



Australian Government

Anti-Dumping Review Panel

Anti-Dumping Review Panel
C/O Legal , Audit & Assurance
Department of Industry, Science, Energy and Resources
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By EMAIL

Commissioner of the Anti-Dumping Commission
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

Dear Commissioner,

ADRP Review No. 135 & 137 – Aluminium Extrusions (Mill Finish) exported from Malaysia and Aluminium Extrusions (Surface Finished) exported from Malaysia (ADNs 2021/033 and 2021/035)

Please be advised that the Anti-Dumping Review Panel (Review Panel) has initiated a review of the decisions by the Minister for Industry, Science and Technology made under subsection 269TG(1) and (2) of the *Customs Act 1901* in respect of Aluminium Extrusions (mill finish) exported from Malaysia and Aluminium Extrusions (surface finished) exported from Malaysia (the Reviewable Decisions). The review was initiated on 14 July 2021.

Applications for review of the Reviewable Decisions was made by Milleon Extruder Sdn. Bhd (Milleon) and Criterion Industries Pty Limited (Criterion).

Confidential Applications

I **attach** a copy of the confidential version of the applications submitted to the Review Panel.

You will note that Milleon challenges only the reviewable decision with respect to Mill Finish goods whereas Criterion challenges the Reviewable Decisions with respect to both Mill Finish and Surface Finished goods.

Criterion's applications seek to challenge the Commissioner's findings and recommendations with respect to material injury, both applications are expressed in similar terms, the applications relate to both Investigations 540 and 541. Milleon's application on the other hand seeks to challenge decision relating to different adjustments in respect of Investigation 540 only. Below is a request for documentation relevant to the applicants' claims. If confidential documents requested relate to both Investigation 540 and 541, they will only need to be provided once.

For the purposes of obtaining the relevant information in relation to this review, the Review Panel requests that the Anti-Dumping Commission (ADC) provide the following documents:

1. Confidential Attachments to Commission Reports 540 and 541;
2. Milleon's response to the Exporter Questionnaire including confidential attachments regarding the terms and conditions of domestic sales and any supporting confidential attachments;
3. Confidential submissions and attachments lodged by Milleon, non-confidential versions of which were placed on the Public File on 21 September, 27 October and 19 November 2020 and on 7 January 2021 (page 7 of Milleon's applications refers);
4. Milleon's response, including attachments, to the Commission's "Information Request" dated 18 November 2021.
5. Confidential Verification Work Program relating to Milleon together with confidential attachments;
6. Extracts from Capral's applications for the imposition of measures insofar as they related to material injury to the Australian industry;
7. Documents evidencing support for Capral's applications from other members of the Australian industry;
8. Commission correspondence to G James and INEX and to other members of the Australian industry following the Statement of Essential Facts requesting production and sales data and their response including confidential attachments; and
9. Any other *relevant information* (as defined in s 269ZZK *Customs Act 1901*) pertinent to the grounds of review raised by the Applicants.

Confidential and Public ADC Documents

Only confidential versions of documents need to be provided. Public versions of documents that have been published on the ADC's Electronic Public Record for the relevant case, are not required.

Due date for documents

The Review Panel Member, Mr Paul O'Connor, requests the ADC provide the documents requested by **21 July 2021**.

Provision of documents

Documents are to be uploaded to the ADC Document Drop-Box in the folder hyperlinked below. Please notify the Secretariat once the files are available to transfer to the Review Panel member.

[REDACTED]

Regards,

ADRP Secretariat on behalf of the Review Panel Member, Mr Paul O'Connor

14 July 2021