



Australian Government  
Department of Industry,  
Science and Resources

Anti-Dumping  
Commission

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## ANTI-DUMPING NOTICE NO 2023/051

### Aluminium Extrusions

### Exported to Australia from the People's Republic of China Findings of Review No 609 into Anti-Dumping Measures

*Notice under section 269ZDB(1) of the Customs Act 1901 and  
sections 8 and 10 of the Customs Tariff (Anti-Dumping) Act 1975*

The Commissioner of the Anti-Dumping Commission (**the Commissioner**) has completed a review, which commenced on 8 August 2022, of the anti-dumping measures<sup>1</sup> applying to aluminium extrusions (**the goods**) exported to Australia from the People's Republic of China (**China**).<sup>2</sup>

The Commissioner's recommendations resulting from that review, reasons for the recommendations and material findings of fact and law in relation to the review are contained in *Anti-Dumping Commission Report No 609 (REP 609)*.

I, ED HUSIC, the Minister for Industry and Science, have considered REP 609 and have decided to accept the recommendations and reasons for the recommendations, including all the material findings of facts or law, set out in REP 609.

Under section 269ZDB(1)(a)(iii) of the *Customs Act 1901 (the Act)*, I declare that, for the purposes of the Act and the *Customs Tariff (Anti-Dumping) Act 1975 (Dumping Duty Act)*, the dumping duty notice and the countervailing duty notice applying to the goods exported to Australia from China:

- with effect from the date of publication of this notice, are taken to have effect as if different variable factors had been fixed relevant to the determination of duty for particular exporters, namely all exporters except Qingyuan City Huanan Copper & Aluminum Co., Ltd (**Qingyuan**), Foshan Lvqiang Metal Product Co., Ltd. (**Foshan Lvqiang**), Antai Technology Co., Ltd (**Antai**) and Qingyuan XinYueYa Aluminum Industry Co., Ltd (**XinYueYa**).<sup>3</sup>

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<sup>1</sup> The anti-dumping measures are in the form of a dumping duty notice and a countervailing duty notice.

<sup>2</sup> Exports by Guangdong Jiangsheng Aluminium Co., Ltd and Guangdong Zhongya Aluminium Company Limited were not covered by this review, as the anti-dumping measures do not apply to these entities. Accordingly, this notice does not apply to these entities.

<sup>3</sup> I have accepted the Commissioner's recommendation in REP 609 not to alter the variable factors for Antai and XinYueYa. My declarations and determinations in this notice do not apply to Antai and XinYueYa. I

- with effect from the date of publication of *Statement of Essential Facts No 609*, being 8 June 2023, are taken to have effect as if different variable factors had been fixed relevant to the determination of duty for particular exporters, namely Qingyuan and Foshan Lvqiang.

### **Interim dumping and countervailing duty**

I determine that in accordance with sections 8(5) and 8(5BB) of the Dumping Duty Act and the *Customs Tariff (Anti-Dumping) Regulation 2013 (the Regulation)*, the amount of interim dumping duty (**IDD**) payable on goods the subject of the dumping duty notice is an amount worked out in accordance with the following methods:

- for Goomax Metal Co., Ltd Fujian (**Goomax**), Guangdong Jinxiecheng Al Manufacturing Co., Ltd (**Jinxiecheng**), Guangdong Xingfa Aluminium Co., Ltd (**Xingfa**) and exporters categorised as ‘residual exporters’<sup>4</sup> – the floor price duty method as specified in section 5(4) of the Regulation, and
- for Tai Shan City Kam Kiu Aluminium Extrusion Co., Ltd (**Kam Kiu**) and exporters categorised as ‘uncooperative exporters’, the combination of fixed and variable duty method as specified in sections 5(2) and 5(3) of the Regulation.

The amount of interim countervailing duty (**ICD**) payable on goods the subject of the countervailing duty notice in respect of all exporters will continue to be ascertained as a proportion of the export price of those particular goods.

### **Consideration of the lesser duty rule**

In relation to Goomax, Jinxiecheng, Xingfa and Kam Kiu, in accordance with sections 8(5BAAA)(a) and 10(3DA)(a) of the Dumping Duty Act, I have not had regard to the desirability of fixing a lesser amount of duty, due to the situation in the market in the country of export.

In relation to those exporters categorised as ‘residual exporters’, ‘uncooperative exporters’ and ‘non-cooperative entities’, pursuant to section 8(5BA) and 10(3D) of the Dumping Duty Act, I have had regard to the desirability of specifying a method such that the sum of the ascertained export price, IDD and ICD does not exceed the non-injurious price of the goods. I have determined that it is not desirable to specify such a method, for the reasons the Commissioner recommended in REP 609.

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recently altered the dumping duty notice and countervailing duty notice to have effect as if different variable factors had been fixed for Antai and XinYueYa following accelerated reviews AR 618 and AR 619. I accepted the Commissioner’s recommendations in REP 618 on 11 July 2023 (see ADN 2023/037) and in REP 619 on 31 July 2023 (see ADN 2023/039). The new variable factors for Antai were declared to have effect from 3 March 2023 and for XinYueYa from 24 March 2023.

<sup>4</sup> The residual exporters are listed at chapter 4 of REP 609.

## Effective duties

The dumping and subsidy margins, the effective fixed rates of duty, and the duty methods are set out in the following table.

Exporter	Dumping margin	Subsidy margin	Effective fixed rate of ICD and IDD <sup>5</sup>	Duty method
Goomax	-7.5%	0.7%	0.7%	Fixed rate of ICD. Floor price duty method: Variable component of IDD equal to the amount, if any, by which the actual export price is below the ascertained normal value.
Jinxiecheng	-7.7%	0.0%	0.0%	
Xingfa	-1.8%	0.3%	0.3%	
Residual exporters	-1.1%	0.5%	0.5%	
Antai	-1.6%	2.1%	2.1%	
XinYueYa <sup>6</sup>	NA	0.2%	0.2%	
Kam Kiu	37.1%	2.0%	38.5%	Fixed rate of ICD. Combination of fixed and variable duty method, consisting of a fixed rate of IDD, plus a variable component of IDD equal to the amount, if any, by which the actual export price is below the ascertained export price.
Uncooperative exporters and non-cooperative entities <sup>7</sup>	37.1%	10.1%	42.9%	

**Table 1: Summary of dumping and subsidy margins, effective fixed rates of duty and duty methods**

The actual duty liability may be higher than the effective rate of duty due to several factors. Affected parties should contact the commission on 132 846 or +61 2 6213 6000 or at [clientsupport@adcommission.gov.au](mailto:clientsupport@adcommission.gov.au) for further information regarding the actual duty liability calculation in their particular circumstance.

To preserve confidentiality, details of the revised variable factors such as ascertained export price, ascertained normal value and amount of countervailable subsidy received will not be published.

## Review of this decision

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel ([www.adreviewpanel.gov.au](http://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 this notice.

REP 609 has been placed on the public record, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

<sup>5</sup> The sum of the IDD and ICD may not equal the total effective fixed rate of IDD and ICD. This is because certain subsidies affect both the IDD and ICD. The Anti-Dumping Commission's (commission) practice is to back out such subsidies to avoid double counting.

<sup>6</sup> Antai and XinYueYa's variable factors were not altered in this review; however, they have been provided in this table for completeness. Refer to chapter 4.3.4 of REP 609 and *Anti-Dumping Commission Report No 618* and *Anti-Dumping Commission Report No 619* for further details about Antai and XinYueYa.

<sup>7</sup> Refer to chapter 4.3.3 for further details about Qingyuan and Foshan Lvqiang.

REP 609 has been placed on the public record, available at [www.adcommission.gov.au](http://www.adcommission.gov.au).

Enquiries about this notice may be directed to the Case Manager by phone on +61 3 8539 2470 or by email [investigations3@adcommission.gov.au](mailto:investigations3@adcommission.gov.au)

Dated this 20th day of September 2023.



ED HUSIC  
Minister for Industry and Science