



ANTI-DUMPING NOTICE NO. 2018/19

Wind Towers

Exported to Australia from the People's Republic of China and the Republic of Korea

Findings of an exemption inquiry

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission have completed the exemption inquiry in relation to certain goods which are the subject of anti-dumping measures applying to wind towers exported to Australia from the People's Republic of China (China) and the Republic of Korea (Korea).

The exemption was sought pursuant to subsection 8(7)(b) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under this provision the Assistant Minister for Science, Jobs and Innovation and Parliamentary Secretary to the Minister for Jobs and Innovation (Parliamentary Secretary)¹ may exempt goods from interim dumping duty and dumping duty if satisfied that a Tariff Concession Order under Part XVA of the *Customs Act 1901* in respect of the goods is in force.

The anti-dumping measures

Anti-dumping measures, in the form of a dumping duty notice, were initially imposed on the goods by public notice on 16 April 2014 by the then Parliamentary Secretary to the Minister for Industry following consideration of Anti-Dumping Commission Report No. 221 (REP 221). These measures are applicable to all exporters from China and Korea.

The exemption goods

The goods the subject of this exemption inquiry (the exemption goods) are certain wind tower sections, having all of the following characteristics specified in Tariff Concession Order (TCO) TC 1761480:

- (a) plate steel having a thickness of NOT less than 33 mm and NOT greater than 60 mm;
- (b) section length NOT less than 14,100 mm and NOT greater than 16,250 mm;

¹ On 20 December 2017, the Prime Minister appointed the Parliamentary Secretary to the Minister for Jobs and Innovation as the Assistant Minister for Science, Jobs and Innovation. For the purposes of this decision the Minister is the Parliamentary Secretary to the Minister for Jobs and Innovation.

(c) section weight NOT less than 60 metric tonnes and NOT greater than 105 metric tonnes;

(d) diameter NOT less than 4,299 mm and NOT greater than 4,650 mm.

The exemption goods are classified under tariff subheading 7308.90.00 (statistical code 49), in Schedule 3 of the Customs Tariff Act 1995.

The inquiry

Following an application by Keppel Prince Engineering Pty Ltd, an Australian industry member producing wind towers, I made a recommendation to the Parliamentary Secretary that the exemption goods be exempted from the interim dumping duty and dumping duty.

The Parliamentary Secretary has accepted my recommendation and has exempted the goods the subject of the application from interim dumping duty and dumping duty through *Ministerial Exemption Instrument No. x of 2018*. The exemption takes effect from 21 September 2017.

Copies of *Exemption Inquiry Report No. EX0061* and the exemption instrument are available on the Anti-Dumping Commission's website (www.adcommission.gov.au).

The exemption granted as a result of this inquiry may be subject to review and may be revoked by the Parliamentary Secretary if circumstances change.

Further Information

If importers believe that goods they are importing are exempted from dumping duties in accordance with these exemption instruments, when they or their broker enter these goods for home consumption via the Integrated Cargo System, the exemption category 'GOODS' should be selected and no dumping duties will be applied to the shipment.

Parties seeking a refund of dumping duties already paid should contact the Department of Immigration and Border Protection's National Refunds Centre at nationalrefunds@border.gov.au.

The decision to grant the exemption does not prevent further applications for exemptions from dumping duties being considered. Parties can apply for an exemption where they believe their goods satisfy any of the conditions for exemption detailed in subsections 8(7) and 10(8) of the Dumping Duty Act. Further information on the application process can be found at the Commission website at:

<http://www.adcommission.gov.au/system/csi/exemption/how-to-apply.asp>

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Commission on 13 28 46 or for international callers on +61 2 6213 6000 or by email at

clientsupport@adcommission.gov.au.

Dale Seymour
Commissioner

Anti-Dumping Commission

7 February 2018