



Global Vietnam Aluminium Company Limited
My Xuan B1-Conac Industrial Zone, My Xuan Town,
Tan Thanh District, BR-VT Province, Vietnam

PUBLIC VERSION

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Director, Operations 3
Anti-Dumping Commission
GPO Box 1632
Melbourne VIC 3001

Investigation into alleged dumping of aluminium extrusions exported from Vietnam

Dear Director,

This submission is made on behalf of Global Vietnam Aluminium (GVA) in response to the Commission's recent decision to publish a preliminary affirmative determination (PAD 362) and impose provisional measures applying to exports of aluminium extrusions exported by GVA from Vietnam.

Normal value based on other sellers

It is noted that the Commission has opted to establish GVA's normal value on the basis of other seller's domestic sales of like goods. Specifically, the normal values relied on domestic sales information submitted by the cooperating exporters East Asia Aluminium Company Ltd (EAA) and Mien Hua Precision Mechanical Co., Ltd (Mien Hua).

Whilst PAD 362 correctly highlights that the legislation and the Commission's Dumping and Subsidy Manual provide for the use of other seller's domestic sales where an exporter has not made sales of like goods in the ordinary course of trade and at arms length, GVA notes that PAD 362 makes no mention and provides no explanation of the Commission's examination and assessment as to whether the domestic sales made by EAA and Mien Hua were both suitable and relevant.

Further, the Dumping and Subsidy Manual makes clear that:

Where an other-seller's prices are being considered for normal values, the Commission will, subject to confidentiality, seek to provide the exporter with information about the other seller's sales so that the exporter in question might defend its interests. Generally, this will involve identifying that other seller, providing information on the type of products being sold on the domestic market, and the other seller's domestic distribution methods for level of trade comparisons.

In the absence of any understanding of the types of products sold on the domestic market by EAA and Mien Hua, or the nature of those domestic sales in terms of the level of trade, delivery terms, credit terms, complexity of profiles, volumes, etc, GVA is unable to meaningfully respond to the Commission's preliminary determination and properly defend its interests. Therefore, subject to

confidentiality, GVA requests the Commission to provide it with sufficient information so that it may properly consider and address potential issues which may affect the proper comparison of GVA's export sales with the other seller's domestic sales.

Notwithstanding the lack of information about the domestic sales made by EAA and Mien Hua, GVA makes the following general observations about circumstances would likely require adjustment to ensure that GVA's export prices can be properly compared with the domestic sales of the other sellers.

First, domestic sales of aluminium extrusions in Vietnam are predominantly focused on small orders by end-users and original equipment manufacturers of custom and complex profiles with very tight tolerances. The complexity of the domestic profiles and the small production volumes required by domestic customers results in higher manufacturing overheads due to the lower productivity and efficiency. By contrast, the Australian market and GVA'S exports are of [REDACTED] generally able to be produced by any extruder in the Asian region. These [REDACTED] are typically characterised as having [REDACTED]. As such, they are significantly cheaper to manufacture than the domestic profiles likely to have been sold by EAA and Mien Hua.

Second, as identified in GVA's questionnaire response, its manufacturing operations are [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] **[Confidential details regarding GVA's manufacturing operations]**

GVA considers that more specific differences between the other seller's domestic sales and its export sales are likely which would require further adjustment. To ensure that it can properly present its views on any such adjustments, GVA again requests the Commission to provide sufficient information to allow for a reasonable understanding of the physical characteristics and quality of the domestic products, and the terms and circumstances of those corresponding domestic sales.

Yours Sincerely

 
General Director
JACKY CHEUNG