

3.5 The Australian industry

The Commissioner must be satisfied that the “like” goods are in fact produced in Australia. Subsection 269T(2) provides that for goods to be regarded as being produced in Australia, they must be wholly or partly manufactured in Australia. Subsection 269T(3) provides that in order for the goods to be considered as partly manufactured in Australia, at least one substantial process in the manufacture of the goods must be carried out in Australia.

Capral’s application identified the following companies as comprising the Australian industry:

- ⊙ Capral;
- G. James Extrusion Co Pty Ltd (G. James);
- Independent Extrusions Pty Ltd (INEX);
- Aluminium Shapemakers Pty Ltd (AluShapes);
- Almax Aluminium Pty Ltd;
- Aluminium Profiles Australia Pty Ltd;
- ⊙ Extrusions Australia Pty Ltd (EA);
- Olympic Aluminium Co Pty Ltd (Olympic); and
- Ullrich Aluminium Pty Ltd (Ullrich).

← 1999/2000 experience/eg.

← recent eg. 2017

The Commission visited Capral’s Bremer Park facility to examine its manufacturing processes and to verify the claims in the application. The Commission has found that Capral undertakes a substantial process of manufacture in producing aluminium extrusions in Australia and, as the aluminium extrusions are manufactured in Australia, there is an Australian industry producing like goods.

Further information regarding Capral’s production processes is available in CON 362.²¹

3.6 Commissioner’s assessment - like goods

The Commissioner considers that the Australian industry produces goods that are ‘like’ to the goods the subject to the application for the following reasons:

- the primary physical characteristics of the goods and locally produced goods are similar;
- the goods and locally produced goods are commercially alike as they are sold to common users, and directly compete in the same market;
- the goods and locally produced goods are functionally alike as they have a similar range of end-uses; and
- the goods and locally produced goods are manufactured in a similar manner.

Further details on the Commissioner’s assessment of like goods can be found in CON 362, which has not changed.

²¹ Case No. 362 Public Record Item No. 3.