation of exporters' dumping margin determinations.

¹ Refer to ADN 2019/75 for further details.

For the reasons provided above, I made a written request to the Commissioner for:

- an extension under subsection 269ZHI(1)(a) of the time period referred to in subsection 269TDAA(1) of the Act; and
- an extension under subsection 269ZHI(1)(b) of the time period referred to in subsection 269TEA(1) of the Act.²

The Commissioner has, under subsection 269ZHI(3) of the Act,³ extended the time period to publish the SEF, and extended the time period to provide his final report and recommendation to the Minister.⁴

The SEF will now be placed on the public record no later than **17 October 2019**. Interested parties are invited to make submissions to the Commissioner in response to the SEF within 20 days of the SEF being placed on the public record.

A recommendation to the Minister will now be made in a report due on or before **2 December 2019**.

Documents included in the public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.industry.gov.au.

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2437, or investigations3@adcommission.gov.au.

Paul Sexton
General Manager
Anti-Dumping Commission

22 August 2019

² On 15 December 2016, the Commissioner delegated his powers and functions under section 269ZHI of the Act to the General Managers of the Commission. See ADN No. 2017/10 for further information.

³ On 19 January 2017, the powers and functions of the Minister under section 269ZHI of the Act were delegated to the Commissioner. See ADN No. 2017/10 for further information.

⁴ Subsection 269ZHI(5) provides that the Commissioner may grant more than one extension of a time period.