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By email
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Case Manager
Investigations 1, Investigations Branch
Anti-Dumping Commission
GPO Box 2013
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Dear Case Manager

Revocation Review 667 – Exports of Certain Aluminium Extrusions from Malaysia

As the Commission knows, together with Percival Legal, we act for Press Metal Aluminium (Australia) Pty Ltd (**PMAA**) and its related entities in relation to Revocation Review 667 (**Press Metal**).

When PMAA made the application which led to the initiation of Revocation Review 667, it requested a review be undertaken by the Commission as to whether the anti-dumping measures applying to exports of PMB Aluminium (**PMBA**) from Malaysia were no longer warranted. It did not request a review of whether the anti-dumping measures required alteration because the variable factors may have changed since last reviewed.

Notwithstanding that, the Commission issued a notice recording that it intended to examine, as part of Revocation Review 667, whether the variable factors relevant to the taking of the anti-dumping measures had changed. It confirmed that it would do so despite the objections (based on law and the Commission's own practice) raised in our letter to the Commission dated 16 April 2025.

In its notices settling the scope of the Revocation Review the Commission identified that it would examine a review period of 1 April 2024 to 31 March 2025. On 28 March 2025, the Commission issued to Press Metal a detailed exporter questionnaire and importer questionnaire. PMBA and PMAA respectively submitted their responses to those two questionnaires.

Now by its submission to the Commission dated 26 April 2026, Capral Limited (**Capral**) has requested, in effect, that the Commission: set a new review period (for the 12 months to 30 June 2026); gather and verify data for that period; and assess dumping margins by reference to that new period. No evidence was submitted by Capral in support of that request.

In Press Metal's view it is an extraordinary and unwarranted request to which the Commission should not agree, for at least the following reasons:

- Press Metal has already gone to the very considerable effort and expense of responding to detailed exporter and importer questionnaires for the nominated review period, and should not be put to the significant cost and effort of gathering and producing another detailed set of data;
- having already provided a response to the Commission's exporter questionnaire, PMBA does not agree to providing a new response for a different review period. But if was to do so that

would inevitably delay the revocation review by a further lengthy period. If PMBA was to provide data for a new review period it expects that, at a minimum, it would take 8 to 12 weeks to collect, collate and produce the data, including ensuring its accuracy and completeness, even if the period aligned with PMBA's financial reporting year. If the period did not align with PMBA's financial reporting year then PMBA expects that it would take even longer to collect, collate and produce the data. In the case of PMAA, it would expect to take, at a minimum, 6 to 8 weeks to produce a response to an importer questionnaire for a new review period, again ensuring its accuracy and completeness;

- still further delay (and expense to the Commission) would be required as a result of the Commission having to consider the responses to those questionnaires again. The Commission has already reviewed Press Metal's responses for deficiencies, which work would be wasted if the Commission were now to determine a new review period;
- the Australian Border Force (**ABF**), presumably at the direction of the Commission, is currently applying measures on PMBA's exports based on variable factors calculated using the data provided in Continuation Inquiry 591. That inquiry had a review period of 1 July 2020 to 30 June 2021. The ABF is doing that even though the Minister ascertained different variable factors in the far more recent Review 640, based on PMBA's data for a review period of 1 January 2023 to 31 December 2023. There can be no legitimate reason for the Commission to recommend, on the one hand, that the ABF take that approach, and then on the other hand have concerns about the currency of data gathered in respect of a review period of 1 April 2024 to 31 March 2025; and
- there is no proper reason to speculate that the data for a different and more recent review period would produce a positive dumping margin when the dumping margins calculated in the consecutive duty assessments referred to in the application for revocation of the measures, and in the final report for Review 640, were consistently negative or de minimis. Of course, Capral's submission was not supported by any evidence that a different and more recent review period would produce a positive dumping margin. To the extent that it pointed to ABS import data, the Commission is aware of the inherent unreliability of that data for assessments regarding dumping.

In the circumstances, Press Metal submits that the Commission should reject the request from Capral to set a new review period, and should proceed to complete its verification of the data it has already received and considered.

Yours faithfully

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