

15 April 2019

The Director
Investigations 4
Anti-Dumping Commission
GPO Box 2013
CANBERRA ACT 2601

Email: leisa.baynham@adcommission.gov.au

Public File

Dear Ms Sir/Madam

Investigations No. 490 & 494 – Review of anti-dumping measures and revocation of measures inquiries – aluminium extrusions exported from Malaysia by Alumac Industries Sdn Bhd – Statement of Essential Facts

I. Introduction

I refer to Statement of Essential Facts No 490 and 494 (“SEF 490 and 494”) concerning exports of aluminium extrusions to Australia from Malaysia by Alumac Industries Sdn Bhd (“Alumac”) of Malaysia. SEF 490 and 494 proposes to recommend to the Minister for Industry, Science and Technology (“the Minister”) that:

- The countervailing duty notice be revoked in relation to aluminium extrusions exported to Australia from Malaysia by Alumac; and
- The dumping duty notice have effect as if different variable factors has been ascertained, relevant to Alumac only.

Capral Limited (“Capral”) has examined SEF 490 and 494 and welcomes the Commissioner’s proposed recommendation to the Minister.

II. Review revocation Investigation No. 490

The Commissioner is proposing to recommend that the countervailing measures applicable to Alumac be revoked as the Malaysian exporter is not in receipt of a countervailable benefit provided by the government of Malaysia.

The Anti-Dumping Commission (“the Commission”) has acknowledged Capral’s opposition to the revocation of the anti-dumping measures as originally requested by Alumac. The Commission did not commence a revocation investigation into the anti-dumping measures applicable to Alumac. Capral maintains its support for the Commission’s decision in this regard.

In relation to the proposed revocation of the countervailing measures applicable to Alumac, Capral acknowledges the Commission’s investigation did not evidence the existence of countervailable subsidies having been received by Alumac.

Capral therefore accepts the Commissioner’s proposed recommendation to the Minister for the revocation of the countervailing measures applicable to Alumac.

III. Review of variable factors Investigation No. 494

SEF 490 and 494 states the variable factors applicable to exports of aluminium extrusions by Alumac have changed following the original investigation (Report No. 362).

Capral notes that the Commission identified that exports by Alumac in the investigation period reflected a “small volume” only and that it considered the alternative methodologies under section 269TAB introduced on 31 October 2017 in the *Customs Amendment (Anti-Dumping Measures) Act 2017*.

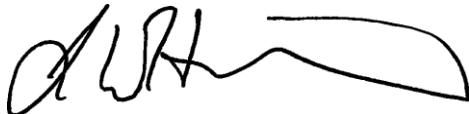
It was further considered by the Commission as to whether the low volume exports by Alumac could be considered “insufficient or unreliable information”. Having regard to all the factors, the Commission is satisfied with the export price information available to it for Alumac during the investigation period.

Capral is unable to provide any additional information concerning Alumac’s low volume exports to Australia during the investigation period. It is of concern to Capral if Alumac’s exports were at *dumped levels* at the latter end of the investigation period (i.e. last quarter) and this is not reflected in the negative 2.84 per cent dumping margin due to an absence of dumping at the commencement of the investigation period.

Capral requests the Commission to examine whether there is any distorting effects on dumping margin outcomes that potentially arise from the ‘timing’ of Alumac’s limited volume exports to Australia during the investigation period.

If you have any questions concerning this submission, please do not hesitate to contact me. I can be contacted on (02) 8222 0113 or you may contact Capral’s representative Mr John O’Connor on (07) 3342 1921.

Yours sincerely



Luke Hawkins
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