



ANTI-DUMPING NOTICE NO. 2015/99

Certain Aluminium Extrusions Exported from the People's Republic of China Initiation of a Review of Anti-Dumping Measures Relating to Press Metal International Ltd.

Customs Act 1901 – Part XVB

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (the Commission) have initiated a review of the anti-dumping measures applying to certain aluminium extrusions exported to Australia from the People's Republic of China (China) by Press Metal International Ltd. (PMI).

The goods

The goods subject to anti-dumping measures (the goods), in the form of a dumping duty notice and a countervailing duty notice, are:

Aluminium extrusions produced via an extrusion process, of alloys having metallic elements falling within the alloy designations published by the Aluminium Association commencing with 1, 2, 3, 5, 6 or 7 (or proprietary or other certifying body equivalents), with the finish being as extruded (mill), mechanical, anodized or painted or otherwise coated, whether or not worked, having a wall thickness or diameter greater than 0.5 mm, with a maximum weight per metre of 27 kilograms and a profile or cross-section which fits within a circle having a diameter of 421 mm.

The goods include aluminium extrusion products that have been further processed or fabricated to a limited extent, after aluminium has been extruded through a die. For example, aluminium extrusion products that have been painted, anodised, or otherwise coated, or worked (e.g. precision cut, machined, punched or drilled) fall within the scope of the goods.

The goods are currently classified to the tariff subheadings 7604.10.00 (statistical code 6); 7604.21.00 (statistical codes 7 and 8); 7604.29.00 (statistical codes 9 and 10); 7608.10.00 (statistical code 9); 7608.20.00 (statistical code 10); 7610.10.00 (statistical code 12) and 7610.90.00 (statistical code 13) in Schedule 3 of the *Customs Tariff Act 1995*. These goods are subject to 5 per cent customs duty.

The review will examine whether the variable factors relevant to the taking of the anti-dumping measures, as they affect PMI, have changed.

Background to the measures

The anti-dumping measures were initially imposed by public notice on 28 October 2010 by the then Attorney-General following consideration of *Trade Measures Report No. 148* (REP 148).

Following a review by the Trade Measures Review Officer, the then Australian Customs and Border Protection conducted a reinvestigation into certain findings made in REP 148. *International Trade Remedies Report No. 175* sets out the findings affirmed and new findings made by the then Australian Customs and Border Protection as a result of the reinvestigation.

To give effect to this decision, the then Attorney-General published new notices under section 269ZZM of the *Customs Act 1901* (the Act). These notices, which came into effect on 27 August 2011, replaced the dumping duty and countervailing duty notices published on 28 October 2010.

The current measures are applicable to all exporters from China with the exception that interim dumping duties and countervailing duties do not apply to Tai Ao Aluminium Tai Shan Co., Ltd. and interim dumping duties do not apply to Guangdong Zhongya Aluminium Company Ltd.

The current review

An application was lodged by PMI under subsection 269ZA(1) of the Act for a review of the dumping duty and countervailing duty notices in relation to the goods exported to Australia from China by PMI.

A notice indicating that I am proposing to review the measures was published in *The Australian* on 13 August 2015. The review period is 1 July 2014 to 30 June 2015 and covers exports of the goods by PMI from China. The review will examine whether the variable factors relevant to the taking of the measures have changed.

After concluding the review, I will recommend to the Parliamentary Secretary to the Minister for Industry and Science (the Parliamentary Secretary) that the dumping duty notice and countervailing duty notice:

- i. remain unaltered; or
- ii. have effect as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that anti-dumping measures applying to certain aluminium extrusions are no longer warranted, that party may lodge an application¹ no later than 22 September 2015 requesting that I consider that evidence and extend this review of anti-dumping measures to include revocation.

¹ In accordance with section 269ZCA of the Act.

Public Record

A public record must be maintained for each review of anti-dumping measures undertaken by the Commission. The public record must contain, among other things, a copy of all submissions from interested parties.

Documents included in the public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au.

Lodgment of submissions

Interested parties, as defined by subsection 269T(1) of the Act, are invited to lodge written submissions concerning this review, no later than the close of business on 22 September 2015, addressed to:

The Director
Operations 4
Anti-Dumping Commission
GPO Box 1632
Melbourne VIC 3001

or email at operations4@adcommission.gov.au, or fax to +61 3 8539 2499.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received by the Commission after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the statement of essential facts on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "FOR OFFICIAL USE ONLY".

Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

Statement of Essential Facts

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Parliamentary Secretary within the legislative timeframe. A statement of essential facts (SEF) will be placed on the public record by 1 December 2015, or by such later date as the Parliamentary Secretary allows in accordance with section 269ZHI of the Act. The SEF will set out the essential facts on which I propose to base a recommendation to the Parliamentary Secretary. The SEF will invite interested parties to lodge submissions within 20 days of it being placed on the public record.

Report to the Parliamentary Secretary

Submissions received in response to the SEF will be taken into account in preparing the report and recommendation to the Parliamentary Secretary. A recommendation to the Parliamentary Secretary will be made in a report on or before 15 January 2016 (or such later date as the Parliamentary Secretary allows under section 269ZHI of the Act).

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2424, fax number +61 3 8539 2499 or email at operations4@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

13 August 2015