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駐加拿大代表處經濟組 函

受文者：經濟部國際貿易局

發文日期：中華民國110年12月29日

發文字號：加經字第1100000389號

速別：最速件

密等及解密條件或保密期限：

附件：如文（加經1100000389_Attach1.pdf, 加經1100000389_Attach2.pdf）

主旨：有關加拿大國際貿易法庭通知對自我國等出口之特定小型變壓器產品造成加國國內產業損害作成終判認定事，敬請查照。

說明：

一、依據加國國際貿易法庭（CITT）登記處副處長Bianca Zamor本（110）年12月24日致本組信函辦理（如附件1）；另，本組本年11月26日加經字第1100000366號函諒邀察及。

二、前揭Z副處長信函要點如下：

（一）加國邊境服務署（CBSA）業於本年8月27日完成傾銷初步調查，認定自奧地利、我國及南韓等國出口至加國之特定小型變壓器產品（small power transformers）確已造成傾銷，CITT爰於本年8月30日依據加國「特殊進口措施法」（SIMA），針對本案展開國內產業損害調查；

（二）CBSA業於本年11月25日針對本案作成傾銷終判認定，



國際貿易局 110/12/30



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CITT則於本年12月24日就國內產業損害作成終判（如附件2），認定原產或出口自我國及韓國之涉案產品（排除自韓國IEN Hanchang 公司進口產品）造成加國國內產業實質損害，並認定原產或出口自奧地利是類產品並未造成加國國內產業損害或有造成產業損害之虞；本案之判決理由書（Statement of Reasons）將於15日內公布；

(三)利害關係人倘擬提出公共利益調查（Public Interest Inquiry），應於明年（111）年2月7日前向CITT提出申請，詳細程序作法請參閱「CITT公共利益調查準則」（Guideline on Public Interest Inquiries: <https://citt-tcce.gc.ca/en/resource-types/public-interest-inquiry-guidelines.html>）；

(四)此外，依據CITT保密準則（Confidentiality Guidelines），參與CITT產損調查程序者倘有意將其所提供之資訊列為機密資訊，應依據加拿大國際貿易法庭法（CITT Act）相關規定辦理，詳情請參閱：<https://citt-tcce.gc.ca/en/resource-types/confidentiality-guidelines.html>]

三、謹查，本案受調查產品之稅號一般列於：8504.22.00.20、8504.23.00.10、8504.23.00.20、8504.90.90.10、8504.90.90.82及8504.90.90.90項下，依據CBSA本案傾銷終判認定，我國士林電機公司獲判11.7%反傾銷稅率，我國未獲正常價格（normal values）之其他出口業者（all other exporters）則一律適用21.3%稅率（詳情請參閱CBSA本案官網：<https://www.cbsa-asfc.gc.ca/sima-lmsi/mif-mev/spt-eng.html>）。

郭國際
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主旨: NQ-2021-003 / Findings - Conclusions

On August 27, 2021, the President of the Canada Border Services Agency (CBSA) made a preliminary determination respecting the dumping of liquid dielectric transformers having a top power handling capacity equal to or greater than 3,000 kilovolt amperes (kVA) (3 megavolt amperes [MVA]), and less than 60,000 kilovolt amperes (kVA) (60 megavolt amperes [MVA]), and having a nominal high voltage rating of greater than 34.5 kilovolts (kV), whether assembled or unassembled, complete or incomplete, originating in or exported from the Republic of Austria (Austria), the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei), and the Republic of Korea (South Korea).

Upon receipt of the CBSA's notice, the Canadian International Trade Tribunal initiated an inquiry pursuant to section 42 of the *Special Import Measures Act* (SIMA). The notice of commencement of inquiry dated August 30, 2021, was published in Part I of the September 11, 2021, edition of the *Canada Gazette*. A public videoconference hearing was held during the course of this inquiry.

On November 25, 2021, the CBSA issued a final determination with respect to the dumping of the above-mentioned goods.

On December 24, 2021, having completed the inquiry, the Tribunal made findings, pursuant to subsection 43(1) of SIMA, that:

- a. the dumping of the above-mentioned goods, originating in or exported from Chinese Taipei and South Korea (excluding those goods exported from South Korea by IEN Hanchang Co., Ltd), has caused material injury to the domestic industry; and
- b. the dumping of the above-mentioned goods, originating in or exported from Austria, has not caused injury and is not threatening to cause injury to the domestic industry.

Pursuant to subsection 43(2) of SIMA, a copy of the findings, in English and in French, is enclosed. The statement of reasons will be issued within 15 days.

Pursuant to subsection 45(1) of SIMA, interested persons who are of the view that the imposition of anti-dumping and countervailing duties in the full amount would not or might not be in the public interest may, if they so wish, make a request for a public interest inquiry. Interested persons shall file their representations with the Tribunal, on or before February 7, 2022. In the event that requests for a public interest inquiry are received by the Tribunal, it will provide a copy of each request to all those who were sent a copy of the Tribunal's injury finding findings in the section 42 inquiry proceeding, and invite them to respond to any of them if they so wish. At that time, the Tribunal will communicate the applicable procedures and timelines interested persons must adhere to. For guidance on how to proceed with a request for a public interest inquiry, please refer to the Tribunal's *Guideline on Public Interest Inquiries* which can be found on at citt-tcce.gc.ca/en/resource-types/public-interest-inquiry-guidelines.html.

Under section 46 of the *Canadian International Trade Tribunal Act*, a person who provides information to the Tribunal and who wishes some or all of the information to be kept confidential

must submit to the Tribunal, at the time the information is provided, a statement designating the information as confidential, together with an explanation as to why the information is designated as confidential. Furthermore, the person must submit non-confidential edited version or a non-confidential summary of the information designated as confidential or a statement indicating why such a summary cannot be made. (See the Tribunal's *Confidentiality Guidelines* available at [citt-tcce.gc.ca/en/resource-types/confidentiality-guidelines.html]citt-tcce.gc.ca/en/resource-types/confidentiality-guidelines.html.)

Bianca Zamor

Deputy Registrar

Secretariat to the Canadian International Trade Tribunal

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Canadian International
Trade Tribunal

Tribunal canadien du
commerce extérieur

CANADIAN
INTERNATIONAL
TRADE TRIBUNAL

Dumping and Subsidizing

FINDINGS

Inquiry NQ-2021-003

Certain Small Power Transformers

*Findings issued
Friday, December 24, 2021*

IN THE MATTER OF an inquiry, pursuant to section 42 of the *Special Import Measures Act*, respecting:

CERTAIN SMALL POWER TRANSFORMERS

FINDINGS

The Canadian International Trade Tribunal, pursuant to the provisions of section 42 of the *Special Import Measures Act* (SIMA), has conducted an inquiry to determine whether the dumping of liquid dielectric transformers having a top power handling capacity equal to or greater than 3,000 kilovolt amperes (kVA) (3 megavolt amperes [MVA]), and less than 60,000 kilovolt amperes (kVA) (60 megavolt amperes [MVA]), and having a nominal high voltage rating of greater than 34.5 kilovolts (kV), whether assembled or unassembled, complete or incomplete, originating in or exported from the Republic of Austria (Austria), the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei), and the Republic of Korea (South Korea), has caused injury or retardation or is threatening to cause injury, as these words are defined in SIMA.

On November 25, 2021, the President of the Canada Border Services Agency (CBSA), pursuant to paragraph 41(1)(a) of SIMA, terminated its dumping investigation with respect to the above-mentioned goods exported to Canada from South Korea by IEN Hanchang Co., Ltd (Hanchang). Pursuant to paragraph 41(1)(b) of SIMA, the CBSA made a final determination of dumping in respect of the above-mentioned goods originating in or exported from Austria, Chinese Taipei and South Korea (excluding goods exported from South Korea by Hanchang).

Further to its inquiry, the Tribunal hereby finds, pursuant to subsection 43(1) of SIMA, that:

- (a) the dumping of the above-mentioned goods, originating in or exported from Chinese Taipei and South Korea (excluding those goods exported from South Korea by Hanchang), has caused material injury to the domestic industry; and
- (b) the dumping of the above-mentioned goods, originating in or exported from Austria, has not caused injury and is not threatening to cause injury to the domestic industry.

Frédéric Seppey
Frédéric Seppey
Presiding Member

Susan D. Beaubien
Susan D. Beaubien
Member

Serge Fréchette
Serge Fréchette
Member

The statement of reasons will be issued within 15 days.