



Mr. Dale Seymour  
Commissioner  
Anti-Dumping Commission  
GPO Box 1632, Melbourne  
Victoria 3000, Australia

26 October 2016

Dear Sir,

**Preliminary Determination on the Anti-Dumping and Countervailing Investigation on Imports of Aluminium Extrusions from Malaysia**

Reference is made to Notice No.2016/108 regarding the Preliminary Determination on the Anti-Dumping and Countervailing Investigation on Imports of Aluminium Extrusions from Malaysia into Australia.

2. Reference is also made to the obligations of the signatories to the Australia-Malaysia Free Trade Agreement (MAFTA) in regard to Chapter 7 on Trade Remedies. On behalf of the Malaysian companies, the Ministry of International Trade and Industry (MITI) hereby would like to convey various concerns regarding the preliminary determination on the alleged dumping as follows:

**i. Limited opportunity to respond**

- MITI was informed that almost all Malaysian companies received the notification on the investigation and the questionnaire at the end of August 2016. This has significantly limited their opportunity to respond fully to the questionnaire by the 22 September 2016 deadline as the amount of information required in the questionnaire was extensive. One company, i.e. EverPress Aluminium Industries Sdn. Bhd. was not even aware that it has the right to request for extension of time.
- Despite the small window of time, companies such as **Alumac Industries Sdn. Bhd.**; **Tong Heer Aluminium Industries Sdn. Bhd.** and **EverPress Aluminium Industries Sdn. Bhd.** have made efforts to provide information as complete as possible and submitted all relevant documents in their response to the ADC.

- MITI was also informed that the companies were willing to submit additional information to address all deficiencies found in their earlier submission as well as to receive the investigating team from the ADC at their premise for verification visit.
- It is therefore urged that the ADC takes into account the efforts of the Malaysian companies to cooperate and provide all necessary information required, by providing opportunity for them to remedy the deficiency of their earlier submissions and that they are not categorised as “uncooperative exporters”.

ii. **Recalculation of an individual dumping margin**

- Malaysian companies such as **Genesis Aluminium Industries Sdn. Bhd.; Milleon Extruder Sdn. Bhd.; Alumac Industries Sdn. Bhd.; and Tong Heer Aluminium Industries Sdn. Bhd.** have fully responded to the questionnaire and provided the necessary information in their submission. Given these circumstances, it is only fair that ADC ascertain individual assessment of dumping margin on each company and not being grouped as “residual exporters” or “uncooperative exporters”.
- These companies are genuine exporters that are fully cooperative in the investigation and willing to welcome the ADC to their premises to verify information they have provided.

3. MITI on behalf of the GOM would also like to request the ADC to thoroughly and objectively assess the factors causing injury to the domestic industry in Australia. It is hoped that the ADC would give a fair and favourable consideration of the request from the companies and the concerns conveyed via MITI Malaysia in the light of the bilateral Free Trade Agreement which is being implemented by our two governments.

Thank you.

Yours sincerely,



**(WONG SENG FOO)**

Multilateral Trade Policy and Negotiations Division  
for Secretary General  
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