



Customs Act 1901 – Part XVB

ANTI-DUMPING NOTICE NO. 2017/74

Certain aluminium extrusions

Exported to Australia from Malaysia and

the Socialist Republic of Vietnam

Termination of part of an investigation

Public notice under subsection 269TDA(15) of the Customs Act 1901

On 16 August 2016, I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, initiated an investigation into the alleged dumping and subsidisation of certain aluminium extrusions (the goods) exported to Australia from Malaysia and the Socialist Republic of Vietnam (Vietnam), following an application lodged by Capral Limited under subsection 269TB(1) of the *Customs Act 1901* (the Act).

Public notice of my decision not to reject the application and to initiate the investigation was published on the Anti-Dumping Commission's (the Commission) website on 16 August 2016 (Anti-Dumping Notice (ADN) No. 2016/77 refers). This ADN is available at www.adcommission.gov.au.

As a result of my investigation, I am satisfied that in relation to the dumping investigation:

- for the goods exported to Australia by Press Metal Berhad (PMB) and Superb Aluminium Industries Sdn Bhd (Superb) from Malaysia, there was no dumping. Therefore I have terminated the investigation in accordance with subsection 269TDA(1)(b)(i) of the Act in so far as it relates to these exporters; and
- the dumping margin for the goods exported to Australia by LB Aluminium Berhad (LBA) and the category of 'residual exporters'¹ from Malaysia was negligible (less than 2 per cent). Therefore I have terminated the investigation in accordance with subsection 269TDA(1)(b)(ii) of the Act in so far as it relates to these exporters.

In relation to the countervailing investigation, I am also satisfied that:

¹ Being Milleon Extruder Sdn Bhd, Genesis Aluminium Industries Sdn Bhd and Kamco Aluminium Sdn Bhd

- for the goods exported by PMB, LBA, Superb and the category of ‘residual exporters’ from Malaysia, a countervailable subsidy has been received in respect of some or all of those goods exported to Australia but it never, at any time during the investigation period, exceeded the negligible level of countervailable subsidy under subsection 269TDA(16). Therefore I have terminated the investigation in accordance with subsection 269TDA(2)(b)(ii) of the Act in so far as it relates to these exporters;
- for the goods exported by Mien Hua Precision Mechanical Co., Ltd (Mien Hua) from Vietnam a countervailable subsidy has not been received in respect of any of those goods exported to Australia. Therefore I have terminated the investigation in accordance with subsection 269TDA(2)(b)(i) of the Act in so far as it relates to Mien Hua; and
- for the goods exported by all exporters from Vietnam (except Mien Hua) a countervailable subsidy has been received in respect of some or all of those goods exported to Australia but it never, at any time during the investigation period, exceeded the negligible level of countervailable subsidy under subsection 269TDA(16). Therefore I have terminated the investigation in accordance with subsection 269TDA(2)(b)(ii) of the Act in so far as it relates to these exporters.

In making the decisions to terminate part of this investigation, I have had regard to the application, submissions from interested parties concerning the publication of ADN 2016/77, *Statement of Essential Facts* (SEF) No. 362, submissions in response to that SEF, and other relevant information.

Termination Report No. 362, which sets out reasons for the termination decisions, including the material findings of fact and law upon which the decisions are based, has been placed on the Commission’s public record at www.adcommission.gov.au.

The applicant may request a review of these decisions to terminate part of the investigation by lodging an application with the Anti-Dumping Review Panel in the approved form and manner within 30 days after the publication of this public notice.

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

Dale Seymour
Commissioner
Anti-Dumping Commission

24 May 2017