



Australian Government
**Department of Industry,
Innovation and Science**

Customs Act 1901

Notice under section 269ZZI

**Certain Aluminium Extrusions Exported to Australia from Malaysia
and the Socialist Republic of Vietnam and Certain Aluminium
Extrusions Exported to Australia from Malaysia**

The Anti-Dumping Review Panel (“ADRP”) has received applications for review of the decisions by the Parliamentary Secretary to the Minister for Industry, Innovation and Science to publish a dumping duty notice in respect of Certain Aluminium Extrusions exported to Australia from Malaysia and the Socialist Republic of Vietnam, and to publish a countervailing duty notice in respect of Certain Aluminium Extrusions exported to Australia from Malaysia (“the Reviewable Decisions”).

Notice of the Reviewable Decisions were published on the Anti-Dumping Commission (“ADC”) website on 27 June 2017 ([ADN 2017/72](#) and [ADN 2017/73](#)).

The ADRP accepted applications for review from:

- Global Vietnam Aluminium Company Limited;
- Capral Limited; and
- Everpress Aluminium Industries Sdn Bhd.

The ADRP is satisfied that the following grounds are reasonable grounds for the reviewable decision not being the correct or preferable decision:

Global Vietnam Aluminium Company Limited (“GVA”)

1. The ADC erred in determining normal value pursuant to subsection 269TAC(1) of the Customs Act, on the basis of domestic sales by other sellers of like goods; and
2. The ADC erred by not considering and making appropriate adjustments for factors known to affect price comparability between export price and corresponding normal values.

Capral Limited (“Capral”)

1. The Assistant Minister, based on the recommendations of the ADC, failed to take account of relevant information pertinent to the determination of normal values, export prices and non-injurious prices in the period immediately following the investigation period, and erred by not adjusting the variable factors.

Everpress Aluminium Industries Sdn Bhd (“Everpress”)

1. The Minister erred in not considering that the volume of dumped /subsidised goods was negligible, and therefore erred in finding that the necessary state of satisfaction was reached that the balance of ‘dumped’ and subsidised exports from Malaysia could result in the required injury to the Australian industry; and
2. The ADC erred in its finding that Everpress was an uncooperative exporter and non-cooperating entity and its resulting determination of Everpress’ dumping and subsidy margins.

The goods to which these applications relate are:

“Aluminium extrusions that:

- *are produced by an extrusion process;*
- *are of alloys having metallic elements falling within the alloy designations published by The Aluminium Association commencing with 1, 2, 3, 5, 6 or 7 (or proprietary or other certifying body equivalents);*
- *have finishes being:*
 - *as extruded (mill);*
 - *mechanically worked*
 - *anodized; or*
 - *painted or otherwise coated, whether or not worked;*
- *have a wall thickness or diameter greater than 0.5 mm;*
- *have a maximum weight per metre of 27 kilograms; and*
- *have a profile or cross-section fitting within a circle having a diameter of 421 mm”.*

Copies of the applications for review, which set out the grounds for seeking review in full, and other documents are available on the public record of the review at www.adreviewpanel.gov.au

The reports of the original investigation are available on the ADC website at www.adcommission.gov.au

Submissions

Interested parties have 30 days from the date this notice is published to provide the Review Panel with a submission. If your submission contains confidential information you must provide a public version that can be published on the ADRP website. Failure to do so will result in your submission not being considered.

You may either email your submission to adrp@industry.gov.au or mail the submission to –

Anti-Dumping Review Panel Secretariat
GPO Box 2013
Canberra City ACT 2601

Persons wishing to make further inquiries about this review should telephone
(02) 6276 1781.

A handwritten signature in black ink, appearing to read 'Blumberg', with a stylized, cursive script.

Leora Blumberg
Panel Member
Anti-Dumping Review Panel
18 September 2017