Australian Government
Anti-Dumping Review Panel

Conference Summary

Review No. 160B - Reconsideration of PVC Flat Electrical Cables exported from the People's Republic of China

Panel Member	Leora Blumberg
Review type	Review of Minister's decision
Date	Tuesday 28 July 2028
Participants	**Anti-Dumping Commission:** [redacted]
Time opened	10.00am AEDT
Time closed	10.35am AEDT

Purpose

The purpose of this conference was to obtain further information in relation to the review before the Anti-Dumping Review Panel ('Review Panel') in relation to PVC Flat Electrical Cables exported from the People's Republic of China.

The conference was held pursuant to section 269ZZHA of the *Customs Act 1901* ('the Act').

In the course of the conference, I was able to ask parties to clarify any argument, claim or specific detail contained in their application or submission. The conference was not a formal hearing of the review, and was not an opportunity for parties to argue their case before me.

In accordance with section 269ZZHA(2), in making a recommendation under subsection 269ZZK(1), I may have regard to:

(a) further information provided at this conference to the extent that it relates to "relevant information" within the meaning of section 269ZZK(6) of the Act;
(b) any conclusions reached at this conference based on "that relevant information".

At the time of the conference, I advised the participants:

- That the conference was being recorded and transcribed by Microsoft Teams, and that the recording would capture everything said during the conference.
- That the conference was being recorded for the Review Panel to have regard to when preparing a conference summary. The conference summary would then be

published on the Review Panel's website.

- Any confidential information discussed during the conference would be redacted from the conference summary prior to publication.

Prior to the conference, participants were provided with a copy of the Review Panel's Privacy Statement. The Privacy Statement outlines who the conference recording and transcript may be disclosed to. The Privacy Statement is available on the Review Panel's website here. The participants indicated that they understood the Privacy Statement and consented to:

- The recording of the conference; and
- The recording being dealt with as set out in the Privacy Statement.

Further Information Requested[1] and Provided[2]

The specific information that the Review Panel sought and the ADC provided at this conference was as follows:

1. **Recalculation**:

   (i) Further Information Sought:

   Recalculation of the deductive export price and resulting dumping margin, together with supporting spreadsheets, in respect of goods exported by Guilin International Wire & Cable Co. Ltd ('Guilin') in accordance with Order 2(a) and (b) of NSD1586/2024, dated 17 June 2026, as set out in the Reconsideration Notice.

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[1] Prior to this conference, the Review Panel provided the ADC with details of the further information that would be requested during the conference, for the purpose of the ADC's preparation.

[2] It should be noted that the further information requested, and provided to the ADC prior to the conference, is set out in black ink and is numbered in accordance with the further information request so provided. The ADC's responses are set out below each such request in *blue ink italics*. In most instances, reference is made to the ADC's Written Responses provided after the conference and attached as Annexure A to this conference summary.

Where additional further information was sought or further clarification requested during the conference, that was not part of the further information requested prior to the conference, this is indicated in **bold black ink.** The ADC's responses to these further requests are set out below those further requests in ***bold blue ink italics***. In certain instances where the ADC has incorporated the response to these additional requests into the ADC's Written Responses, reference is made to the ADC's Written Responses in Annexure A in relation to those additional responses.

<u>Further Information Provided by the ADC</u>

See the ADC's response to Request 1(i) of the ADC's Written Responses to the further information sought, attached as Annexure A and the attached Excel Spreadsheet prepared by [redacted] *titled '*[redacted] *- Confidential Attachment 10 - Guilin dumping margin (EXCHANGE RATES LINE BY LINE) Feb 2026'.*

<u>Further Clarification Sought by the Review Panel</u>

The Review Panel requested the following clarifications:

a. **Whether the Excel Spreadsheet referred to above was the same spreadsheet that was part of an affidavit by** [redacted] **that was referred to in the Reasons for Judgment, relating to the Judge's Orders in NSD1586/2024, dated 17 June 2026, but which affidavit was not admitted to Court;**

b. **Whether there were any changes to normal value (from Review 160A) for purposes of comparison in the recalculation of the dumping margin.**

c. **Confirmation that the ADC's reference to "date of each transaction" is a reference to "the individual invoice dates for each of the export consignments" as referred to in Order 2(a) of NSD1586/2024, dated 17 June 2026.**

<u>Further Information Provided by the ADC in respect of the above Clarifications Sought</u>

a. ***The ADC confirmed the Excel Spreadsheet referred to above was the same spreadsheet that was part of an affidavit by*** [redacted] ***that was referred to in the Reasons for Judgment, relating to the Judge's Orders in NSD1586/2024, dated 17 June 2026.***

b. ***The ADC confirmed that there were no changes to the normal value (from Review 160A) for purposes of comparison in the recalculation.***

c. ***The ADC confirmed that the reference to "date of each transaction" is a reference to "the individual invoice dates for each of the export consignments" as referred to in Order 2(a) of NSD1586/2024, dated 17 June 2026.***

(ii) Further Information Sought

Summary of the results of the recalculations and an explanation of the methodology/approach used by the ADC for the above-mentioned recalculations.

Further Information Provided by the ADC

See the ADC's response to Request 1(ii) of the ADC's Written Responses to the further information sought, attached as Annexure A.

2. Confidentiality

The ADC was requested to provide further information relating to its view on the confidential nature of the data used to do the recalculations referred to in Request 1(i) above, and the extent to which Electra Cables (Aust.) Pty Limited ('Electra') or its Legal Representative is entitled to any such confidential information, as part of the conference summary, in order to check **the accuracy** of the data in the ADC's calculations under Request 1(i).[3]

Clarification by the Review Panel Member

[3] In this regard, the Review Panel noted that should be borne in mind that:

- The exporter, Guilin, whose information forms part of the calculations referred to in Request 1(i) above, was not party to the related litigation and is not party to this Reconsideration;
- Checking the accuracy of the data in the ADC's calculations is specific to the ADC's calculations referred to in Request 1(i) and is separate from Electra commenting on the methodology or approach of the ADC, referred to in Request 1(ii) above; and
- Electra will be provided with the opportunity to request a further conference to comment on the conference summary relating to the further information provided by the ADC during the conference under both Request 1(i) and 1(ii) above.

The Review Panel Member clarified that since this is a Review Panel procedure and since there is certain information that is confidential to Guilin, it might be necessary for the Review Panel to: (i) obtain Guilin's consent relating to confidentiality, from the legal representative; and (ii) assurances relating to the management of the legal representative's relationships with the two clients, before releasing the confidential information.

Further Information Provided by ADC

See ADC's response to Request 2 of the ADC's Written Responses to the further information sought, attached as Annexure A. ***This includes the ADC's response to the above further clarification by the Review Panel Member.***

Australian Government
Department of Industry, Science and Resources
Anti-Dumping Commission

ANNEXURE A

Anti-Dumping Review Panel
GPO Box 2013
Canberra ACT 2601

By Email: ADRP@industry.gov.au

Dear Member Blumberg,

RE: Review 160B - Conference with the Anti-Dumping Commission ('ADC'): Further Information Request

The commission refers to your request for further information dated 20 July 2026 in relation to Review 160B – 'PVC Flat Electrical Cables exported from China by Guilin International Wire & Cable Co. Ltd.' Please find responses to your request below.

1. **Recalculation**

The Review Panel has requested the following further information from the ADC:

(i) *Recalculation of the deductive export price and resulting dumping margin, together with supporting spreadsheets, in respect of goods exported by Guilin International Wire & Cable Co. Ltd ('Guilin') in accordance with Order 2(a) and (b) of NSD1586/2024, dated 17 June 2026, as set out in the Reconsideration Notice.*

The recalculated dumping margin is **2.873%**, or 2.9% when rounded to one decimal place (which is a long-established practice).

A recalculation was undertaken for the purposes of the above legal proceedings by [redacted]. Please find attached to this correspondence an Excel Spreadsheet document prepared by him titled '[redacted] - Confidential Attachment 10 - Guilin dumping margin (EXCHANGE RATES LINE BY LINE) Feb 2026' (**spreadsheet**).

The commission considers recalculation in accordance with the Court's order dated 17 June 2026 does not require recalculation of the deductive export price itself. The correct application of s 269TAF(1) in respect of conversion of the deductive export price from AUD to RMB using the exchange rates on the date of each transaction involves a recalculation of the dumping margin by reconversion of the deductive export price from AUD to RMB for the purpose of comparing it with the normal value.

(ii) *Summary of the results of the recalculations and an explanation of the methodology/approach used by the ADC for the above-mentioned recalculations.*

In this spreadsheet, the commission has recalculated the dumping margin for the goods exported by Guilin applying <u>*daily*</u> exchange rates instead of the <u>*quarterly average*</u> exchange rates that had previously been used in ADC Report no. 469 (**Report 469**) and the submission by the Department of Industry, Science, Energy and Resources (the **Department**) published 1 September 2022 for a reconsideration of the Minister's decision dated 8 May 2019 following the Orders of the Federal Court in matter VID965/2019. In summary, the result of this recalculation is that the dumping margin is **2.873%**, expressed to three decimal places.

Methodology

The recalculation of the dumping margin is based on the calculation made by the Department to assist the Minister in in reconsidering the decision the Minister had made based on Anti-Dumping Commisision Report 469. The Department had calculated a dumping margin of 2.84% which was rounded to 2.8% when rounding to one decimal place. To recalculate the dumping margin, the spreadsheet demonstrates that the commission:

a) sourced Reserve Bank of Australia (**RBA**) data on daily exchange rates from the webpage: https://www.rba.gov.au/statistics/historical-data.html, and the link on that webpage to "Exchange Rates – Daily – 2014 to 2017" (worksheet (e));
b) relied on the export price calculated in Australian Dollars in the spreadsheet (worksheet (a), column AO – which in turn relied on the unconverted quarterly export prices in worksheet (d), row 5, multiplied by 10 because the prices are specified per 100 metres in worksheet (d) but per kilometre in worksheet (a));
c) applied the rate of exchange on the date of sale of each invoice to convert the export price into RMB (worksheet(a), column AO (Unit FOB deductive export price) multiplied by AP (worksheet (e), column D), which yields AQ (Updated unit FOB deductive export price). The daily exchange rates taken from the RBA data in worksheet (e) have been correlated to each sale by using the date of sale recorded in worksheet (a), column I. Where the sale in on the weekend I used the exchange rate for the prior business day;
d) multiplied the converted export price by the volume of the goods specified in each invoice to calculate the extended export price (worksheet(a), column AR);
e) multiplied the normal value (calculated in RMB) by the volume of goods specified in each invoice to calculate the extended normal value (worksheet (a), column AU);
f) compared the normal value to the converted export price to ascertain the unit dumping margin (worksheet (a), column AV);
g) multiplied the unit dumping margin by the volume of the goods specified in each invoice to calculate the extended dumping margin (worksheet (a), column AW); and
h) calculated the sum total extended dumping margin (worksheet (a), cell AW1111);
i) calculated the sum total extended export price (worksheet (a), cell AR1111); and
j) divided the total extended dumping margin by the total extended export price to calculate the dumping margin (worksheet (a), cell AW1112).

For further noting:

a) Worksheet (b) of the spreadsheet is a means for calculating quarterly dumping margins on a model-by-model basis (in this case there is only one model). Worksheet (b) relies on data from worksheet (a) and summaries it via the "pivot table" on rows 17-22. A "pivot table" is a tool in Excel, which allows you to summarise other data within the spreadsheet.
b) 19 of a total 1,007 transactions are calculated using the 'free on board' value or the 'actual sale price'. These are indicated in worksheet (a) in column AR in red font. For these sales to Guilin's unrelated customers, these 19 cells now multiply Column AN ("Unit FOB deductive export price") by Column P ("Quantity (on invoice)"), rather than multiplying Column AQ ("Updated unit FOB deductive export price (RMB)") by column P.

2. Confidentiality

The commission notes the Panel Member's request: '*The ADC is requested to provide further information relating to its view on the confidential nature of the data used to do the recalculations referred to in Request 1(i) above, and the extent to which Electra Cables (Aust.) Pty Limited ('Electra') or its Legal Representative is entitled to any such confidential information, as part of the conference summary, in order to check the accuracy of the data in the ADC's calculations under Request 1(i)*.' The further comments contained in footnote 1 are also acknowledged. [1]

The commission's view is that the data underpinning the recalculation is confidential material provided to the commission by Electra Cables (Aust.) Pty Ltd (**Electra**) and its related party Guilin International Wire & Cable Co., Ltd (**Guilin**). In engaging with the Commission, both parties retain the same legal representatives. On this basis, the commission considers that it would be appropriate for Electra, via its legal representative, to be entitled to any such confidential information as part of the conference summary, in order to check the accuracy of the data in the ADC's calculations under Request 1(i), without commenting on the ADC's methodology or approach. However, we cannot comment on the legal arrangements in place in relation to the ADRP proceedings, other than to agree with the ADRP member's view as expressed in the conference that to the extent the information is confidential to Guilin, consent to any disclosure should be obtained from Guilin.

[1] Replicated for completeness:

In this regard, it should be borne in mind that:

- *The exporter, Guilin, whose information forms part of the calculations referred to in Request 1(i) above, was not party to the related litigation and is not party to this Reconsideration;*
- *Checking the accuracy of the data in the ADC's calculations is specific to the ADC's calculations referred to in Request 1(i) and is separate from Electra commenting on the methodology or approach of the ADC, referred to in Request 1(ii) above; and*
- *Electra will be provided with the opportunity to request a further conference to comment on the conference summary relating to the further information provided by the ADC during the conference under both Request 1(i) and 1(ii) above.*