PRELIMINARY SUBMISSION

Investigation 691 - Aluminium Windows and Doors Exported from China

Facades Management (QLD) Pty Ltd / Guangzhou Pearl Facade Systems Co., Ltd

Proposed central position

Facades Management / Pearl is not a generic import-and-resale channel for low-price aluminium windows and doors. The business operates through Australian system licenses, Australian technical control, project-specific compliance, local fabricator support and Australian market-facing risk. Chinese manufacture is one component of a broader Australian-controlled supply chain.

For the reasons set out in this submission we request **Pearl Facades to be treated as cooperative exporter and importer & request that an individual (own) measure is considered.**

Preliminary submission

To: Anti-Dumping Commission, Investigations 1

Matter: Investigation 691 - Aluminum windows and doors exported from the People's Republic of China

Party: Facades Management (QLD) Pty Ltd and Guangzhou Pearl Facade Systems Co., Ltd

1. Purpose of this preliminary submission

This preliminary submission is made in relation to Investigation 691. It provides an initial explanation of the Pearl / Facades Management business model and the basis on which that model should be distinguished from a generic high-volume import channel.

The submission is deliberately concise. It does not include detailed financial statements, full project ledgers, shipment schedules or transaction-level cost records. If the Commission requests substantiation of any claim, or if detailed evidence is required at a later stage of the investigation, the relevant material can be provided in the appropriate confidential and non-confidential form.

The requested treatment at this preliminary stage is that the Commission consider the distinct nature of the Pearl / Facades Management supply pathway when considering injury, causation, provisional measures, exporter-specific treatment, duty form and any eventual rate that may apply to imports made through this pathway.

2. Summary position

The Pearl / Facades Management model should be distinguished from a simple import-and-resale model for the following reasons:

- The Australian operations are market-facing, technical and project-based, with responsibility for customer interface, design co-ordination, compliance interpretation, project delivery, warranty/service coordination and Australian commercial risk.
- Pearl has operated in the Australian market through Australian aluminum system arrangements for approximately nine years, including COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements.
- This pathway is based on Australian intellectual property, licensee-controlled systems, royalties payable, technical support and quality oversight.

- Pearl / Facades Management works with and supports local fabricators and project participants rather than operating as a pure volume importer seeking to replace Australian fabrication capability.
- The products are project-specific, quality-controlled and supplied for Australian compliance requirements, rather than being undifferentiated commodity stock.
- Both the Chinese manufacturing entity and the Australian market-facing entity perform real functions and assume real costs and risks; the commercial objective is for both to earn sustainable profit.

Requested approach

The Commission should not treat this supply pathway as a generic residual import channel. If any securities or measures are considered, the Commission should assess the actual exporter/manufacturer pathway, the verified data available for that pathway, and the local Australian value-chain impact of any broad-brush treatment.

3. Investigation context

Investigation 691 concerns aluminum windows and doors exported from China. The goods description published by the Commission covers aluminum windows and doors, whether fully or partially assembled, including frames, panels and sashes, with or without glass, thermal breaks or hardware, within the stated dimensional limits. Curtain wall products are excluded.

Pearl / Facades Management does not advance, in this preliminary submission, a broad contention that all of its goods are outside the goods description. Product-specific scope issues, including any curtain wall, dimensional or non-window/non-door component questions, can be addressed separately if required. The primary purpose of this submission is instead to distinguish the Pearl / Facades Management supply model and to preserve the position that any duty treatment should be based on the correct exporter pathway and actual commercial facts.

4. Business model and Australian market role

Facades Management (QLD) Pty Ltd is the Australian market-facing entity. Guangzhou Pearl Facade Systems Co., Ltd undertakes Chinese manufacturing functions. Together, the businesses support Australian projects through a model that combines offshore manufacture with Australian technical design and management, Australian systems, project-specific compliance and local market support.

The Australian side of the business is not a passive importer. It performs or coordinates high-value Australian functions, including:

- project scoping, customer and builder interface;
- technical interpretation and design coordination;
- Australian compliance and standards review;
- support for local fabricators and system customers;
- project management and delivery coordination;
- local warranty, service and defect-response obligations;
- commercial and reputational risk in the Australian market.
- Installation of products on some projects.
- High technical or specialty manufacturing

The Chinese manufacturing entity performs substantial production functions, including factory staffing, procurement, fabrication, assembly, quality control and export delivery. It is not a shell or conduit entity. The fact that the entities are commercially connected should not obscure the genuine division of functions, assets and risks between China and Australia.

5. Commercial license pathway

The agreement relationship is central to the current business model. The signed agreements record a non-exclusive license arrangement involving COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements, Guangzhou Pearl Facade Systems Co., Ltd and Facades Management (QLD) Pty Ltd.

Under this pathway:

- the relevant systems are Australian systems, including the systems identified in the agreement and any further systems agreed by the parties;
- COMMERCIAL IN CONFIDENCE information relating to commercial agreements and licensing agreements retains relevant intellectual property, system documentation, specifications and control rights;
- COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements arranges or controls the die pathway for relevant extrusions, and the dies remain COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements -owned;
- Pearl / Facades Management pays royalties for relevant aluminum extrusions and proprietary components;
- royalties are payable in Australian dollars;
- COMMERCIAL IN CONFIDENCE information relating to commercial agreements and licensing agreements provides or makes available technical support, training, manuals and testing information;
- COMMERCIAL IN CONFIDENCE information relating to commercial agreements and licensing agreements has access rights to the Pearl factory and quality assurance audit rights;
- Pearl / Facades Management warrants compliance with applicable Australian requirements, including the National Construction Code and relevant Australian Standards.
- The group over the nine years has actively been involved in the development and improvement of licensed systems benefiting not only ourselves but all the system supplier's customers including Australian domestic fabricators.

The kilogram rate used for COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements -system customers incorporates the applicable royalty payable to COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements for aluminum extrusions. This means that the pricing model expressly recognizes COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements, Australian intellectual property, system control and technical contribution.

This is not a generic China-origin system. It is a controlled Australian-system supply pathway, with Australian IP, royalties, technical support and quality oversight embedded in the commercial structure.

6. License history and continuity of Australian-system supply

Pearl has also operated as an COMMERCIAL IN CONFIDENCE information relating to commercial agreements and licensing agreements licensee for approximately nine years. That relationship was the foundation on which the business first developed its Australian-system supply model. The agreement and renewal history can be provided separately if required.

Recent COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements rebate materials also demonstrate continuing interaction with an Australian system supplier and associated nominated supply chains. The relevance of the COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements history is not that it determines the anti-dumping outcome, but that it demonstrates the consistency of Pearl's business model: Australian-system licensing, Australian technical standards and controlled project-specific manufacture.

7. Local fabricator and downstream support

Pearl / Facades Management works with local fabricators and project participants. The business is not positioned as a simple direct competitor to local fabricators on volume or price alone. Its model is to support Australian project delivery through system knowledge, technical support, procurement, manufacturing capacity and compliance-led supply.

A broad duty approach that treats all Chinese supply pathways as equivalent risks harming Australian downstream participants who rely on system-backed project supply, including fabricators, installers, builders, consultants and system customers. Pearl / Facades Management submits that the Commission should take this downstream Australian value into account when assessing causation, injury, provisional measures and the appropriate form of any measure.

8. Related-party pricing and transitional margin allocation

The relationship between the Australian and Chinese operations should be assessed by reference to their actual functions, risks and commercial circumstances.

China undertakes significant manufacturing functions and employs substantially more production staff. Australia holds most of the technical skill, customer interface and compliance knowledge, and assumes a greater proportion of project, warranty, delivery, reputational and Australian market risk. Both businesses must earn sustainable profit to maintain the model.

For COMMERCIAL IN CONFIDENCE information relating to commercial agreements and licensing agreements -system customers, pricing is transparent. The kilogram rate incorporates the royalty payable to COMMERCIAL IN CONFIDENCE information relating to commercial agreements and licensing agreements. This transparency is inconsistent with an opaque or artificial pricing model designed to conceal dumping or to bypass Australian industry.

9. Quality, compliance and project-specific supply

Pearl / Facades Management supplies project-specific goods supported by compliance and chain-of-custody documentation. Example client packs include certificates of compliance, material lists, glass certification, heat-soak records, aluminum and coating records, hardware and component identification, and references to Australian standards and building-code compliance.

This documentation is provided to clients as part of a quality-focused model. It demonstrates that the goods are not commodity stock imported for price-only resale. They are manufactured for identified projects with traceable materials, quality documentation and Australian compliance requirements.

10. Response to the applicants' injury narrative

The applicants have submitted that Chinese imports are displacing Australian AWD production and have requested provisional action. Pearl / Facades Management does not accept that its pathway should be characterized in that way.

The Commission should distinguish between:

- generic or purely price-driven imports, if any; and
- Australian-system, license-backed, project-specific selection, supply that supports local fabricators and Australian project delivery.

Pearl / Facades Management is in the second category. Its model involves Australian system relationships, Australian technical and compliance functions, local support, warranty and service responsibility, project-specific manufacture, and Australian value retention through royalties, local business functions and downstream project activity 100% Australian manufacture ownership and investment fully privately funded.

11. Requested treatment by the Commission

At this stage, Pearl / Facades Management requests that the Commission:

1. treat this submission as a preliminary explanation of the Pearl / Facades Management business model;
2. recognize that the pathway differs materially from a generic import/resale model;
3. consider the COMMERCIAL IN CONFIDENCE information relating commercial agreements and licensing agreements Australian-system relationships when assessing causation, injury and downstream Australian market impact;
4. avoid applying a broad-brush residual or punitive approach to this supply pathway where exporter-specific or pathway-specific treatment is available;
5. if any securities or measures are considered, ensure that any rate or duty form is based on the actual exporter/manufacturer pathway and verified data rather than generic assumptions;
6. allow Pearl / Facades Management to provide further confidential and non-confidential substantiation if the Commission considers detailed evidence necessary.

12. Matters available for later substantiation

Pearl / Facades Management can provide further material if requested, including:

Matter	Available material, if requested
License relationship	Final agreement, MOU background, royalty invoices, kg-rate materials and factual confirmation from licensee.
Prior License relationship	License agreement, renewals and rebate documentation.
Exporter pathway	PIR / exporter questionnaire materials, importer questionnaire materials and supply-chain documents.
Quality and compliance	Client compliance packs, material traceability, glass and coating records, heat-soak records and Australian standards references.
Related-party pricing	High-level explanation of functions, risks, staffing, technical contribution, taxation and profit distribution.
Value-chain allocation	Summary schedule showing the Chinese manufacturing component and Australian technical, risk, royalty, compliance and market-facing components.

13. Draft closing statement

Pearl / Facades Management submits that its supply pathway should be assessed on its own facts. It is an Australian-system, project-specific, quality-focused and locally integrated model. Pearl / Facades does not manufacture generic or standardized products. It includes Australian IP, Australian royalties, Australian technical and compliance functions, local fabricator support and Australian market-facing risk. The Commission should not assume that this pathway causes the same injury alleged against generic low-priced imports or should attract a broad-brush rate without considering the actual commercial and evidentiary position.