



ANTI-DUMPING NOTICE NO. 2021/058

Aluminium extrusions

Exported to Australia from the People's Republic of China,

Malaysia and the Socialist Republic of Vietnam

Initiation of Exemption Inquiry No. EX0081

Customs Tariff (Anti-Dumping) Act 1975 (Cth)

I, Dr. Bradley Armstrong PSM, the Commissioner of the Anti-Dumping Commission, have initiated an exemption inquiry in relation to certain goods the subject of anti-dumping measures applying to aluminium extrusions exported to Australia from the People's Republic of China (China), Malaysia and the Socialist Republic of Vietnam (Vietnam).

The exemption category being sought is under sections 8(7) and 10(8) of the *Customs Tariff (Anti-Dumping) Act 1975 (Cth)* (Dumping Duty Act). Under these sections the Minister for Industry, Science and Technology (Minister) may exempt goods from dumping and countervailing duties where satisfied:

'that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade.'

The current anti-dumping measures

Anti-dumping measures currently apply to aluminium extrusions exported to Australia from China¹, Malaysia² and Vietnam. A history of the main cases relating to

¹ The anti-dumping measures in respect of China (in the form of a dumping duty notice and a countervailing duty notice) apply to all exporters with the exception of Guangdong Jiangsheng Aluminium Co. Ltd. and Guangdong Zhongya Aluminium Co Ltd.

² In the form of a dumping duty notice and a countervailing duty notice for all exporters except Press Metal Berhad, LB Aluminium Berhad, Superb Aluminium Industries Sdn Bhd, Kamco Aluminium Sdn Bhd, Milleon Extruder Sdn Bhd and Genesis Aluminium Industries Sdn Bhd. These exporters were not subject to the notice due to a finding of no dumping or negligible dumping/countervailing in Investigation No. 362. The countervailing duty notice against Alumac Industries Sdn Bhd has been revoked following Review No. 490 (Anti-Dumping Notice (ADN) No. 2019/60) with effect from 24 August 2018. The countervailing duty notice against EverPress Aluminium Industries Sdn Bhd has been revoked following Review No. 509 (ADN No. 2020/05) with effect from 26 April 2019. It is also noted that, at the time of publishing notice, Review No. 544 is examining whether a change to the variable factors in relation to all exporters subject to the existing measures is warranted. In addition, two dumping investigations (Investigation Nos. 540 and 541) are examining goods exported by Press

aluminium extrusions exported to Australia from China, Malaysia and Vietnam is summarised in the table below. Further information is also available on the public record on the Commission’s website.³

Case type and report	ADN/ACDN No.	Date	Country of export	Outcome
Investigation 148 Report 148	2010/40	28 October 2010	China	Dumping duty notice and countervailing duty notice for China.
Continuation Inquiry 287 Report 287	2015/125	20 October 2015	China	Dumping duty notice and countervailing duty notice for China continued for a further 5 years.
Investigation 362 Report 362	2017/072 (dumping) 2017/073 (countervailing)	27 June 2017	Malaysia and Vietnam	Dumping duty notice for Vietnam. Dumping and countervailing notice for Malaysia.
Continuation Inquiry 543 Report 543	2020/103	20 October 2020	China	Dumping duty notice and countervailing duty notice for China continued for a further 5 years.

The exemption goods

The goods the subject of the exemption inquiry are (“the exemption goods”):

Aluminium extrusions produced via an extrusion process manufactured from alloy number AA 3003.

The applicant has indicated that the exemption goods are commonly, but not exclusively, classified to the tariff subheading 7608.20.00 (statistical code 10) and 7604.21.00 (statistical code 08) of Schedule 3 to the *Customs Tariff Act 1995* (Cth). The exemption goods may also be imported under other tariff codes applying to aluminium extrusions.

The exemption inquiry will examine whether the exemption goods the subject of the application satisfy the conditions of the sections 8(7) and 10(8) of the Dumping Duty Act.

The current inquiry

An application for exemption has been made to the Minister by Adrad Pty Ltd.

After making inquiries of the Australian industry producing aluminium extrusions and other interested parties, I will recommend to the Minister whether the goods should be exempted from the anti-dumping measures.

Metal Berhad, LB Aluminium Berhad, Superb Aluminium Industries Sdn Bhd, Kamco Aluminium Sdn Bhd, Milleon Extruder Sdn Bhd and Genesis Aluminium Industries Sdn Bhd are dumped.

³ Accessible via www.adcommission.gov.au

Public record

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of transparency, a public record will be maintained. This notice, along with a non-confidential version of the application and any non-confidential submissions that are received, will be published on the public record, available via www.adcommission.gov.au.

Lodgment of submissions

Interested parties are invited to lodge written submissions concerning this inquiry by **11 June 2021**, addressed to:

The Director, Investigations 3
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

or email investigations3@adcommission.gov.au.

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests; or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information should be clearly marked "OFFICIAL: Sensitive".

Interested parties should lodge a non-confidential version or a summary of their submission in accordance with the requirement above (clearly marked "PUBLIC RECORD").

Report to the Minister

There is no legislated timeframe for completing the report and recommendation to the Minister.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager on telephone number +613 8539 2525 or email investigations3@adcommission.gov.au.

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

6 May 2021