



Customs Act 1901 – Part XVB

Anti-Dumping Notice No. 2024/010

Aluminium extrusions

Exported to Australia from Malaysia

Initiation of a Review of Anti-Dumping Measures No 640 Relating to PMB Aluminium Sdn Bhd

Notice under section 269ZC(4) of the Customs Act 1901

I, Isolde Lueckenhausen, the Acting Commissioner of the Anti-Dumping Commission (the Acting Commissioner)¹, have initiated a review of the anti-dumping measures applying to certain aluminium extrusions (the goods) exported to Australia from Malaysia. The review will be limited to examining whether the variable factors relevant to the taking of the anti-dumping measures as they affect PMB Aluminium Sdn Bhd (PMBA) should be varied.

The goods

The goods subject to anti-dumping measures, in the form of a dumping duty notice, are:

Full description of the goods the subject of the application
Aluminium extrusions produced via an extrusion process, of alloys having metallic elements falling within the alloy designations published by The Aluminium Association commencing with 1, 2, 3, 5, 6 or 7 (or proprietary or other certifying body equivalents), with the finish being as extruded (mill), mechanical, anodised or painted or otherwise coated, whether or not worked, having a wall thickness or diameter greater than 0.5 mm, with a maximum weight per metre of 27 kilograms and a profile or cross-section which fits within a circle having a diameter of 421 mm.
Further information
The goods include aluminium extrusion products that have been further processed or fabricated to a limited extent, after aluminium has been extruded through a die. Aluminium extrusion products that have been painted, anodised, or otherwise coated, or worked (e.g. precision cut, machined, punched or drilled) fall within the scope of the goods. The goods do not extend to intermediate or finished product that are processed or fabricated to such an extent that they no longer possess the nature and physical characteristics of an aluminium extrusion, but have become a different product.

¹ Any reference to my current role as Acting Commissioner in this notice, should be read to include whoever occupies the role at a future time.

The goods are generally, but not exclusively, classified to the following tariff subheadings of Schedule 3 to the *Customs Tariff Act 1995* (Cth):²

Tariff Subheading	Statistical Code	Description
7604.10.00	06	non alloyed aluminium bars, rods and profiles
7604.21.00	07	aluminium alloy hollow angles and other shapes
7604.21.00	08	aluminium alloy hollow profiles
7604.29.00	09	aluminium alloy non hollow angles and other shapes
7604.29.00	10	aluminium alloy non hollow profiles
7608.10.00	09	non alloyed aluminium tubes and pipes
7608.20.00	10	aluminium alloy tubes and pipes
7610.10.00	12	doors, windows and their frames and thresholds for doors
7610.90.00	13	Other

Background to the measures

The anti-dumping measures were initially imposed by public notice on 27 June 2017 by the then Assistant Minister for Industry, Innovation and Science and the Parliamentary Secretary to the Minister for Industry, Innovation and Science (the Parliamentary Secretary) following consideration of *Anti-Dumping Commission Report No. 362* (REP 362).

The measures initially comprised two notices: a dumping duty notice and a countervailing duty notice (ADNs 2017/72³ and 2017/73⁴). These notices state that measures are applicable to all exporters from Malaysia and the Socialist Republic of Vietnam (Vietnam); exemptions are exporters Press Metal Berhad,⁵ Superb Aluminium Industries Sdn Bhd, LB Aluminium Berhad, Milleon Extruder Sdn Bhd, Genesis Aluminium Industries Sdn Bhd and Kamco Aluminium Sdn Bhd.

On 24 February 2020, following a review of the anti-dumping measures outlined in *Anti-Dumping Commission Report No. 544* (REP 544), the Minister declared that the dumping duty notice and countervailing duty notice have effect as if different variable factors had been fixed in respect of exporters generally, relevant to the determination of duty. The publication of a notice declaring the outcome of the last Division 5 review of the notice occurred on 2 June 2021. See ADN 2021/037.⁶

On 10 June 2021, following an accelerated review of the anti-dumping measures applying to exports from Malaysia by PMBA, the Minister accepted the recommendations and reasons outlined in *Anti-Dumping Commission Report No. 577* (REP 577). The Minister altered the notices, insofar as they apply to PMBA, as if different variable factors had been fixed.⁷

² These tariff classifications and statistical codes may include goods that are both subject and not subject to the anti-dumping measures. The listing of these tariff classifications and statistical codes is for convenience and reference only and does not form part of the goods description. Refer to the goods description for authoritative detail regarding goods subject to the anti-dumping measures.

³ [Anti-Dumping Notice No 2017/072](#)

⁴ [Anti-Dumping Notice No 2017/073](#)

⁵ This is a separate entity to PMBA.

⁶ [Anti-Dumping Notice No 2021/037](#)

⁷ [Anti-Dumping Notice No 2021/062](#)

Following an inquiry into the continuation of the measures outlined in *Anti-Dumping Commission Report No. 591* (REP 591), the Minister decided not to secure the continuation of the measures.⁸ On 14 December 2023, following a review by the Anti-Dumping Review Panel, the Minister revoked the decision not to secure the continuation of the dumping duty notice and substituted it with a new decision, as recommended in *ADRP Report No. 155*,⁹ to secure the continuation of the dumping duty notice applying to aluminium extrusions exported from Malaysia and Vietnam, but as if different variable factors had been fixed in accordance with REP 591.¹⁰ The ADRP Review did not affect the Minister's decision not to secure the continuation of the countervailing duty notice – the countervailing duty notice expired on 27 June 2022.

Further details on the goods and the existing anti-dumping measures are available on the Dumping Commodity Register on the Anti-Dumping Commission (the commission) website.¹¹

The current review

An application was lodged by Press Metal Aluminium (Australia) Pty Ltd (PMAA) under section 269ZA(1) of the *Customs Act 1901* (the Act) for a review of the dumping duty notice in relation to the goods exported to Australia from Malaysia by PMBA.

Particulars of the reasons for the decision to review the measures covered by the application are shown in *Anti-Dumping Commission Review of Measures Application Consideration Report No. 640*, which has been placed on the public record.

The review period is 1 January 2023 to 31 December 2023 and covers PMBA from Malaysia. The review will examine whether the variable factors relevant to the taking of the measures have changed.

After concluding the review, I will recommend to the Minister that the dumping duty notice:

- i. remain unaltered; or
- ii. have effect in relation to PMBA as if different variable factors had been ascertained.

If an affected party considers that it can provide evidence that may satisfy me that there are reasonable grounds for determining that anti-dumping measures are no longer warranted, that party may lodge an application¹² no later than 2 April 2024¹³ to request that I consider that evidence to extend a review of anti-dumping measures to include revocation.

⁸ [ADN2022/042](#).

⁹ Page 43-44.

¹⁰ Notice under section 269ZZM(4).

¹¹ Refer to www.adcommission.gov.au.

¹² In accordance with section 269ZCB of the Act.

¹³ As the due date falls on a weekend being Saturday 30 March 2024 followed by a public holiday on Monday 1 April, the due date becomes 2 April 2024, being the next working day.

Proposed Model Control Code structure

The commission undertakes model matching using a Model Control Code (MCC) structure to identify key characteristics that will be used to compare the goods exported to Australia and the like goods sold domestically in the country of export.¹⁴

The table below outlines the commission's proposed MCC structure for this review.

Category	Sub-category		Sales data	Cost data
Finish	A	Anodise	Mandatory	Mandatory
	BD	Bright dip		
	M	Mill		
	PC	Powder coating		
Alloy code	6A	6060, 6063	Mandatory	Optional
	6B	6106		
	6C	6101, 1350, 6082, 6351, 6061		
	6D	6005A		
	O	Other*		
Temper code	T1	T1, T4, T5, T6	Optional	Optional
	T50	T591, T595, T52		
	O	Other*		
Anodising microns	0	Not anodised	Optional	Optional
	1	<20µm		
	2	=>20µm		

* Specify alloy code and temper code

Proposals to modify the proposed MCC structure should be raised as soon as is practicable, but no later than **2 April 2024**.¹⁵

Interested parties are encouraged to make a submission on whether any proposed modifications to the MCC structure should be accepted by the commission. Any changes to the MCC structure will be considered by the commission and reported in verification reports or in the statement of essential facts (SEF).

¹⁴ Guidance on the commission's approach to model matching is in the Dumping and Subsidy Manual, available at www.adcommission.gov.au.

¹⁵ As the due date falls on a weekend being Saturday 30 March 2024 followed by a public holiday on Monday 1 April 2024, the due date becomes 2 April 2024, being the next working day.

Future reviews

Under section 269ZA(2), an application for a review must not be made earlier than 12 months after the publication of the notice implementing the original measure or the notice declaring the outcome of the last review. Once a notice declaring the outcome of this review is published (regardless of the outcome), an application for a review of measures in relation to the dumping duty notice that is the subject of this review cannot be made for a period of 12 months.

Public record

A public record must be maintained for each review. The public record must contain, among other things, a copy of all submissions from interested parties. The public record for this review is available at www.adcommission.gov.au.

Lodgement of submissions

Interested parties, as defined by section 269T(1) of the Act, are invited to lodge written submissions concerning this review, no later than 2 April 2024,¹⁶ addressed to:

The Director - Investigations
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

or email investigations@adcommission.gov.au, or fax to +61 3 8539 2499.

Interested parties wishing to participate in the review must ensure that submissions are lodged promptly. Interested parties should note that I am not obliged to have regard to a submission received by the commission after the date mentioned above if to do so would, in my opinion, prevent the timely placement of the SEF on the public record.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests, or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked "OFFICIAL: Sensitive".

Interested parties making submissions must also provide a non-confidential version for public record (clearly marked "PUBLIC RECORD").

¹⁶ As the due date falls on a weekend being Saturday 30 March 2024 followed by a public holiday on Monday 1 April, the due date becomes 2 April 2024, being the next working day.

Statement of essential facts

The dates specified in this notice for lodging submissions must be observed to enable me to report to the Minister within the legislative timeframe. A SEF will be placed on the public record by 11 June 2024, or by such later date as allowed in accordance with section 269ZHI of the Act.¹⁷

The SEF will set out the essential facts on which I propose to base a recommendation to the Minister. Interested parties are invited to lodge submissions in response to the SEF within 20 days of the SEF being placed on the public record.

Report to the Minister

Submissions received in response to the SEF will be taken into account in preparing the report and recommendation to the Minister. A recommendation to the Minister will be made in a report on or before 26 July 2024 (or such later date as allowed under section 269ZHI of the Act).

Anti-Dumping Commission contact

Enquiries about this notice may be directed to investigations@adcommission.gov.au.



Isolde Lueckenhausen
Acting Commissioner
Anti-Dumping Commission

19 February 2024

¹⁷ On 14 January 2017, the Parliamentary Secretary delegated the powers and functions of the Minister under section 269ZHI of the Act to the Commissioner of the Anti-Dumping Commission. Refer to Anti-Dumping Notice No. 2017/10 for further information.