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## **ANTI-DUMPING NOTICE NO. 2017/31**

### **Certain aluminium extrusions Exported to Australia from the People's Republic of China Initiation of an exemption inquiry**

*Customs Tariff (Anti-Dumping) Act 1975*

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 exported to Australia from the People's Republic of China (China).

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**

Anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice were initially imposed on certain aluminium extrusions exported to Australia from China by public notice on 28 October 2010 following the Parliamentary Secretary's consideration of the *Anti-Dumping Commission Report No. 148* (REP 148).

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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.

## **The Exemption Goods**

The exemption goods are extruded aluminium tubes manufactured from aluminium alloy designation 6061 with a T6 temper designation, with the following dimensions:

- outside diameter of 140 millimetres (mm);
- wall thickness of 1.8 mm; and
- length of 5000 mm.

The applicant further advised that the exemption goods are used to manufacture wing spars for recreational aircraft.

The exemption goods are classified to the tariff subheading 76082000 (statistical code 10) of Schedule 3 to the *Customs Tariff Act 1995*. For these goods the general rate of duty is currently 4 per cent for goods imported from China.

The grounds for the exemption application are that the applicant believes that there are no Australian manufacturers of aluminium extrusions that meet the specifications for which the exemption is sought.

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

## **The Current Inquiry**

An application for exemption has been made to the Commission by Blackhawk Aviation Pty Ltd, an importer of the exemption goods.

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

## **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 no later than the close of business on 7 May 2017, addressed to:

The Director  
Operations 5  
Anti-Dumping Commission  
Level 7, Industry House  
10 Binara Street  
Canberra City  
Australia

or email [operations5@adcommission.gov.au](mailto:operations5@adcommission.gov.au), or fax to (03) 8539 2499 or +61 3 8539 2499 (outside Australia).

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**

Submissions received in the timeframe stated above will be taken into account in completing the report and recommendation to the Parliamentary Secretary. There is no legislated timeframe for this process.

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

Enquiries about this notice may be directed to the Case Manager on telephone number (02) 6276 1599 or +61 2 6276 1599 (outside Australia) or email to [operations5@adcommission.gov.au](mailto:operations5@adcommission.gov.au).

Dale Seymour  
Commissioner  
Anti-Dumping Commission

30 March 2017