



Anti-Dumping Commission  
Level 35 / 55 Collins Street  
Melbourne VIC 3000  
Australia

ASST. MARKETING MANAGER  
CRYSTAL GROUP ALUMINIUM EXTRUSION (M) SDN BHD  
LOT 14860 JALAN PUSARA, TELOK GONG  
42000 PORT KLANG  
MALAYSIA

via email:

**INVESTIGATION INTO THE ALLEGED DUMPING AND SUBSIDISATION OF  
ALUMINIUM EXTRUSIONS FROM MALAYSIA AND VIETNAM**

Dear

Following receipt of Crystal Group Aluminium Extrusion (M) Sdn Bhd's (Crystal Group) exporter questionnaire response of 22 September 2016, the Anti-Dumping Commission (the Commission) has assessed Crystal Group's exporter questionnaire to determine whether it is sufficient.

Pursuant to subsection 6(b) of the *Customs (Extensions of Time and Non-cooperation) Direction 2015* (the Direction):

- Crystal Group has provided a response within the legislated period;
- Crystal Group's response contains deficiencies that could not, in my view, be quickly and easily rectified in a further response; and
- I consider a further response may be relevant and necessary to the proper conduct of the case.

Based on the above, the purpose of this letter is to notify Crystal Group of the deficiencies identified at Attachment A.

As per the Explanatory Statement to the Direction, in determining whether or not to provide further time for a party to provide a supplementary response, I may consider – amongst other things – the nature and scope of the deficiencies, the obligation to conduct cases in a timely and efficient manner and to avoid unnecessary delays, and the specific obligations imposed under the *Customs Act 1901* (the Act) in relation to considering parties' responses.

In this instance, I consider that:

- the nature and scope of Crystal Group's deficiencies are extensive. The information provided by Crystal Group in its questionnaire response is not complete, relevant and accurate such that it is capable of verification. As a

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result, the Commission is unable to reliably determine an individual dumping and subsidy margin for Crystal Group based on the information it has provided; and

- based on Crystal Group's response to date, further time to provide a supplementary response would significantly impede the proper conduct of this case in a timely and efficient manner. In this regard, it is noted that a supplementary response may affect my ability to consider and make a preliminary affirmative determination by day 60 of the investigation where I am satisfied that the requisite grounds exist. For this investigation, day 60 is 17 October 2016.

On the basis of the above, for the purposes of this investigation, Crystal Group will be considered an uncooperative exporter pursuant to subsection 269T(1) and section 269TAACA of the Act and I will rely on all other relevant information available in making recommendations and findings in relation to Crystal Group.

If you would like to discuss any of the matters raised in this letter, please contact the case manager on (03) 8539 2418 or email [operations3@adcommission.gov.au](mailto:operations3@adcommission.gov.au).

Yours sincerely



Dale Seymour  
Commissioner  
Anti-Dumping Commission

28 September 2016

CRYSTAL GROUP ALUMINIUM EXTRUSION (M) SDN BHD – DEFICIENCY LIST	
QUESTION	ISSUE
Public record version of questionnaire response	Sections B to G have been deleted. The response is not suitable for inclusion on the public record as it does not provide a sufficient level of information to allow interested parties to understand the nature of the responses.
A-3	No information regarding current company details, including shareholdings provided.
A-4	Not completed.
A-4(3)	Chart of accounts not supplied. Internal financial statements (income statements of management accounts) not supplied.
A-5	The income statement at Appendix A-5 is incomplete. Information has been provided for 'all products' in the most recent financial year however, the 'goods under consideration' column has not been completed. There is no information relating to the investigation period.
A-6	Not completed.
B-1	Not completed.
B-2	Not completed.
B-3	Not completed.
B-4	Australian export transactions supplied but associated costs (such as inland freight, packaging etc.) not filled out, despite the incoterms being █████ which involves a cost in delivering the goods from the warehouse to the port. There is a material variation between the volumes and values reported and the volumes and values recorded in the Australian Border Force import database, which brings into question the accuracy, relevance and completeness of the information provided.
B-5	Not completed.
B-6	Not completed.
B-7	Not completed.

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B-8	Not completed.
B-9	Not completed. No source documents in relation to two shipments provided as required by B-9.
C-1	Not completed.
C-2	Not completed.
C-3	Not completed.
C-4	Not completed.
D-1	Not completed.
D-2	Not completed.
D-3	Not completed.
D-4	Not completed.
D-5	Not completed.
D-6	Not completed.
D-7	Not completed. No source documents in relation to two sales provided as required by D-7.
E-1	Not completed.
E-2	Not completed.
E-3	Not completed.
F-1	Not completed.
F-2	Not completed.
G-1	Not completed.

**PUBLIC RECORD**

G-2	Not completed.
G-3	Not completed.
G-4	Not completed.
G-5	Not completed.
G-6	Not completed.
H-1	Not completed. No copies of income tax returns provided.
H-2	Not completed.
Signed Submission	Questionnaire not signed.