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SUBMISSION – RESPONSE TO ANTI-DUMPING NOTICE 2025/115

Further Submission Before Statement of Essential Facts to Anti-Dumping Notice No. 2025/115 – Investigation No. 691

Goods Involved: Aluminium Windows and Doors, Window Wall, Curtain Wall, and all Aluminium Façade elements.

Countries Involved: Australia and China

1. LODGEMENT DETAILS

To:
The Director – Investigations 1
Anti-Dumping Commission
GPO Box 2013
Canberra, ACT 2601
Australia
Email: investigations1@adcommission.gov.au

Submitted by:
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Dear Commissioner and Anti-Dumping Investigation Team,

Following the extension of the Statement of Essential Facts to 14 October 2026, I have reviewed the latest material appearing on the public record.

The Commission has advised that the extension is required because of the large number of submissions received and the complexity of the matters raised. 691 - AWD - EOT ADN 2026 -132

Given the significance of this investigation to the Australian construction industry, I would like to raise several matters which I believe should be carefully considered before the Statement of Essential Facts is finalised.

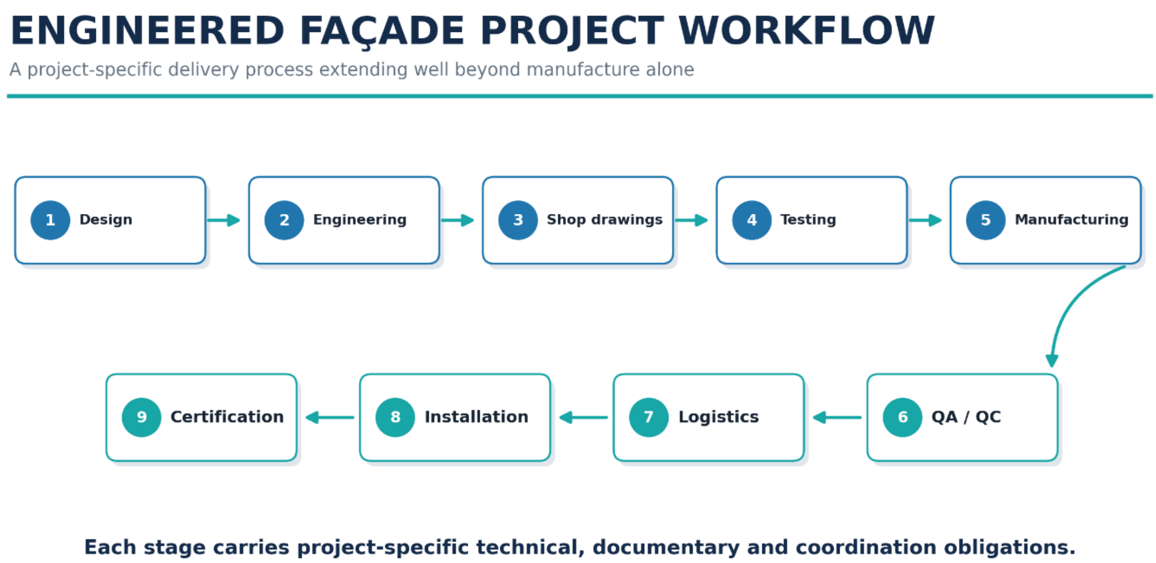
A-Tech's position has remained consistent throughout this investigation.

We do not oppose appropriate Anti-Dumping measures where dumping and material injury are established. We also understand and support the need to protect legitimate Australian Class 1 residential window and door manufacturers from unfair competition.

However, the fundamental problem is that Class 1 residential windows and doors and engineered Class 2 and above façade systems are being considered within a very broad product investigation despite operating in materially different construction, engineering and commercial environments. They are already different markets in practice. We are not asking the Commission to create a separation. We are asking the Commission to recognise the separation that already exists.

A standard residential window manufactured repetitively and sold through residential builders, distributors or retail channels is fundamentally different from a project-specific façade package designed and manufactured for a multi-storey apartment, hotel, hospital, university or commercial building.

Class 2 and above projects involve project-specific engineering, shop drawings, structural calculations, thermal requirements, QA/QC systems, Inspection and Test Plans, performance testing, material traceability, factory inspections, logistics planning, installation coordination, certification, warranties and substantial Australian project management.



Illustrative A-Tech project-delivery framework

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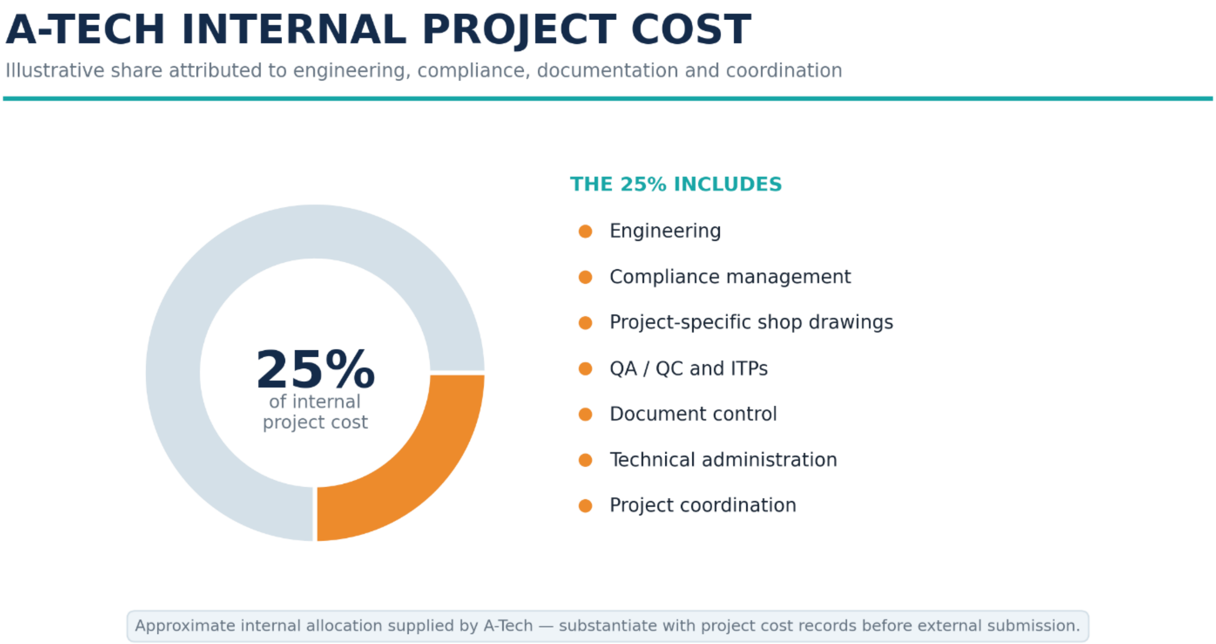
Within A-Tech's own business, engineering, project-specific shop drawings, compliance management, QA/QC, ITPs, document control, technical administration and project coordination represent approximately 25% of our internal project cost.



Compliance has a genuine cost.

This is why we believe the Commission needs to separately examine injury, pricing, substitutability, Australian manufacturing capacity and causation between the Class 1 residential market and the engineered Class 2 and above façade market.

The expanding public record itself demonstrates that different sectors of the construction industry have materially different views about this investigation. Australian residential manufacturers have supported measures, while builders, developers, façade contractors and other construction-industry participants have raised concerns about blanket measures, market segmentation, Australian manufacturing capacity and downstream construction impacts.

This should itself raise the question of whether the goods under consideration represent one homogeneous commercial market.

We also note the latest Ventora/AGWA submission and its reliance on comparative material from the United Kingdom concerning a trade-remedy investigation into glass containers imported from China.

We respect the applicants' right to refer to international trade-remedy cases where they believe a legal or economic methodology is relevant.

However, we genuinely question what the commercial relationship is between mass-produced glass jars and bottles imported into the United Kingdom and project-specific engineered façade systems supplied to the Australian construction industry.

In fact, this comparison highlights the problem we have been raising.

A glass jar is essentially a standardised manufactured product. It can be repeatedly manufactured, catalogued, priced, transported and sold as a finished item.

A standard residential window can similarly be manufactured repeatedly in standard configurations and sold as a finished product.

A major Class 2 and above façade package is completely different.

It is designed around a particular building. Its dimensions, structural requirements, wind loads, glass specifications, thermal performance, interfaces, engineering, testing, production sequencing, logistics and installation requirements can all be project-specific.

It is not simply another product sitting on a shelf with a different barcode.

We therefore ask the Commission to carefully distinguish between any trade-remedy methodology that may legitimately be transferable from the UK glass-container investigation and assumptions about the nature of the product or market that clearly may not be transferable to the Australian engineered façade industry.

There is another matter we believe deserves examination.

Capral and Alspec have supported the investigation. However, they are primarily aluminium extrusion and proprietary aluminium system suppliers rather than simply manufacturers of completed windows and doors.

A-Tech has direct commercial knowledge that both Capral and Alspec supply and license proprietary aluminium systems for manufacture in China through Chinese extrusion manufacturers, with royalties charged on a per-kilogram basis.

We do not suggest there is anything improper about these arrangements. They are legitimate commercial relationships and are part of the way the international façade industry operates.

However, they raise an important question when assessing material injury and causation.

If Australian system suppliers commercially participate in Chinese manufacturing, authorise their proprietary systems for manufacture in China and receive royalty revenue based on kilograms of aluminium manufactured through those arrangements, the Commission should examine precisely how those companies say they are materially injured by Chinese manufacturing and, importantly, which part of the market is allegedly causing that injury.

An Australian extrusion or proprietary system supplier is not necessarily operating in the same market as an Australian manufacturer of completed Class 1 windows and doors. Neither is necessarily operating in the same commercial environment as an engineered Class 2 and above façade contractor.

The supply chain is considerably more integrated than a simple description of "Australian manufacturing versus Chinese manufacturing" suggests.

A-Tech holds documentary and commercial evidence supporting these arrangements.

We have deliberately not identified the relevant Chinese manufacturers, individual projects, commercial royalty rates or agreements in this correspondence because these matters are commercially sensitive.

If the Commission wishes to investigate this issue further, A-Tech is prepared to provide the relevant evidence directly and confidentially.

This brings us to what we believe is the more important long-term issue for Class 1 housing.

A-Tech supports protecting the Australian Class 1 window and door industry. However, Anti-Dumping measures and building-product compliance address different problems.

If a window does not comply with Australian requirements, putting an additional duty on that window does not make it compliant. It simply makes the same product more expensive. We believe Australia should strengthen Class 1 compliance by applying appropriate principles already routinely encountered in major Class 2 and above construction. This should include stronger QA/QC requirements, documented ITPs, material traceability, appropriate product testing, calibration and production records, engineering verification where required, and proper compliance documentation.

Most importantly, these requirements should apply equally to products manufactured in Australia, China or anywhere else.

Compliance should be determined by the product, the engineering, the testing, the manufacturing controls and the evidence supporting it – not simply by the country in which the factory is located.

A compliant Australian manufacturer should not have to compete against a supplier avoiding genuine compliance costs.

Equally, a properly controlled overseas manufacturer producing under Australian engineering, Australian standards, independent inspection, testing and documented QA/QC should not automatically be treated in the same manner as a supplier of cheap standard products with a completely different compliance and commercial model.

Strengthening Class 1 compliance would therefore achieve two objectives.

It would provide stronger protection to Australian homeowners and the Australian building industry, and it would remove an unfair commercial advantage from any supplier, Australian or overseas, whose low price results partly from not carrying the genuine cost of proper compliance and verification.

This leads to another major concern: the economic impact on apartment construction and housing supply.

Australia is already facing substantial difficulty making apartment developments financially feasible. Construction costs, financing costs, land costs and other development expenses have increased significantly, while builders and developers are trying to deliver more housing.

The ABS reported that private-sector other-residential commencements fell 20.7% in the March 2026 quarter to 19,116 dwellings. The latest approvals data also demonstrate the importance of maintaining the viability of apartment and other higher-density construction.

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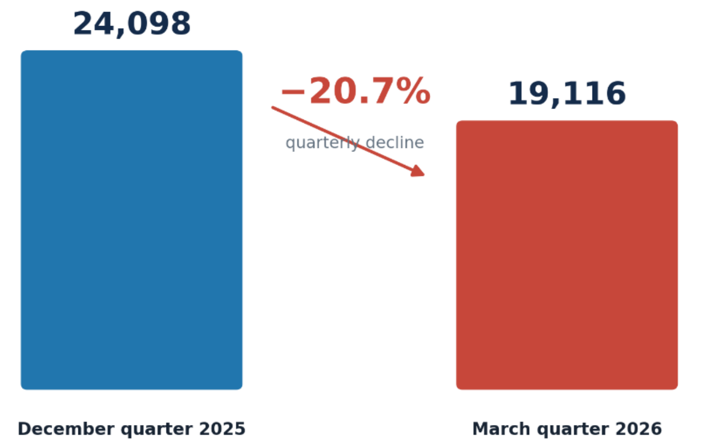
PRIVATE-SECTOR OTHER-RESIDENTIAL COMMENCEMENTS

Australia • Seasonally adjusted • Quarter-on-quarter comparison



Source: Australian Bureau of Statistics, Building Activity, Australia, March 2026, released 8 July 2026.
Table: Dwellings commenced — new private-sector other residential, seasonally adjusted. ABS website, accessed 23 September 2026.

On major apartment developments, façade, windows and doors can represent one of the largest individual trade packages on the entire project.

Consequently, a substantial additional duty applied to engineered façade packages cannot simply be viewed as a cost borne by an importer.

HOW AN ADDITIONAL DUTY MOVES THROUGH A PROJECT

The cost is transmitted through the construction and financing chain

A duty applied at import does not remain solely with the importer.

Its effect may influence trade pricing, finance requirements, project feasibility and the final cost of housing.

That cost moves through the supply chain.

It can affect the façade contractor, builder, developer, project financier and ultimately the feasibility and selling price of apartments.

At a time when governments and industry are trying to increase housing supply and improve housing affordability, the Commission should quantify this downstream economic effect before recommending broad measures affecting major residential construction.

The question should not simply be whether an imported product is cheaper.

The Commission should examine why it is cheaper.

Is the difference caused by dumping?

Is it caused by manufacturing scale?

Is it a different product or market segment?

Does the price include the same engineering and project-management scope?

Does it include equivalent testing, QA/QC, traceability and compliance?

Is Australian manufacturing capacity actually available for that particular project, specification, volume and construction programme?

Or is the observed price difference the result of several of these factors?

These questions are particularly important when the investigation encompasses both standard residential products and highly engineered project-specific façade systems.

A-Tech therefore respectfully asks the Commission, before finalising the Statement of Essential Facts, to specifically consider:

Whether Class 1 residential windows and doors and engineered Class 2 and above façade systems constitute materially different commercial market segments for the purposes of injury and causation analysis.

Whether Australian manufacturing capacity exists to service the scale, technical requirements and construction programmes of major Class 2 and above façade projects.

Whether price comparisons properly account for differences in engineering, QA/QC, testing, certification, project management and other compliance costs.

Whether injury claimed by aluminium extrusion and proprietary system suppliers should be distinguished from injury claimed by manufacturers of completed windows and doors, particularly where those suppliers also commercially participate in Chinese manufacturing and licensing arrangements.

Whether any methodology relied upon from overseas investigations involving standardised commodity products appropriately reflects the commercial characteristics of project-specific engineered façade construction.

And finally, what the downstream economic effect of broad duties would be on apartment construction costs, project feasibility and housing supply.

A-Tech is not asking the Commission to ignore dumping.

Where dumping and material injury are established, they should be properly addressed.

We support protecting Australia's Class 1 manufacturing industry.

At the same time, we believe Class 1 compliance should be strengthened so that every supplier bears the genuine cost of meeting Australian requirements, irrespective of where the product is manufactured.

And we strongly believe that standard residential windows and project-specific engineered Class 2 and above façade systems should not be treated as one homogeneous market when the commercial evidence demonstrates otherwise.

Australia should be capable of protecting legitimate Australian manufacturing, strengthening building compliance, maintaining fair competition and protecting housing affordability at the same time.

These objectives are not mutually exclusive.

We respectfully request that these matters be considered and specifically addressed in the Statement of Essential Facts.

A-Tech is available to provide further project cost information, engineering documentation, QA/QC and ITP records, testing documentation and confidential commercial evidence concerning the matters raised above if this would assist the Commission.

Signed:

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