



**Australian Government**  
**Anti-Dumping Review Panel**

*Customs Act 1901*

Notice under section 269ZZI

**POWER TRANSFORMERS EXPORTED FROM THE REPUBLIC OF INDONESIA, TAIWAN, THE KINGDOM OF THAILAND AND THE SOCIALIST REPUBLIC OF VIETNAM**

The Anti-Dumping Review Panel received applications from ABB Ltd. of Vietnam (ABB Vietnam), ABB Limited of Thailand (ABB Thailand), Fortune Electric Co., Ltd, PT CG Power Systems and Shihlin Electric (SEEC) for a review of a decision by the Parliamentary Secretary to publish a dumping duty notice in respect of power transformers exported from the Republic of Indonesia, Taiwan, the Kingdom of Thailand, and the Socialist Republic of Vietnam.

The grounds raised by the applications for the decision under review not being the correct or preferable decision include but are not limited to:

- An erroneous finding that export prices among different purchasers from ABB Thailand did not differ significantly and associated and consequential errors;
- Failure to apply the method that was claimed to have been applied in relation to the level of dumping;
- Incorrect determination of “normal value” and “export price”;
- An erroneous inclusion of Domestic Sales of Power Transformers of a capacity greater than 100MVA in calculating of amount of profit to be included in Constructed Normal Value established under s. 269TAC(2)(c);
- An erroneous inclusion of Domestic Sales of Power Transformers to Taiwan Power Company in calculation of amount of profit to be included in Constructed Normal Value established under s.269TAC(2)(c);
- Misapplication to Section 269TAF(1) of the Customs Act;
- An erroneous finding that PT CG Power Systems Indonesia was in uncooperative exporter and a failure to use information provided by it;
- The calculation of the dumping margin was incorrect;
- That the ADC erred in the calculation of the Constructed Normal Value for SEEC; and
- Interim dumping duties should not have been applied to imports that have been exported pursuant to existing contracts for the supply of Power Transformers.

The Parliamentary Secretary’s decision was published in the Australian newspaper on 10 December 2014.

The goods to which these applications relate are classified to tariff subheadings 8504.22.00 (statistical code 40) and 8504.23.00 (statistical codes 26 and 41) in Schedule 3 of the *Customs Tariff Act 1995*.

The Anti-Dumping Review Panel proposes to conduct a review of the decision. Interested parties may make submissions to the Panel within **30 days** after the date of publication of this notice.

Submissions may be emailed to [ADRP\\_Support@industry.gov.au](mailto:ADRP_Support@industry.gov.au), or sent by facsimile to (02) 6213 6821. Submissions may also be posted to the Anti-Dumping Review Panel, c/o Legal Services Branch, Department of Industry, 10 Binara Street, CANBERRA CITY ACT 2601 AUSTRALIA.

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the applications for review, which set out the full grounds for seeking review, and other documents on the public file of the review, are available from [www.adreviewpanel.gov.au](http://www.adreviewpanel.gov.au). The reports of the original investigation are available on the Anti-Dumping Commission website at [www.adcommission.gov.au](http://www.adcommission.gov.au)

The Hon Michael Moore  
Anti-Dumping Review Panel