

27 July 2023

Mr Brad Champness
A/g Case Manager
Investigations 3
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

Email: investigations3@adcommission.gov.au

Dear Mr Champness

Public File

Review of Measures Investigation No. 609 – Further submission from Tai Shan City Kam Kiu Aluminium Extrusion Co., Ltd (“KAE”) and Kam Kiu (Hong Kong) Limited (“KHK”) of 25 July 2023

We refer to the further submission on behalf of Tai Shan City Kam Kiu Aluminium Extrusion Co., Ltd (“KAE”) and Kam Kiu (Hong Kong) Limited (“KHK”) (collectively Kam Kiu) dated 25 July 2023.

Capral Limited (“Capral”) notes the comments on behalf of Kam Kiu. Capral does not agree with Kam Kiu’s representations that the measures are no longer warranted – rather, the measures have been effective to discourage dumping practices but do not reflect increased input costs and contemporary prices (hence the need for a review of the measures).

We further disagree with Kam Kiu that there *“is no justification for any alteration to the variable factors comprised in the dumping duty notice”*. This argument cannot be sustained as raw material input prices have increased substantially resulting in comparable changes to normal values and export prices. The Anti-Dumping Commission (“the Commission”) has confirmed that normal values and export prices have increased from the levels of the earlier review (Report 543). The variable factors must therefore reflect contemporary levels for the investigation period 1 July 2021 to 30 June 2022.

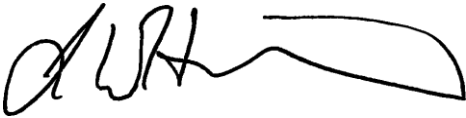
Finally, the Kam Kiu representations contend that all exports from China – other than those by Kam Kiu itself – were not at dumped prices. This comment is not a finding in SEF 609. The finding of no dumping applies to only those cooperative exporters (excluding Kam Kiu) in the investigation. Kam Kiu further contends that as its exports are the only dumped exports from China to Australia and account for what Kam Kiu describes as a small share of the Australian market, the measures are no longer required. This interpretation fails to adequately consider the effect that the measures have on the behaviour(s) of Chinese exporters to not export at dumped prices. It cannot be concluded that as there is no dumping from three cooperative exporters that there the measures are not required – rather, the measures have operated to discourage dumping practices and should be reviewed to reflect contemporary prices to continue to discourage unfair pricing.

The claims and assertions relied upon by Kam Kiu in its latest submission that suggest the measures are no longer required are not supported by the Commission’s findings and should be ignored.



If you have any questions concerning this submission please do not hesitate to contact me on (02) 8222 0113 or Capral's representative Mr John O'Connor on (07) 3342 1921.

Yours sincerely



Luke Hawkins
General Manager – Supply and Industrial Solutions

