



Australian Government
Anti-Dumping Review Panel

Customs Act 1901

Reconsideration of ADRP Review No. 122
Power Transformers exported from the People's Republic of China by ABB Chongqing Transformer Co Ltd, Siemens Transformer (Jinan) Co Ltd and Siemens Transformers (Wuhan) Co Ltd¹

On 31 March 2022, the Full Federal Court of Australia (the Court) ordered, that the Anti-Dumping Review Panel's (Review Panel) decision made on 18 May 2020 in respect of ADRP Review No. 122 be set aside in so far as it related to ABB Chongqing Transformer Co Ltd (ABB Chongqing), Siemens Transformer (Jinan) Co Ltd (Siemens Jinan) and Siemens Transformers (Wuhan) Co Ltd (Siemens Wuhan). The matter was remitted to the Review Panel for reconsideration in accordance with law. A copy of the orders (file number VID365/2021) are available on the Review Panel's website.

On 11 April 2022, the Review Panel recommenced its review of the Commissioner's decisions made under section 269TDA(1) to terminate the Investigation 507 in respect of Power Transformers exported by ABB Chongqing, Siemens Jinan and Siemens Wuhan from the People's Republic of China (the Reviewable Decision).

On 3 May 2022, pursuant to s.269ZYB(2) of the *Customs Act 1901* (the Act), the Senior Member directed that the Review Panel for the review of the Reviewable Decision be constituted by me.

The Review Panel's reconsideration will be conducted in accordance with its powers as outlined in Division 9 of Part XVB (Review by the Review Panel) of the *Customs Act 1901* (the Act). Please note that for the purposes of the reconsideration of this review:

- Conferences may be held in accordance with s.269ZZRA of the Act;
- The Review Panel can have regard to further information obtained through a conference pursuant to s.269ZZRA to the extent that it relates to information that was before the Commissioner when the Commissioner made the Reviewable Decision. It can also have regard to conclusions reached at the conference based on that information;
- A non-confidential summary of any conferences convened under s.269ZZRA of the Act will be placed on the Review Panel's website;
- It is intended that the Review Panel's decision will be made within 60 days of the publication of this notice; and

¹ADRP Review No. 123 will not be subject to the ADRP's reconsideration. This review related to a decision made by the Commissioner under section 269TDA(13) of the *Customs Act 1901* to terminate the Investigation in respect of all goods exported from China by all other exporters. This decision was revoked on 18 May 2020 by the ADRP and was not subject to the judicial review proceedings.

- The Review Panel will publish its decision on the Review Panel's website.

The goods to which this review relates are:

Liquid dielectric power transformers with power ratings of equal to or greater than 10 MVA (mega volt amperes) and a voltage rating of less than 500kV (kilo volts) whether assembled or unassembled, complete or incomplete.

Incomplete power transformers are subassemblies consisting of the active part and any other parts attached to, imported with or invoiced with the active parts of power transformers. The active part of a power transformer consists of one or more of the following when attached to or otherwise assembled with one other:

- *the steel core;*
- *the windings;*
- *electrical insulation between the windings; and*
- *the mechanical frame.*

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. A copy of the original application for review, which set 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 public record for Investigation 507 is available on the ADC website at www.adcommission.gov.au

Jaclyne Fisher
Panel Member
Anti-Dumping Review Panel
06 May 2022