



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	Friday 23 October 2026
Participants	Australian Trade Remedies Commission ('Commission'): [REDACTED] [REDACTED] [REDACTED] [REDACTED]
Time opened	3:00pm AEDT
Time closed	4:20pm AEDT

Purpose

The Anti-Dumping Review Panel ('Review Panel') opened the conference with an Acknowledgment of Country.

The purpose of this conference was to obtain further information in relation to the review before the 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.

Management of the Conference

The Australian Trade Remedies Commission ('Commission') was provided with a further information request, in advance of the conference, to facilitate the Commission's preparation for the conference.

When providing the Commission with the above-mentioned further information request, the Review Panel requested that, if possible, and in order to facilitate the efficient management of the conference and for the identification of possible clarifications to be requested during the conference, a draft written response to the further information sought (including spreadsheets showing any recalculations and any other attachments referred to in the draft written response), be provided to the Review Panel prior to the conference.¹ The Commission was advised that the Review Panel might request further information and clarifications during the conference, and that a final written response to the further information sought, reflecting the actual further information provided during the conference,

¹ It was made clear to the Commission that any such draft written response to the further information sought that was provided prior to the conference, was not considered to be definitive of the further information to be provided during the conference.



would be requested to be submitted following the conference, which could then be used to assist the Review Panel with the conference summary.

On 23 October 2026, prior to the conference, the Commission provided the Review Panel with a draft written response to the request for further information, which it then presented orally during the conference.

During the conference certain further clarifications were requested and the Commission provided the further information during the conference. The conference was held open and the Commission's final written response to the further information requested and further clarifications requested ('the Written Response'), was provided to the Review Panel following the conference. The Written Response is attached to this conference summary as

Addendum 1A.

It should be noted that in the text of this conference summary, the further information requested prior to the conference is set out in black ink and is numbered in accordance with the further information request document provided to the Commission. The Commission's responses are set out below each such request in *purple ink italics*. In most instances, reference is made to the Written Response, attached as Addendum 1A to this conference summary. Where additional further information was sought or further clarification was made or requested during the conference, that was not part of the further information requested prior to the conference, this is indicated in the text in **bold black ink**.

Further Information Requested and Provided

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

1. Request 1

The Commission should comment on the mathematical accuracy of the data contained in Electra's confidential Excel spreadsheet entitled '20260907 Electra – Demonstration of different outcomes for ADRP', referred to in Section B of Electra's Written Response (attached to the summary of the conference held on 4 September 2026 as 'Annexure A'). In particular, the Commission should comment on Electra's proposed revised dumping margin, if Electra's claim for Correction 1 is accepted as



‘sustained movements’ for both the October – December 2017 Period and the April - June 2017 Period, or for only one of those periods, respectively.²

[In responding to Request 1 the Commission is also referred to Footnote 8 of Electra’s Written Response attached to the summary of the conference held on 15 October 2026 as ‘Addendum A’. Electra notes that it identified a minor error in its proposed recalculation submitted as part of the 4 September 2026 conference, and that correcting this error resulted in a slight reduction in Electra’s recalculated dumping margins that it proposed during the conference on 4 September 2026.]

Further information provided by the Commission

See the Commission’s response to Request 1 in Paragraphs 2 to 3 of the Written Response attached as Addendum 1A.

2. Request 2

The Commission should also comment on the mathematical accuracy of Electra’s hypothetical calculation on the effect of the dumping margin, if Electra applied its methodology across the two periods of RMB depreciation identified by the Commission. In this regard, the Commission is referred to Electra’s Written Response to Request 3 in Section D (pages 5 – 6) of Addendum A to the summary of the 15 October 2026 conference, and the spreadsheet referred to therein named “Attachment 1 – Electra – simulation in response to Request 3(b)”³

² The Review Panel clarified during the Conference of 22 September 2026 that this request did not require the Commission to accept Electra’s legal arguments or methodology but rather the Review Panel sought to establish whether the proposed dumping margin recalculations were mathematically correct, in the event that Electra’s contentions would be accepted and its proposed methodology applied. In this regard, it was also clarified that the Review Panel has not yet made any determination as to whether a consideration of s 269TAF(4) falls within the scope of the remittal ordered by the Federal Court, and if so, whether either (or both) of the periods of appreciation of RMB identified by Electra amount to a ‘sustained movement’ under s 269TAF(4).

³ Electra clarified (in Section D of Addendum A to the summary of the 15 October 2026 conference), that its clear position was that any application of the “sustained movement” provisions to a sustained depreciation of the RMB must be disallowed and that it carried out the relevant calculations, as requested by the Review Panel in the spirit of cooperation and without prejudice to its clear position. The Review Panel also clarified during the Conference of 15 October 2026 that the Review Panel had not yet made any determination as to the Commission’s submission that the methodology relating to s 269TAF(4) should be applied consistently across all periods exhibiting the same type of movement, including periods of RMB depreciation.



Further information provided by the Commission

See the Commission's response to Request 2 in Paragraphs 4 to 5 of the Written Response attached as Addendum 1A.

3. Request 3

The Commission should also comment on:

- Electra's pricing following the claimed "sustained movement" periods of appreciation of the RMB, with reference to Electra's response to the Additional Further Information Request during the 15 October 2026 conference, as set out in Section E (page 6) of Addendum A to the summary of the 15 October 2026 conference; and
- Whether the Commission considers that Electra's pricing supports or detracts from its claims relating to the "sustained movement" periods and the legislative intent of the 60-day allowance.

Further information provided by the Commission

See the Commission's response to Request 3 in Paragraphs 6 to 12 of the Written Response attached as Addendum 1A.

Clarification by the Review Panel Member following the Commission's response to Request 3

The Review Panel noted that in Paragraph 8 of the Written Response, attached as Addendum 1A, the Commission referred to the Applicant's "contention" relating to price adjustments and further noted that the Commission stated that this information was not provided to the Commission or raised by the Applicant as a matter for consideration during Investigation 469. The Review Panel clarified that the issue of price adjustment was not a "contention" or claim raised by Electra on its own accord during the review. The Review Panel stated that it specifically requested further information from Electra relating to adjustments to prices after the claimed 60-day "sustained movement" periods.



Australian Government
Department of Industry,
Science and Resources

Australian Trade Remedies Commission

Anti-Dumping Review Panel

GPO Box 2013

Canberra ACT 2601

By Email

Dear Member Blumberg

RE: Review 160B – Conference with the Australian Trade Remedies Commission (the commission) 23 October 2026: Further Information Request

1. The commission refers to your request for further information dated 21 October 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.

Request 1

The Commission should comment on the mathematical accuracy of the data contained in Electra’s confidential Excel spreadsheet entitled, ‘20260907 Electra –Demonstration of different outcomes for ADRP’, referred to in Section B of Electra’s Written Response (attached to the summary of the conference held on 4 September 2026, as ‘Annexure A’). In particular, the Commission should comment on Electra’s proposed revised dumping margin, if Electra’s claim for Correction 1 is accepted as ‘sustained movements’ for both the October – December 2017 Period and the April - June 2017 Period, or for only one of those periods, respectively.¹

[In responding to Request 1 the Commission is also referred to Footnote 8 of Electra’s Written Response attached to the summary of the conference held on 15 October 2026, as ‘Addendum A’. Electra notes that it identified a minor error in its proposed recalculation submitted as part of the 4 September 2026 conference, and that correcting this error resulted in a slight reduction in Electra’s recalculated dumping margins that it proposed during the conference on 4 September 2026.]

ADDENDUM 1A

2. The commission notes that it cannot confirm the mathematical accuracy of the monthly export price calculations in the “Correct deductive export price” worksheet because the figures are hard coded. Our attempts to reproduce the calculations produced different results for some months. This worksheet is used in correction 2 (step 2 in the worksheet).
3. The commission is hesitant to comment on the accuracy of the dumping margins without recalculating them using the commission’s own templates. The commission’s templates contain built in controls and validation features designed to minimise calculation errors and ensure consistency in the application of the methodology. As the calculations were not done using the commission’s templates, the commission cannot exclude the possibility that there are additional errors in the Applicant’s spreadsheet that have not been identified. If required, the commission can prepare the calculations using its templates on notice.

Request 2

The Commission should also comment on the mathematical accuracy of Electra’s hypothetical calculation on the effect of the dumping margin, if Electra applied its methodology across the two periods of RMB depreciation, identified by the Commission. In this regard, the Commission is referred to Electra’s Written Response to Request 3 in Section D (pages 5 – 6) of Addendum A to the summary of the 15 October 2026 conference, and the spreadsheet referred to therein named “Attachment 1 – Electra – simulation in response to Request 3.b.”

4. The commission notes that, in Part D of the Applicant’s response to further information request dated 19 October 2026 (the **Applicant’s response**), the Applicant contends that applying its proposed methodology across both periods of RMB depreciation results in a dumping margin of **[CONFIDENTIAL TEXT DELETED]**. This figure is recorded in cell BF1112 of the worksheet "(a) Confidential Attachment F" in “Attachment 1 – Electra – simulation in response to Request 3.b” and is calculated using monthly export prices. The commission further notes that the Applicant’s calculations produce a dumping margin of **[CONFIDENTIAL TEXT DELETED]** when quarterly export prices are used. This figure is recorded in cell BE1112 of the worksheet "(a) Confidential Attachment F" in “Attachment 1 – Electra – simulation in response to Request 3.b”.
5. Similar to the observations in response to Request 1, the commission is hesitant to comment on the accuracy of these dumping margins given they were not calculated

using the commission's templates. Noting that the commission's templates contain controls and validation features designed to minimise calculation errors and ensure consistency in the application of the methodology, the commission cannot exclude the possibility that there are additional errors in the Applicant's spreadsheet that have not been identified. If required, the commission can prepare the calculations using its templates on notice.

Request 3

The Commission should also comment on:

- *Electra's pricing following the claimed "sustained movement" periods of appreciation of the RMB, with reference to Electra's response to the Additional Further Information Request during the 15 October 2026 conference, as set out in Section E (page 6) of Addendum A to the summary of the 15 October 2026 conference; and*
 - *Whether the Commission considers that Electra's pricing supports or detracts from its claims relating to the "sustained movement" periods and the legislative intent of the 60-day allowance.*
6. At Section E of the Applicant's response, the Applicant provides a graph which is said to illustrate its price adjustments following the claimed 60-day "sustained movement" periods.
 7. The commission notes that the solid blue line in this graph, which is said to represent the movements of the AUD FOB unit price (being the monthly deductive export price), appears to move down during the first period of alleged sustained movement, and to move up during the second period of alleged sustained movement. The line also appears to move up during June and July 2017, when the rate of exchange appears to move in the opposite direction to the alleged periods of sustained movement. The commission therefore considers that the graph does not present a consistent pattern of the movements of the AUD FOB unit price and movements of the rate of exchange and is not strong evidence of price adjustment responding to periods of alleged sustained movement.
 8. The commission notes that the Applicant's contention appears to be that it in fact adjusted its prices in response to periods of alleged sustained movement. However, this information was not provided to the commission or raised as a matter by the

applicant for consideration during investigation 469. The applicant's contention appears to demonstrate only that the error in respect of s 269TAF(1) identified by the Federal Court in its orders of 17 June 2026 did not prevent the Applicant from making submissions regarding sustained movement under s 269TAF(4) during investigation 469.

9. The commission's historic practice with respect to determining the existence of a sustained movement is outlined at paragraphs [11]–[12] of the commission's response to further information request attached to the summary of the conference of 22 September 2026 (the **commission's 22 September response**). Under this practice, whether an exporter adjusted its export prices in response to an alleged period of sustained movement is not considered in determining whether there has been a sustained movement.
10. The commission further considers that, regardless of what methodology is adopted to determine the existence of a period of sustained movement, whether an exporter has adjusted its export price in response to an alleged period of sustained movement is not a relevant consideration under s 269TAF(4)(b) of the *Customs Act 1901* (Cth). The requirement of s 269TAF(4)(b) is that "the Minister is satisfied that the rate of exchange between those currencies has undergone a sustained movement". The provision requires examination of the rate of exchange between the currencies and does not refer to the pricing behaviour of exporters.
11. The commission notes that the Minister's power to publish a notice under s 269TAF(4) is discretionary. Thus, there may be circumstances where, although the Minister is satisfied that the rate of exchange had undergone a sustained movement under s 269TAF(4)(b), nonetheless the Minister might decide not to publish a notice under s 269TAF(4). It is possible that whether an exporter had in fact adjusted its export price in response to the sustained movement could be relevant in considering the exercise of this discretion, noting that Article 2.4.1 of the *Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994* (the **ADA**) provides that "the authorities shall allow exporters at least 60 days to have adjusted their export prices to reflect sustained movements in exchange rates during the period of investigation".
12. In practice, in a scenario where the Commissioner was satisfied that the rate of exchange had undergone a sustained movement, the Commissioner is likely to make a recommendation regarding the Minister's discretion under s 269TAF(4) regardless of whether exporters adjusted their export price in response to the period of sustained movement.

ADDENDUM 1A

13. As outlined at paragraph [14] of the commission's 22 September response, applying the commission's practice in the present case, there is no period of sustained movement. Furthermore, even if an exporter's pricing response to a period of sustained movements, or lack response, is relevant to exercising the discretion under s 269TAF(4), the commission considers that the graph provided in the Applicant's response does not show a consistent pattern of movement. Therefore, the commission is unable to comment on how the discretion might be exercised if it were accepted in this case that there were periods of sustained movement.