



ANTI-DUMPING NOTICE NO. 2016/1

Certain Crystalline Silicon Photovoltaic Modules or Panels Exported from the People's Republic of China RESUMPTION OF AN INVESTIGATION

Customs Act 1901 – Part XVB

Purpose

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission advise all interested parties that the dumping investigation in relation to certain crystalline silicon photovoltaic modules or panels (PV modules or panels, the goods) exported to Australia from the People's Republic of China (China) will be resumed after the publication of a new Statement of Essential Facts (SEF). I now invite interested parties to make submissions relevant to the publication of a new SEF.

Background

On 6 October 2015 I terminated the investigation into the alleged dumping of PV panels or modules exported to Australia from China. The investigation was terminated because, although dumping of PV panels or modules was found, I considered that the injury to the Australian industry, or hindrance to the Australian industry's establishment, caused by that dumping was negligible. Further details of the reasons for the termination can be found in Anti-Dumping Notice (ADN) 2015/118.

The applicant for the imposition of dumping duties representing the Australian industry, Tindo Manufacturing Pty Ltd, subsequently lodged an application with the Anti-Dumping Review Panel (Panel) on 5 November 2015 for a review of my termination decision. Subsection 269ZZN(b) of the *Customs Act 1901* (the Act) provides that the Panel is able to review my decision, and subsection 269ZZT(1) of the Act indicates that the Panel may either affirm or revoke the termination decision.

On 8 January 2016, the Panel revoked my termination decision. The Panel Member's reasons for revoking the termination decision are available at www.adreviewpanel.gov.au.

Resumption of Investigation

Subsection 269ZZT(2) of the Act states that, as soon as practicable after the reviewable decision has been revoked, I must publish a SEF. Following the publication of the SEF, the investigation resumes. Interested parties will have 20 days within which to make submissions in response to the SEF and I will then have a further 25 days to provide a report to the Assistant Minister for Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science with my recommendation on whether to publish a dumping duty notice (unless I terminate the resumed investigation earlier).

The date of the publication of the SEF will depend on the outcome of my consideration of the Panel Member's report and the Commission's advice regarding what further work is necessary to address the issues identified by the Panel as requiring further consideration. This may involve requests for, and verification of, further information from interested parties. I intend to establish a proposed timeframe for the resumed investigation in due course, and will advise the interested parties accordingly.

Contact

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2416, fax number +61 3 8539 2499 or e-mail at operations2@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

8 January 2016