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**ANTI-DUMPING NOTICE NO. 2017/77****Certain Aluminium Extrusions****Exported from the People's Republic of China****Initiation of an Accelerated Review*****Customs Act 1901 – Part XVB***

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have commenced an accelerated review of the anti-dumping measures applying to certain aluminium extrusions exported to Australia from the People's Republic of China (China), in so far as they relate to a new exporter, Skyline Aluminium Co. Ltd. Fujian (Skyline).

The lodgement date of 10 May 2017 is the commencement date of this accelerated review.

**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 are classified to the following tariff subheadings as documented in Schedule 3 of the *Customs Tariff Act 1995*.

- 7604.10.00 / 06 non alloyed aluminium bars, rods and profiles
- 7604.21.00 / 07 aluminium alloy hollow angles and other shapes
- 7604.21.00 / 08 aluminium alloy hollow profiles
- 7604.29.00 / 09 aluminium alloy non hollow angles and other shapes
- 7604.29.00 / 10 aluminium alloy non hollow profiles
- 7608.10.00 / 09 non alloyed aluminium tubes and pipes
- 7608.20.00 / 10 aluminium alloy tubes and pipes
- 7610.10.00 / 12 doors, windows and their frames and thresholds for doors
- 7610.90.00 / 13 other

## **Existing measures**

Anti-dumping measures in relation to exports of the goods to Australia from China were initially imposed by public notices (a dumping duty notice and a countervailing duty notice) on 28 October 2010 by the then Attorney General following consideration of *Trade Remedies Branch Report No. 148*, and applied to all exporters of aluminium extrusions from China, with the exception of Tai Ao Aluminium Tai Shan Co. Ltd.

On 19 August 2015, following a review of measures (*Anti-Dumping Commission Report No. 248* refers), the then Assistant Minister for Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science (the then Parliamentary Secretary) published a notice declaring that the public notices published on 28 October 2010 are to be taken to have effect as if different variable factors had been fixed.

On 20 October 2015, following a continuation inquiry (*Anti-Dumping Commission Report No. 287* refers), the then Parliamentary Secretary published a notice declaring that the dumping duty notice and countervailing duty notice continue in force from 28 October 2015.

On 23 March 2017, the Commissioner initiated a review of measures as they affect all exporters of the goods from China (refer ADN 2017/38 and CON 392 on the Commission's website [www.adcommission.gov.au](http://www.adcommission.gov.au))

## **The current review**

On 10 May 2017, Skyline lodged an application under subsection 269ZE(1) of the *Customs Act 1901* (the Act) for an accelerated review of the dumping duty notice and the countervailing duty notice in relation to its exports of the goods to Australia from China.

Following consideration of the application, I have decided not to reject the application. Further detail on the consideration of the application is contained in *Anti-Dumping Commission Consideration Report No. 415* (CON 415).

After concluding the accelerated review, I will make a recommendation under subsection 269ZG(1) of the Act to 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> that the dumping duty notice and the countervailing duty notice:

- (i) remain unaltered; or
- (ii) be altered so as to apply to the applicant as if different variable factors had been fixed.

If recommending to the Parliamentary Secretary that different variable factors be applied to the applicant, I may propose a change in the method to determine the interim dumping duty and interim countervailing duty. The available methods for determining the interim dumping duty are outlined in section 5 of the *Customs Tariff (Anti-Dumping) Regulation 2013*. The available methods for determining interim countervailing duty are outlined in subsection 10(3B) of the *Customs Tariff (Anti-Dumping) Act 1975*.

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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 accelerated review, the Minister is the Parliamentary Secretary to the Minister for Industry, Innovation and Science.

## **Public record**

There is no legislative requirement to maintain a public record for accelerated reviews. However, in the interests of transparency, a public record for this accelerated review has been opened and is accessible at [www.adcommission.gov.au](http://www.adcommission.gov.au). Alternatively, the public record may be examined at the Commission's office by contacting the Case Manager on the details provided below.

The public record will contain, among other things, a copy of the application, CON 415 and a copy of all submissions from interested parties.

## **Securities**

Pursuant to subsection 269ZH(b) of the Act, the Commonwealth may require and take securities under section 42 of the Act in respect of interim dumping duty and interim countervailing duty that may be payable on importation of the goods to which the application relates.

I have recommended that the Commonwealth require and take securities under section 42 of the Act from 10 May 2017 in respect of interim dumping duty and interim countervailing duty that may be payable on the importation of certain aluminium extrusions exported from China to which the application under subsection 269ZE(1) of the Act relates.

The interim dumping duty that has been determined is an amount that has been worked out in accordance with the combination of fixed (*ad valorem*) and variable duty method pursuant to subsection 5(2) of the *Customs Tariff (Anti-Dumping) Regulation 2013*.

The interim countervailing duty that has been determined is an amount that has been ascertained as a proportion of the export price of the goods pursuant to subsection 10(3B)(a) of the *Customs Tariff (Anti-Dumping) Act 1975*.

## **Lodgment of submissions**

Interested parties are invited to lodge written submissions concerning this review via:

Email to: [operations5@adcommission.gov.au](mailto:operations5@adcommission.gov.au)  
Fax to: +61 3 8539 2499, or  
Mail to: The Director, Operations 5  
Anti-Dumping Commission  
Level 7, Industry House  
10 Binara Street  
Canberra ACT 2601

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 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**

A recommendation to the Parliamentary Secretary will be made in a report on or before 18 August 2017.

**Anti-Dumping Commission contact**

Enquiries about this notice may be directed to the Case Manager by email at [operations5@adcommission.gov.au](mailto:operations5@adcommission.gov.au), or by telephone number: +61 2 6102 9622.

Dale Seymour  
Commissioner  
Anti-Dumping Commission  
30 May 2017