



Australian Government
Anti-Dumping Review Panel

Customs Act 1901

Notice under section 269ZZI

Wind Towers exported from the People's Republic of China and the Republic of Korea

The Anti-Dumping Review Panel (ADRP) received an application from Shanghai Taisheng Wind Power Equipment Co., Ltd (TSP) for a review of a decision by the Minister to publish a notice under section 269ZH(1) of the *Customs Act 1901* (the Act) in respect of Wind Towers exported from the People's Republic of China and the Republic of Korea (the Reviewable Decision).

The Reviewable Decision was published on the Anti-Dumping Commission (ADC) website on 27 March 2019.

The ADRP is satisfied that the following grounds are reasonable grounds for the reviewable decision not being the correct or preferable decision:

- (a) There were errors in the determination of the dumping margin, namely
 - the incorrect determination of the amount of profit for the normal value, particularly the incorrect application of Regulation 45(2); and
 - the incorrect and unreasonable determination of the cost of production for the normal value.
- (b) The expiration of the measures would not be likely to lead to the recurrence of dumping or material injury attributable to exports by TSP.

The goods to which these applications relate are:

Certain utility scale wind towers, whether or not tapered, and sections thereof (whether exported assembled or unassembled), and whether or not including an embed being a tower foundation section.

Wind turbines that have electrical power generation capacities equal to or in excess of 1.00 megawatt (MW) and with a minimum height of 50 metres measured from the base of the tower to the bottom of the nacelle (i.e. where the top of the tower and nacelle are joined) when fully assembled.

A wind tower section consists of, at a minimum, multiple steel plates rolled into cylindrical or conical shapes and welded together (or otherwise attached) to form a steel shell, regardless of coating, endfinish, painting, treatment or method of manufacture, and with or without flanges, doors, or internal or external components (e.g., flooring/decking, ladders, lifts, electrical junction boxes,

electrical cabling, conduit, cable harness for nacelle generator, interior lighting, tool and storage lockers) attached to the wind tower section.

Goods specifically excluded from the scope are nacelles and rotor blades, regardless of whether they are attached to the wind tower. Any internal or external components which are not attached to the wind towers or sections thereof are also excluded.

The ADRP proposes to conduct a review of the Reviewable Decision in relation to the above grounds.

Submissions

Interested parties have **30 days** from the date this notice is published to provide the ADRP with a submission.

If your submission contains confidential information, you must provide a public version that can be published on the ADRP website. Failure to do so will result in your submission not being considered.

You may either email your submission to ADRP@industry.gov.au or mail the submission to –

Anti-Dumping Review Panel Secretariat
GPO Box 2013
Canberra City ACT 2601

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the application for review, which sets out the grounds for seeking review in full, and other documents are available on the public record of the review at www.adreviewpanel.gov.au

The reports of the original investigation are available on the ADC website at www.adcommission.gov.au

Joan Fitzhenery
Senior Member
Anti-Dumping Review Panel
8 May 2019