



10 July 2014

The Director
Operations 3
Anti-Dumping Commission
1010 Latrobe Street
Melbourne Docklands VIC 3008

Inquiry 241: Treatment of the importers

This submission is made on behalf of Capral Limited, the applicant, in relation to the anti-circumvention inquiry into aluminium extrusions from China. We specifically refer to section A.1 of the importer questionnaire, which asks importers to provide information about their company structure, ownership and relationship with other companies in the Australian market.

As identified in our application, P&O Aluminium is split into four companies (Brisbane, Melbourne, Perth and Sydney), however we submit that these companies operate as a single business in the marketplace and the Commission should treat P&O Aluminium as a single entity for the purposes of this inquiry. We further submit that the Commission include Oceanic with P&O and treat all companies subject to this inquiry as a single entity.

P&O Aluminium

P&O Aluminium operates as a single entity in the marketplace and markets itself as such on its website:

P&O Aluminium is now a well known and respected supplier in the Australian Market since it established its first office and warehouse in Sydney in the late 1990's. P&O Aluminium has continued to increase its local presence with the building of a modern warehouse in Dandenong (Melbourne) providing support to VIC/TAS/SA customers also a purpose built facility in Brisbane servicing Queensland and Northern Territory and the 2008 establishment of an operation in Perth to service West Australia.¹

P&O Aluminium describes its operations in Brisbane, Melbourne, Perth and Sydney as 'national offices',² which implies that the offices merely operate as four branches of the one business.

¹ <http://www.pandoalum.com.au> at 'About Us'

² <http://www.pandoalum.com.au/contact-us/>

Non-Confidential – For Public Record

During the original aluminium extrusions investigation the four P&O companies were all 100% owned by PanAsia. In 2009 PanAsia disposed of its interests in these companies, however their relationship remains close, and in its 2013 global share offering PanAsia reported that the P&O companies, referred to as the 'P&O Group', were owned by the same 'independent third party'.³ We submit further evidence in the Confidential Attachment of linkages between the P&O companies, which supports the conclusion that they operate as a single entity.

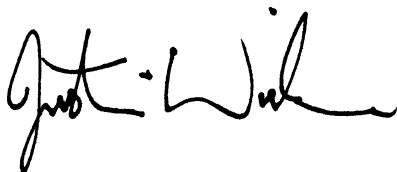
Oceanic

During the original aluminium extrusions investigation Oceanic was also all 100% owned by PanAsia. In 2009 PanAsia disposed of its interests in Oceanic along with P&O, however their relationship remains close, and in its 2013 global share offering PanAsia reported that the P&O Group and Oceanic were all owned by the same 'independent third party'.⁴ We submit further evidence in the Confidential Attachment of linkages between the P&O companies and Oceanic, which supports the conclusion that they should all be treated as one entity.

Conclusion

We submit that information provided on business operations, shared ownership and other linkages is evidence that, for the purposes of the anti-circumvention inquiry,:

- the four P&O companies should be treated as the one entity, and
- the P&O group and Oceanic should be treated as a single entity.



Justin Wickes
Director

Confidential Attachments

- A Importer linkages
- B Commentary on importer linkages

³ PanAsia global share offering (Attachment A.3 to the Application), pp.119-120

⁴ *ibid.*