



ANTI-DUMPING NOTICE NO. 2020/008

Customs Act 1901 – Part XVB

Certain aluminium extrusions

Exported to Australia from the People’s Republic of China

Termination of Accelerated Review No. 537

Foshan Nanhai Niuyuan Hardware Products Co., Ltd

Introduction

On 20 December 2019, I, Dale Seymour, the Commissioner of the Anti-Dumping Commission (the Commission) published Anti-Dumping Notice (ADN) No.2019/151 in order to notify interested parties regarding the commencement of an accelerated review. The accelerated review concerns the anti-dumping measures applying to certain aluminium extrusions exported to Australia from the People’s Republic of China, in so far as they relate to a new exporter, Foshan Nanhai Niuyuan Hardware Products Co., Ltd (the applicant or ‘Niuyuan’). The application lodgement date of 2 December 2019 was the commencement date of the accelerated review.

The anti-dumping measures in respect of certain aluminium extrusions exported to Australia from China consist of a dumping duty notice and countervailing duty notice. Pursuant to subsection 269ZH(b) of the *Customs Act 1901*¹, the Commonwealth required securities for interim dumping duty and interim countervailing duty that may be payable on exports of the goods by Niuyuan for the period of the accelerated review.

ADN No. 2019/151 is available on the Commission’s website at:
www.adcommission.gov.au

Grounds for termination

If, during the course of an accelerated review, I become satisfied that the applicant is refusing to cooperate with any aspect of the review, I may terminate the review under subsection 269ZE(3)(a).

On 4 December 2019, the Commission sent a questionnaire to Niuyuan. The questionnaire requested information and data necessary to complete the accelerated review. A response to the exporter questionnaire was due on 9 January 2020.

¹ Unless stated otherwise, all legislative references in this notice are to the *Customs Act 1901* (Cth).

On 8 January 2020, Niuyuan requested an extension to provide a response to all sections of the exporter questionnaire. Based on the reasons set out by the applicant, the then (Acting) General Manager approved Niuyuan's request for an extension of time in full. The revised due date was 12 January 2020.

On 13 January 2020, the Commission received a response to the exporter questionnaire from Niuyuan. The Commission considered that all sections of the response to the exporter questionnaire contained significant deficiencies that could not be easily rectified (the deficiencies identified have been advised to the applicant, a copy of which is provided at **Confidential Attachment 1**).

Consequently, I consider that Niuyuan has failed to provide the required information necessary for the timely completion of the accelerated review and I am satisfied that the applicant has refused to cooperate with an aspect of the accelerated review. Therefore, I am terminating the accelerated review in accordance with subsection 269ZE(3)(a).

Effect of the termination of the accelerated review

Termination of this accelerated review means that any securities required and taken in relation to the goods exported by the applicant and entered for home consumption from 2 December 2019 will now be converted to interim dumping duty and interim countervailing duty.

The applicable rates of duty are the 'all other and uncooperative exporters' rates of interim dumping duty and interim countervailing duty. The applicable rates were specified in the notice published on 9 May 2019 (ADN No. 2019/44). Future exports of the goods by the applicant will be subject to these duties.

Termination of this accelerated review does not affect the applicant's right to apply for another accelerated review.

Enquiries about this notice may be directed to the case manager on telephone number (03) 8539 2409 or email: investigations2@adcommission.gov.au

Dale Seymour
Commissioner
Anti-Dumping Commission

10 March 2020

Attachments

Confidential Attachment 1	Advice to the applicant concerning major deficiencies with its response to the exporter questionnaire.
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