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# **ANTI-DUMPING NOTICE NO. 2017/120**

## **Certain Aluminium Extrusions**

### **Exported to Australia**

### **Initiation of an Exemption Inquiry (EX 0055)**

*Customs Tariff (Anti-Dumping) Act 1975*

#### **Background**

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have initiated an exemption inquiry in relation to certain goods the subject of anti-dumping measures applying to certain aluminium extrusions (aluminium extrusions or 'the goods') imported to Australia.

The exemption category being sought is under subsections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions, the Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary)<sup>1</sup> may exempt goods from dumping and countervailing duties where satisfied:

*'that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.'*

#### **The anti-dumping measures**

The application refers to the anti-dumping measures in relation to Malaysia. These anti-dumping measures, in the form of a dumping duty notice<sup>2</sup> and a countervailing duty notice<sup>3</sup> (the notices), were initially imposed on the goods by public notice on 27 June 2017 by the Parliamentary Secretary following consideration of *Anti-Dumping Commission Report No. 362*. The notices are applicable to all exporters from Malaysia, with the exception of:

- Press Metal Berhad;
- Superb Aluminium Industries Sdn Bhd;

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<sup>1</sup> On 19 July 2016, the Prime Minister appointed the Parliamentary Secretary to the Minister for Industry, Innovation and Science as the Assistant Minister for Industry, Innovation and Science. For the purposes of this inquiry the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

<sup>2</sup> Anti-Dumping Notice No. 2017/72 refers.

<sup>3</sup> Anti-Dumping Notice No. 2017/73 refers.

- LB Aluminium Berhad;
- Milleon Extruder Sdn Bhd;
- Genesis Aluminium Industries Sdn Bhd; and
- Kamco Aluminium Sdn Bhd.

### **The exemption goods**

The goods the subject of the exemption inquiry (the exemption goods) are certain aluminium extrusions described at Attachment A. The applicant further advised that the exemption goods are used in the manufacture of a range of concrete/trade tools.

The application states that the exemption goods are classified to the following tariff subheadings and statistical codes of Schedule 3 to the *Customs Tariff Act 1995*.

<b>Tariff subheading</b>	<b>Statistical code</b>
7604.21.00	08
7604.29.00	10
7608.20.00	10

### **The current inquiry**

The application for exemption has been made by Ezy Tools Pty Ltd (Ezy Tools), an importer of the goods. The application was first received on 12 July 2017, however a revised version of the application was received on 18 August 2017.

The exemption inquiry will examine whether the goods the subject of the application satisfy the conditions of subsections 8(7)(a) and 10(8)(a) of the Dumping Duty Act.

After making inquiries of the Australian industry producing aluminium extrusions and other interested parties, I will recommend to the Parliamentary Secretary whether the exemption goods should be exempted from the anti-dumping measures.

### **Public record**

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of ensuring this process is conducted in an open and transparent manner, a public record for this inquiry may be examined at the Anti-Dumping Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is accessible at [www.adcommission.gov.au](http://www.adcommission.gov.au)

The public record will contain, among other things, a copy of the application and a copy of all submissions from interested parties.

### **Lodgment of submissions**

Interested parties are invited to lodge written submissions concerning this inquiry as soon as practicable, addressed to:

The Director - Investigations 3

Anti-Dumping Commission  
GPO 2013  
Canberra ACT 2601

or email [investigations3@adcommission.gov.au](mailto:investigations3@adcommission.gov.au), or fax to (03) 8539 2499 or +61 3 8539 2499 (outside Australia).

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly.

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, should:

- (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 must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

### **Report to the Parliamentary Secretary**

There is no legislated timeframe for completing the report and recommendation to the Parliamentary Secretary.

### **Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the Case Manager on telephone number (03) 8539 2478 or email [investigations3@adcommission.gov.au](mailto:investigations3@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

16 October 2017



## ATTACHMENT A

Product Description <sup>4</sup>	Alloy/ Temper	Height (rectangular, square or open profile) / Outside Diameter (circular profile only)	Width (rectangular, square or open profile) / Inside Diameter (circular profile only)	Shape	Wall thickness	Length (m)	Section weight (kg)
CONCRETE SCREED BASE	6063/T5	50.30mm ± 0.61mm	40.00mm ± 0.36mm	Rectangular	Up to 3.00mm ± 0.15mm	6.000	0.821
STRAIGHTEDGE 70 X 19 mm	6063/T5	19.00mm ± 0.23mm	70.00mm ± 0.61mm	Rectangular	1.60mm ± 0.18mm	6.000	0.711
STRAIGHTEDGE 82 X 29 mm	6063/T5	82.50mm ± 0.61mm	28.50mm ± 0.31mm	Rectangular	2.00mm ± 0.18mm	6.000	1.102
STRAIGHTEDGE 92 X 34 mm	6063/T5	92.00mm ± 0.61mm	34.00mm ± 0.31mm	Rectangular	2.00mm ± 0.18mm	6.000	1.265
BRICKIES PROFILE HOLLOW EXTRUDED SQUARE BOX PROFILE	6063/T5	50.00mm ± 0.61mm	50.00mm ± 0.61mm	Square	2.30mm ± 0.20mm	5.600	1.185
SHOTCRETE TROWEL	6063/T5	36.00mm ± 0.30mm	118.00mm ± 0.86mm	Open profile	Up to 3.20mm	3.000	1.691
CONCRETE RAKE BLADE	6063/T5	Approx. 16.40mm	98.90mm ± 0.61mm	Open profile	Up to 3.60mm ± 0.20mm	3.010	0.958
CLAMP PROFILE NOT HOLLOW	6063/T5	24.25mm ± 0.25mm	70.00mm ± 0.61mm	Open profile	5.00mm ± 0.20mm	3.600	1.142
TUBE FOR CONCRETE RAKE HANDLE	6063/T5	34.00mm ± 0.31mm	29.00mm ± 0.31mm	Circular	2.50mm ± 0.25mm	3.210	0.671
TUBE FOR CONCRETE SCREED HANDLE	6063/T5	32.00mm ± 0.40mm	Varies because of shape complexity	Circular	1.50mm ± 0.18mm	4.340	0.526

<sup>4</sup> The product description is for reference only. The characteristics of the exemption goods are provided in the following columns.