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PRODUCT EXCLUSION REQUEST

Case No.: 691, the Investigation into Aluminium Windows and Doors
Exported from the People's Republic of China

Submitted by: ALLBRIGHT Law Firm ("ALLBRIGHT")

On behalf of: Broad Windows and Doors and Curtain Wall System Co., Ltd.
("BROAD")

Date: July 23, 2026

To: The Australian Anti-Dumping Commission

1. PRODUCT EXCLUSION SOUGHT

ALLBRIGHT respectfully requests that the Australian Anti-Dumping Commission ("ADC") exclude the following products from the Goods Under Consideration ("GUC") in the present investigation:

"Aluminium windows and doors specifically designed, engineered, and supplied for installation in buildings classified as Class 2 or above under the National Construction Code ("NCC")¹, where the subject construction project has a gross floor area exceeding a threshold to be determined by the Commission. For the Commission's consideration, ALLBRIGHT proposes that such threshold be set at no less than 2,000 square metres." For the purposes of this request, both criteria must be satisfied.

2. DESCRIPTION OF THE EXCLUDED GOODS

The products subject to this exclusion request are not ordinary residential windows and doors supplied to detached houses or other Class 1 buildings.

Rather, they are products specifically manufactured for medium- and large-scale construction projects, including multi-residential, mixed-use, commercial, institutional and other Class 2 and above developments.

Such projects typically require:

- compliance with more stringent NCC requirements;

¹ The National Construction Code ("NCC"), published by the Australian Building Codes Board ("ABCB"), establishes Australia's national standards for the design and construction of buildings and other structures. Under Part A6 (Building Classification) of the NCC, buildings are classified into Classes 1 to 10 according to their use and occupancy. References in this submission to "Class 2 and above" buildings are made by reference to these NCC classifications. The NCC is available at <https://ncc.abcb.gov.au/>.

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- project-specific engineering and design;
- enhanced structural and performance specifications;
- large-volume manufacturing capability;
- sophisticated logistics and project management; and
- coordinated installation schedules across substantial construction developments.

Accordingly, the products concerned represent a distinct commercial and functional market segment that differs materially from products supplied to Class 1 residential dwellings.

3. OBJECTIVE IDENTIFICATION CRITERIA

The proposed exclusion is based upon objective, verifiable and administratively workable criteria.

A product will qualify for exclusion where:

- (a) the building in which the product is to be installed is classified as Class 2 or above under the NCC; and
- (b) the relevant project has a gross floor area exceeding a threshold to be determined by the Commission, and ALLBRIGHT proposes that such threshold be set at not less than 2,000 square metres.

These criteria can be readily established through project documentation maintained in the ordinary course of business, including building permits, development approvals, architectural plans and construction records.

The proposed exclusion therefore provides clear boundaries that can be consistently applied by importers, customs authorities and other stakeholders.

4. LIMITED DOMESTIC PRODUCTION AND SUPPLY CAPABILITY

To the best of ALLBRIGHT's knowledge and based upon information available in the Australian market, Australian manufacturers predominantly supply aluminium windows and doors for Class 1 residential construction.

While certain Australian manufacturers may possess the technical capability to produce products suitable for some Class 2 and above projects, there is limited evidence that Australian producers can commercially supply large-scale projects exceeding 2,000 square metres on a consistent and competitive basis.

Projects of this scale generally require:

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- substantial manufacturing capacity;
- specialised engineering resources;
- significant labour availability;
- sophisticated procurement systems;
- large-scale logistics capability; and
- the ability to meet strict project delivery schedules.

In practice, Australian developers and builders frequently rely upon imported products for these projects because domestic supply is either unavailable or insufficient to satisfy project requirements.

Accordingly, the products covered by this exclusion request are not supplied by Australian manufacturers in commercially sufficient quantities and therefore do not materially overlap with the principal market segment served by the Australian industry.

5. MARKET EVIDENCE

The Australian market for aluminium windows and doors is segmented according to project type, building classification and project scale.

Class 2 and above projects exceeding 2,000 square metres differ substantially from Class 1 residential construction in terms of:

- engineering complexity;
- certification requirements;
- procurement processes;
- production volumes;
- project management requirements; and
- commercial risk allocation.

As a result, suppliers competing in this segment require capabilities that are materially different from those typically associated with the supply of windows and doors for detached residential housing.

ALLBRIGHT respectfully submits that available market evidence demonstrates that imports are an essential source of supply for this segment of the Australian construction market.

ALLBRIGHT provides a list of nine qualifying construction projects, all of which are Class 2 or above buildings with a gross floor area of no less than 2,000 square metres. For each listed project, all bidders and the successful tenderer are overseas exporters from China, with no Australian domestic manufacturers participating in the tendering process. The full project list is attached to this

Request for the Commission's reference.

6. CUSTOMS ADMINISTRABILITY

The proposed exclusion can be administered in a practical and efficient manner.

At the time of importation, importers may provide documentation demonstrating that the imported goods are intended for a qualifying project, including:

- building permits or development approvals;
- documentation identifying the NCC classification of the building;
- project documentation confirming the gross floor area;
- purchase orders;
- supply agreements;
- project specifications; and
- other documentation linking the imported products to the relevant construction project.

These documents are routinely generated and maintained in the ordinary course of business and can be readily verified by customs authorities.

Accordingly, the proposed exclusion is objective, transparent and administratively workable.

7. PUBLIC INTEREST CONSIDERATIONS

The application of anti-dumping duties to products used in large-scale Class 2 and above construction projects may adversely affect the efficiency of the Australian construction sector without providing corresponding benefits to Australian manufacturers.

In circumstances where domestic supply is unavailable or insufficient, the imposition of duties may result in:

- increased construction costs;
- reduced procurement efficiency;
- project delays;
- supply-chain disruptions;
- reduced housing and infrastructure delivery; and
- broader adverse economic impacts.

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By contrast, the requested exclusion would preserve access to a necessary source of supply while maintaining the effectiveness of any anti-dumping measures applied to products that directly compete with Australian production.

The requested exclusion is therefore consistent with both the objectives of Australia's anti-dumping regime and the broader public interest.

8. CONCLUSION

For the reasons set out above, ALLBRIGHT respectfully requests that the ADC exclude from the Goods Under Consideration:

"Aluminium windows and doors specifically designed, engineered, and supplied for installation in buildings classified as Class 2 or above under the National Construction Code ("NCC"), where the subject construction project has a gross floor area exceeding a threshold to be determined by the Commission. For the Commission's consideration, ALLBRIGHT proposes that such threshold be set at no less than 2,000 square metres."

ALLBRIGHT submits that:

- (a) the products constitute a distinct market segment;
- (b) domestic production and supply capability for this segment is limited or insufficient;
- (c) the products can be identified using objective and verifiable criteria;
- (d) the exclusion is administratively workable; and
- (e) the exclusion is consistent with the objectives of Australia's anti-dumping framework and the public interest.

ALLBRIGHT respectfully requests that the ADC give full consideration to this Product Exclusion Request in the course of the present investigation.

ALLBRIGHT Law Firm
Partner, Dr. Yubin (Stone) Shi



July 23, 2026

(A list of eligible Class 2 or above construction projects with a gross floor area of no less than 2,000 square metres is attached for the Commission's consideration in the NON-PUBLIC version and not included in this PUBLIC version.)