



ANTI-DUMPING NOTICE NO. 2021/121

Certain Aluminium Extrusions

Exported to Australia from the People's Republic of China, Malaysia and the Socialist Republic of Vietnam

Findings 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 completed exemption inquiry EX0081 (the inquiry). The inquiry relates to certain goods (the exemption goods) which are the subject of anti-dumping measures applying to certain aluminium extrusions exported to Australia from the People's Republic of China (China), Malaysia and the Socialist Republic of Vietnam (Vietnam).

The inquiry concerns an exemption sought pursuant to sections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975 (Cth)* (Dumping Duty Act). Under this provision the Minister for Industry, Energy and Emissions Reduction (the Minister) may exempt goods from interim dumping and dumping duty, and interim countervailing duty and countervailing duty (the duties) if 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 anti-dumping measures

The anti-dumping measures apply to certain aluminium extrusions exported to Australia from:

- China were initially imposed on 28 October 2010¹
- Malaysia by certain exporters and Vietnam were initially imposed on 28 June 2017²
- Malaysia by certain exporters were initially imposed on 3 June 2021.³

¹ Refer to *Trade Remedies Branch Report no 148* and Australian Customs Dumping Notice no 2010/40.

² Refer to *Anti-Dumping Commission Report No. 362* and ADN nos. 2017/072 and 2017/073.

³ Refer to *Anti-Dumping Commission Report No. 540 and 541* and ADN nos. 2021/033 and 2021/035.

For further details as to the anti-dumping measures and the duties, refer to the Anti-Dumping Commission's (the commission's) website at www.adcommission.gov.au

The certain aluminium extrusions subject to anti-dumping measures may generally, but not exclusively, be classified under the following subheadings in Schedule 3 of the *Customs Tariff Act 1995*.⁴

Tariff code	Statistical code	Description
7604.10.00	06	Non alloyed aluminium bars, rods and profiles
7604.21.00	07	Aluminium alloy hollow angles and other shapes
7604.21.00	08	Aluminium alloy hollow profiles
7604.29.00	09	Aluminium alloy non hollow angles and other shapes
7604.29.00	10	Aluminium alloy non hollow profiles
7608.10.00	09	Non alloyed aluminium tubes and pipes
7608.20.00	10	Aluminium alloy tubes and pipes
7610.10.00	12	Doors, windows and their frames and thresholds for doors
7610.90.00	13	Other

Table 1: Tariff classifications generally applicable to the goods

The exemption goods

The exemption goods the subject of the inquiry are:

Hollow aluminium extrusions of alloy AA 3003, with a profile or cross-section which fits within a circle having a diameter of less than 155 mm.

The inquiry

An application was lodged by Adrad Pty Ltd and after examining the application, I initiated an exemption inquiry.

In conducting this inquiry, I sought information from interested parties, including the Australian industry producing aluminium extrusions.

Following relevant inquiries, I made a recommendation to the Minister that he exempt the exemption goods from the duties in accordance with sections 8(7)(a) and 10(8)(a) of the Dumping Duty Act. The reasons for my recommendation are set out in *Exemption Inquiry Report No. EX0081* (REP EX0081).

The Minister has accepted my recommendation and has exempted the exemption goods from the duties through *Ministerial Exemption Instrument No. 5 of 2021*. The exemption takes effect from 26 February 2021.

⁴ *Customs Tariff Act 1995* (Cth), Volume 5, Schedule 3, Section XV, Chapter 76. These tariff classifications and statistical codes may include goods that are both subject and not subject to the antidumping measures. The listing of these tariff classifications and statistical codes is for convenience and reference only and does not form part of the goods description. Please refer to the goods description for authoritative detail regarding goods subject to the anti-dumping measures.

A copy of REP EX0081 and the exemption instrument is available on the commission's website at www.adcommission.gov.au

Further information

If importers believe that goods they are importing are exempted from the duties in accordance with this exemption instrument, when they or their broker enter these goods for home consumption via the Integrated Cargo System, the exemption category 'GOODS' should be selected and no interim dumping or interim countervailing duties will be applied to the shipment.

Parties seeking a refund of the duties already paid should contact the Commission's client support team on 13 28 46 or +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au

The decision to exempt the exemption goods from the duties does not prevent further applications for exemptions from being considered. Parties can apply for an exemption where they believe their goods satisfy any of the conditions for exemption detailed in sections 8(7) and 10(8) of the Dumping Duty Act. Further information on the application process can be found on the commission's website.

The exemption granted as a result of the inquiry may be subject to review and may be revoked by the Minister if circumstances change.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the commission on 13 28 46 or +61 2 6213 6000 or by email at clientsupport@adcommission.gov.au

Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission

16 December 2021