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PUBLIC RECORD VERSION

24 August 2026

The Director
Investigations 1
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601
Australia

Case 691 - Aluminium windows and doors exported from the People's Republic of China

Shenzhen Hongtai Doors & Windows Co., Ltd: exporter status

Dear Director,

We are Shenzhen Hongtai Doors & Windows Co., Ltd ("Hongtai"), a manufacturer of aluminium windows and doors in China and an exporter of the goods to Australia during the investigation period. The Commission has said that its preliminary view on Hongtai's exporter status will be set out in the statement of essential facts, and it has encouraged Hongtai to make submissions if there are views it would like to express.[1] We are grateful for that invitation, and this submission responds to it.

Hongtai asks to be treated as a residual exporter, and this submission explains why it is the reasonable outcome given the circumstances. The question arises because part of Hongtai's response to the preliminary information request ("PIR") arrived late. That sequence is set out below. Since the issue came to light Hongtai has been engaged and responsive, and it hopes the Commission will take the same practical view of a problem that was raised, fixed, and in the end cost the investigation nothing.

Submission of PIR

On 25 November 2025 the Commission invited exporters to participate "by completing the PIR and the associated spreadsheets by 9 December 2025". Hongtai lodged its PIR response on 8 December 2025, the day before that date, in the form of a completed PDF. The covering email told the Commission that Hongtai was "willing to actively cooperate and provide the information you require", and added that "[i]f we were selected for further investigation, [w]e would cooperate with the subsequent investigation".[2]

On that same morning the Commission replied. It thanked Hongtai "for providing Shenzhen Hongtai Doors and Windows Co., Ltd.'s PIR response to the commission", noted that the PDF "only relates to part of the PIR response", attached the spreadsheet, and asked for it to be returned "no later than tomorrow close of business", being the 9 December date already set.[3]

Nothing further passed between the parties on the subject until March 2026. Hongtai learnt in late February that it had not been named in the sampling report, and wrote to the Commission on 27 February and again on 6 March 2026 to ask about its position. The Commission replied on 6 March that it would "review the below and amend our notice to include your company in the listed residual exporters", and on 10 March that it would "likely make the amendments" after some final checks.

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[1] [redacted], Investigations, Anti-Dumping Commission, email to Shenzhen Hongtai Doors & Windows Co., Ltd, 21 July 2026: "The preliminary view regarding the treatment of Shenzhen Hongtai will be outlined in the SEF, but we also encourage Shenzhen Hongtai to make submissions if there is further information you would like to provide or there are other views you would like to express."

[2] [redacted], Shenzhen Hongtai Doors & Windows Co., Ltd, email to Anti-Dumping Commission Investigations 1, 8 December 2025, attaching Hongtai's completed PIR response.

[3] [redacted], Investigations Unit 1, Anti-Dumping Commission, email to [redacted], 8 December 2025, attaching "691- AWD - PIR worksheet - China.xlsx".

[4]

On 11 March 2026 the Commission wrote that it had "located the reasons it appears the commission did not include Shenzhen Hongtai Doors and Windows Co., Ltd in our sampling report as a residual exporter". Its records showed "only the PDF was received but not accompanying spreadsheet". The Commission asked Hongtai to confirm whether a response had been sent, and said it would "review on our end to make sure there wasn't a technology error and provide you next steps the commission will take to remedy if an error has been made on our end".[5]

The completed spreadsheet followed two days later, on 13 March 2026.

Hongtai's effort since March 2026

On 23 March 2026 the Commission confirmed that it did "not require any further information" and acknowledged that Hongtai "has now provided a complete response".[6] It repeated that acknowledgement in the same terms on 24 April 2026,[7] and on 15 May 2026 confirmed that "nothing further is required from Hongtai".[8]

Every request made since has been met. Hongtai's representatives travelled to Melbourne for a meeting at the Commission's offices on 7 May 2026. A written summary of its position followed when the Commission asked for one, lodgement was made in the form the Commission required, and Hongtai reviewed the Commission's file note of the meeting before publication. On 21 July 2026 the Commission recorded that [redacted] was aware of Hongtai's "views and ongoing cooperation with the investigation, which we very much appreciate".[9] On 29 July it wrote that it appreciated Hongtai's "continued engagement in this investigation".[10]

Cooperation is the substance of the classification, which is why that history matters. An exporter that engaged at the outset, offered its cooperation before any question arose, completed its response once the omission was identified, and has since done everything asked of it is not the exporter the uncooperative category is aimed at.

Residual treatment is the reasonable outcome

When the Commission initiated the investigation, it told exporters what to expect, drawing a distinction in consecutive sentences:

> If an exporter does not respond to the PIR, the commission may not examine its situation and may consider that the exporter did not cooperate with the investigation. If an exporter does respond to the PIR but is not later selected by the commission for sampling, the commission may consider that the exporter be categorised as a 'residual exporter'.[11]

Hongtai responded, and it was not selected.

The sampling report describes the residual category in similar terms, as covering exporters "who completed a PIR ... other than the selected exporters", where their exports were not examined and they are not uncooperative.[12] Hongtai has completed its PIR, and the Commission has confirmed as much on three occasions.

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4 Anti-Dumping Commission Investigations 1, emails to Shenzhen Hongtai Doors & Windows Co., Ltd, 6 March 2026 and 10 March 2026.

5 [redacted], Anti-Dumping Commission, email to [redacted], 11 March 2026.

6 Anti-Dumping Commission Investigations 1, email to [redacted], 23 March 2026.

7 [redacted], Anti-Dumping Commission, email to [redacted], 24 April 2026.

8 Anti-Dumping Commission Investigations 1, email to [redacted], 15 May 2026.

9 [redacted], Anti-Dumping Commission, email to [redacted] and [redacted], 21 July 2026.

10 [redacted], Anti-Dumping Commission, email to [redacted], 29 July 2026.

11 Anti-Dumping Notice No. 2025/115, 25 November 2025, under the heading "Lodgement Preliminary Information Requests (PIR)" (EPR 691, document no. 3). The reference to a residual exporter is footnoted in the notice to s 269TACAB of the *Customs Act 1901* (Cth).

12 Anti-Dumping Notice No. 2026/004, *Application of sampling provisions for Investigation 691*, 9 January 2026, section 5 "Residual exporters" (EPR 691, document no. 413).

The same report contemplates that an exporter which does not provide "a complete response to the PIR" **may** be considered uncooperative.[13] That is plainly a course open to the Commission. The word is "may", and it leaves a judgment to be made rather than dictating the answer. This submission is directed at how that judgment might fairly be exercised.

The Commission has indicated that the statement of essential facts will address "the exporter status of any exporters who provided a response to the PIR but did so after the due date".[14]

That description may not quite fit Hongtai. Its response to the PIR was lodged on 8 December 2025, the day before the due date, and the Commission's reply that same morning described the document as Hongtai's "PIR response". What arrived after the due date was the spreadsheet that completed it.

The Ministerial Direction leaves the question to the Commission

The Commissioner is directed by the *Customs (Extensions of Time and Non-cooperation) Direction 2015* ("the Direction") when determining whether an exporter is uncooperative.[15]

Two situations take the outcome out of the Commissioner's hands. An uncooperative determination must be made, "on the basis that no relevant information was provided in a reasonable period", where an exporter fails within the legislated period to provide a response or seek more time, or provides a response within that period which "did not provide information relevant to the case".

Neither describes what happened here. A response was provided on 8 December 2025, within the period, and the Direction defines a response broadly as "any document or thing provided to the Commissioner in relation to any case". The Commission's own description of that document, as Hongtai's "PIR response" of which the PDF formed "part", indicates that it carried information relevant to the case.

The Direction also tells the Commissioner to treat the legislated period as a reasonable period, and Hongtai does not suggest that the time allowed was too short.

Where a party responds in time but leaves something out, the Direction deals with the situation expressly. Deficiencies that "could ... be quickly and easily rectified in a further response" call for the Commissioner to notify the party and ask for them to be addressed. That is what the Commission did, on 8 December and again on 11 March, and on the second occasion the deficiency was cured within two days. This shows the character of the deficiency as something that could be put right quickly and easily once raised, which is the situation the provision addresses.

The investigation was not held up

Where a response arrives outside the period, the Direction asks whether taking it into account would delay a "key aspect" of the case, defined as a preliminary affirmative determination, a statement of essential facts, a termination report, or a report to the Minister.

The spreadsheet has been with the Commission since 13 March 2026. No preliminary affirmative determination was made. The statement of essential facts is due on or before 23 September 2026 and the report to the Minister on or before 25 November 2026. The material has therefore been available for more than six months ahead of the first of those milestones, at no cost to the investigation in time or in work.

None of that excuses the delay. It does however answer the practical question the Direction puts to the Commissioner, which is what the omission actually caused.

The correspondence did not signal what turned on the spreadsheet

The Commission's email of 8 December 2025 asked for the spreadsheet and set a return date. It did not indicate that anything turned on it, or that a failure to return it might bear on how Hongtai was treated in the investigation.

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[13] Anti-Dumping Notice No. 2026/004, 9 January 2026, section 6 "Uncooperative exporters and non-cooperative entities" (EPR 691, document no. 413).

[14] Anti-Dumping Commission Investigations 1, email to [redacted], 23 March 2026, 11:44, repeated in the email of 24 April 2026.

[15] *Customs (Extensions of Time and Non-cooperation) Direction 2015* (Cth), F2015L01736, cl 2(b)(ii)(1), made under s 269TA(1) of the *Customs Act 1901* (Cth). The Commissioner drew the Direction to the attention of interested parties in Anti-Dumping Notice No. 2025/115, 25 November 2025.

This is not intended as criticism of the Commission. The observation is simply that the weight the spreadsheet has since assumed was not apparent from the correspondence at the time. The Commission's own guidance records an expectation that a respondent will be told that determinations may be made on the basis of the facts available if required information is not provided. The initiation notice, for its part, tied the adverse consequence to an exporter that "does not respond to the PIR",[16] which is not what the Commission's records show of Hongtai on 8 December 2025.

Hongtai’s request

Hongtai asks the Commission to record in the statement of essential facts a preliminary view that Shenzhen Hongtai Doors & Windows Co., Ltd is a residual exporter for the purposes of Investigation 691.

Four matters are relevant to that view. A response to the PIR was lodged within time. The outstanding part was provided on 13 March 2026 and accepted as completing the response. Its late arrival delayed no aspect of the investigation, and Hongtai has cooperated throughout.

We would welcome the chance to discuss any of this with the case team before the preliminary view is formed. Should the Commission be minded to reach a different conclusion, Hongtai would be grateful to understand the concerns behind it and to have the opportunity to address them.

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[16] Anti-Dumping Notice No. 2025/115, 25 November 2025 (EPR 691, document no. 3).