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## **ANTI-DUMPING NOTICE NO. 2019/115**

### **Aluminum extrusions exported to Australia from the People's Republic of China by Guangdong Huachang Aluminium Factory Co., Ltd**

### **Further extension of time granted to issue the Statement of Essential Facts and the Final Report**

### **Review of Anti-Dumping Measures No. 497**

*Customs Act 1901 – Part XVB*

On 15 January 2019, the Commissioner of the Anti-Dumping Commission (Commissioner) published a notice (initiation notice) announcing the initiation of a review of anti-dumping measures, in the form of a dumping duty notice and a countervailing duty notice, in respect of aluminium extrusions exported to Australia from the People's Republic of China (China).

The review is limited to examining whether the variable factors relevant to the taking of the anti-dumping measures as they affect Guangdong Huachang Aluminium Factory Co., Ltd (Huachang) from China should be varied.

A full description of the goods is available in the initiation notice, Anti-Dumping Notice (ADN) No. 2019/06 available on the Anti-Dumping Commission's (Commission) website accessible via [www.adcommission.gov.au](http://www.adcommission.gov.au).

The initiation notice advised that the statement of essential facts (SEF) would be placed on the public record on or before 6 May 2019.<sup>1</sup> The initiation notice also advised that a recommendation to the Minister for Industry, Science and Technology (the Minister) would be made in a final report on or before 19 June 2019.

On 16 April 2019, the Commissioner extended the time period for publishing the SEF, and the time period for providing the final report to the Minister.<sup>2</sup>

On 5 July 2019, the Commissioner extended the time period for publishing the SEF to 6 September 2019, and the time period for providing the final report to the Minister to 21 October 2019.<sup>3</sup>

The Commission has assessed information provided by Huachang in relation to this

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<sup>1</sup> The legislated due date was 5 May 2019; however as this falls on a Sunday, the effective due date was the following working day, being 6 May 2019.

<sup>2</sup> Refer to ADN No. 2019/52 for further details.

<sup>3</sup> Refer to ADN No. 2019/91 for further details.

review. The Commission has identified a number of material deficiencies with Huachang's responses. The Commissioner has advised Huachang that its responses contain deficiencies that could not, in his view, be quickly and easily rectified in a further response. A copy of a letter documenting the Commissioner's reasons has been placed on the public record, accessible via [www.adcommission.gov.au](http://www.adcommission.gov.au).

In light of the deficiencies, further time is required to consider the available information and to make findings and recommendations in relation to this review. Further, the Commission is currently experiencing unanticipated high operational workloads. For these reasons, I, Paul Sexton, General Manager, Anti-Dumping Commission, requested a further extension of the time periods for publishing a SEF and providing a final report and recommendation to the Minister.<sup>4</sup>

The Commissioner has, under subsection 269ZHI(3) of the *Customs Act 1901* (the Act),<sup>5</sup> extended the time period for publishing the SEF and extended the time period for providing his final report and recommendation to the Minister.<sup>6</sup>

The SEF will now be placed on the public record on or before **11 October 2019**. Interested parties are invited to make submissions to the Commissioner in response to the SEF within 20 days of the SEF being placed on the public record.

A recommendation to the Minister will now be made in a report due on or before **25 November 2019**.

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2415 or at [investigations3@adcommission.gov.au](mailto:investigations3@adcommission.gov.au).

Paul Sexton  
General Manager  
Anti-Dumping Commission

9 September 2019

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<sup>4</sup> The extension was requested under subsections 269ZHI(1)(d) and (e). The Commissioner has delegated his powers and functions under section 269ZHI to General Managers of the Commission. See ADN No. 2017/10 for further information.

<sup>5</sup> The powers and functions of the Minister under section 269ZHI are delegated to the Commissioner. See ADN No. 2017/10 for further information.

<sup>6</sup> Subsection 269ZHI(5) provides that the Commissioner may grant more than one extension of a time period.