



Customs Act 1901 – Part XV B

Certain Aluminium Extrusions

Exported from the People's Republic of China

Findings in relation to a Review of Anti-Dumping Measures

*Variation to Public Notice under subsection 269ZDB(1)(a)(iii) of the
Customs Act 1901*

On 12 August 2015, I accepted the Commissioner of the Anti-Dumping Commission's (the Commissioner) findings and recommendations contained in *Anti-Dumping Commission Report No. 248* (REP 248) in relation to the review of measures imposed on certain aluminium extrusions exported to Australia from China (the review). My declaration to change the variable factors in relation to exporters subject to anti-dumping measures was published in the *Australian* newspaper and the *Commonwealth Government Gazette* on 19 August 2015 to give effect to this decision.

Following my decision, the Commissioner identified six entities that were incorrectly categorised as 'residual exporters'. To rectify this error, I have varied my decision published on 19 August 2015 to correctly identify the 'residual exporters'.

The variation to the notice only affects the six entities incorrectly categorised as 'residual exporters' and does not affect any other aspect of my decision. The variation is taken to have effect from 19 August 2015.

My varied decision results from the review, reasons for the recommendation and material findings of fact and law in relation to the review are contained in REP 248 and the corrigendum to REP 248 (the corrigendum). The corrigendum is to be read in conjunction with REP 248.

I, KAREN ANDREWS, the Parliamentary Secretary to the Minister for Industry and Science, having considered REP 248 and the corrigendum, and have decided to accept the recommendation and reasons for the recommendation, including all material findings of fact and law set out in REP 248 and the corrigendum.

Under subsection 269ZDB(1)(a)(iii) of the *Customs Act 1901* (the Act), I declare, for the purposes of the Act and the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act),

that, with effect from the 19 August 2015, the dumping duty notice and countervailing duty notice currently applying to the goods exported to Australia from China is to be taken to have effect or to have had effect, in relation to all exporters from China, as if different variable factors had been fixed in respect of all exporters, relevant to the determination of duty.

The dumping duty that has been determined is an amount that has been worked out in accordance with the combination of fixed (*ad valorem*) and variable duty method pursuant to subsection 5(2) of the *Customs Tariff (Anti-Dumping) Regulation 2013*, as detailed in the table below and the notice has effect accordingly.

The countervailing duty that has been determined is an amount that has been ascertained as a proportion of the export price of the goods pursuant to subsection 10(3B)(a) of the Dumping Duty Act, as detailed in the table below and the notice has effect accordingly.

Exporter	Effective rate of interim dumping duty (fixed component)	Effective rate of interim countervailing duty	Duty Method
Guang Ya Aluminium Industries Co. Ltd	0.0%	4.5%	Dumping – combination of fixed (<i>ad valorem</i>) and variable duty method.
PanAsia Aluminium (China) Co Ltd	16.5%	5.4%	
Tai Shan City Kam Kiu Aluminium Extrusion Co Ltd	2.0%	1.8%	
Guangdong Zhongya Aluminium Co. Ltd	N/A	0.6%	Countervailing – (<i>ad valorem</i>)).
Residual Exporters: – 100 Door Window and Curtain Wall (Guangdong) Co., Ltd; – Air Comfort System Co; – Foshan City Nanhai Yongfeng Aluminium Co Ltd; – Foshan JMA Aluminium Co Ltd; – Foshan Yuelin Import and Export Co., Ltd; – Fujian Minfa Aluminium Inc; – Guangdong Huachang Aluminium Factory Co Ltd; – Guangdong Jinxiacheng Al Manufacturing Co Ltd (GDJ); – Guangdong JMA Aluminium Profile Factory (Group) Co Ltd; – Guangdong Weiye Aluminium Factory Group Co Ltd; – Guangdong Xingfa Aluminium Co Ltd; – Guangzhou Parkson Logistics Services Co Ltd; – Press Metal International Ltd; – Silver 100 Aluminium Innovation (Guangdong) Limited; – Suzhou Rizhongtian Aluminium Co Ltd; – Zhaoqing Xinlianchang Metal Corporation Ltd (ZXM); and – Zhaoqing Jin Zhong Cai Aluminium Industrial Limited.	9.4%	8.1%	
All other and uncooperative exporters (except Tai Ao)	28.3%	20.2%	

The actual duty liability may be higher than the effective rate of duty due to a number of factors. Affected parties should contact the Anti-Dumping Commission (the Commission) on telephone number 13 28 46 or email at clientsupport@adcommission.gov.au for further information regarding the actual duty liability calculation in their particular circumstance.

To preserve confidentiality, the revised variable factors such as ascertained export price, normal value, non-injurious price and countervailable subsidy amount will not be published. Bona fide importers of the goods can obtain details of the new rates from the Commission on telephone number 13 28 46 or email at clientsupport@adcommission.gov.au.

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel (www.adreviewpanel.gov.au) in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of the notice published on 19 August 2015.

REP 248 and the corrigendum have been placed on the public record. The public record may be examined at the Commission's office by contacting the case manager on the details provided below. Alternatively, the public record is available at www.adcommission.gov.au.

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2418, fax number +61 3 8539 2499, or email at operations3@adcommission.gov.au.

Dated this 7th day of September 2015

KAREN ANDREWS
Parliamentary Secretary to the Minister for Industry and Science