



Australian Government
Anti-Dumping Review Panel

Application for review of a Ministerial decision

Customs Act 1901 s 269ZZE

This is the approved¹ form for applications made to the Anti-Dumping Review Panel (Review Panel) on or after 20 October 2025 for a review of a reviewable decision of the Minister.

Any interested party² may lodge an application to the Review Panel for review of a Ministerial decision.

All sections of the application form must be completed unless otherwise expressly stated in this form.

The Review Panel maintains a public record for reviews of decisions of the Minister. If a review is initiated, a copy of the application will be placed on the Review Panel's website.

Please note that the existence of applications will be disclosed on the Review Panel's 'Pending Applications and Duty Assessments' webpage prior to initiation, including the following information:

- Relevant reviewable decision
- Country and goods to which the application relates
- Number of applications
- Status (e.g. application/s under consideration)

Time

Applications must be made within 30 days after public notice of the reviewable decision is first published.

Conferences

The Review Panel may request that you or your representative attend a conference for the purpose of obtaining further information in relation to your application. The conference may be requested any time after the Review Panel receives the application for review and before beginning to conduct a review. Failure to attend this conference without reasonable excuse may lead to your application being rejected. See the Review Panel website for more information.

Further application information

You or your representative may be asked by the Member to provide further information in relation to your answers provided to questions 9, 10, 11 and/or 12 of this application form (s 269ZZG(1)). See the Review Panel website for more information.

¹ By the Senior Member of the Anti-Dumping Review Panel under section 269ZY *Customs Act 1901*.

² As defined in section 269ZX *Customs Act 1901*.

Withdrawal

You may withdraw your application at any time, by completing the withdrawal form on the Review Panel website.

International Trade Remedies Advisory (ITRA) Service

Small and medium enterprises (i.e., those with less than 200 full-time staff, which are independently operated and which are not a related body corporate for the purposes of the *Corporations Act 2001*), may obtain assistance, at no charge, from the ITRA Service.

For more information on the ITRA Service, visit www.business.gov.au or telephone the ITRA Service Hotline on +61 2 6213 7267

Contact

If you have any questions about what is required in an application refer to the Review Panel website. You can also call the Review Panel Secretariat on (02) 6276 1781 or email adrp@industry.gov.au.

PART A: APPLICANT INFORMATION**1. Applicant's details**

Applicant's name:

Goomax Metal Co., Ltd ("Goomax" or the "Applicant")

Address:

No.168 Goomax Industrial Park, Dongtian Town, Nanan City, Fujian Province, China

Type of entity (trade union, corporation, government etc.):

Corporation**2. Contact person for applicant**

Full name:

Mr. Huang Keyi

Position:

Sales manager

Email address:

【confidential information】

Telephone number:

【confidential information】**3. Set out the basis on which the applicant considers it is an interested party:**

On 8 November 2024, Commissioner of the Anti-Dumping Commission (the Commissioner) initiated an inquiry into whether the continuation of the anti-dumping measures in the form of a dumping and countervailing duty notice applying to aluminium extrusions exported to Australia from China (Inquiry 657).

On 17 October 2025, the Commissioner completed the inquiry and issued the Anti-Dumping Commission Report No. 657 (REP 657) .

On the same day, the minister for industry and Innovation and the Minister for Industry and Innovation and Minister for Science, issued a notice to decide to

accept the recommendation and reasons for the recommendation, including all the material findings of facts and law therein and have decided that the anti-dumping measures applying to aluminium extrusions exported to Australia from China should continue from 29 October 2025(Notice 2025/096).

The Applicant is a selected exporter in Inquiry 657 and has fully cooperated in the Inquiry 657. In Inquiry 657, the Commissioner incorrectly determined that the suppliers/manufacturers of the Applicant's aluminum ingots and billets were all state-owned enterprises and, consequently, erroneously found that the applicant had received subsidies under the Less Than Adequate Remuneration (LTAR) program. The Applicant brought this matter to the Commissioner's attention on October 21, 2025. The Commissioner stated that, given the Minister's decision had been made, an application to the Anti-Dumping Review Panel (ADRP) would be necessary to review Goomax's subsidy rate.

Based on the above, the Applicant should be considered as an interested party and hereby submits this application for review.

4. Is the applicant represented?

Yes ☒ No ☐

If the application is being submitted by someone other than the applicant, please complete the attached representative's authority section at the end of this form.

****It is the applicant's responsibility to notify the Review Panel Secretariat if the nominated representative changes or if the applicant become self-represented during a review.****

PART B: REVIEWABLE DECISION TO WHICH THIS APPLICATION RELATES**5. Indicate the section(s) of the *Customs Act 1901* the reviewable decision was made under:**

☐ Subsection 269TG(1) or (2) –
decision of the Minister to publish a
dumping duty notice

☐ Subsection 269TH(1) or (2) –
decision of the Minister to publish a
third country dumping duty notice

☐ Subsection 269TJ(1) or (2) –
decision of the Minister to publish a
countervailing duty notice

☐ Subsection 269TK(1) or (2)
decision of the Minister to publish a
third country countervailing duty
notice

☐ Subsection 269TL(1) – decision of the
Minister not to publish duty notice

☐ Subsection 269ZDB(1) – decision of the
Minister following a review of anti-dumping
measures

☐ Subsection 269ZDBH(1) – decision of the
Minister following an anti-circumvention
enquiry

☒ Subsection 269ZHG(1) – decision of the
Minister in relation to the continuation of anti-
dumping measures

Please only select **one** box. If you intend to select more than one box to seek review of more than one reviewable decision(s), **a separate application must be completed.**

6. Provide a full description of the goods which were the subject of the reviewable decision:

Aluminium extrusions produced via an extrusion process, 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), with the finish being as extruded (mill), mechanical, anodised or painted or otherwise coated, whether or not worked, having a wall thickness or diameter greater than 0.5 mm, with a maximum weight per metre of 27 kilograms and a profile or cross-section which fits within a circle having a diameter of 421 mm.

7. Provide the tariff classifications/statistical codes of the imported goods:

Tariff Classification	Statistical code
7604.10.00	06
7604.21.00	07, 08
7604.29.00	09, 10
7608.10.00	09
7608.20.00	10
7610.10.00	12
7610.90.00	13

8. Anti-Dumping Notice details:

Anti-Dumping Notice (ADN) number:

2025/096

Date ADN was published:

17 October 2025

****Attach a copy of the notice of the reviewable decision (as published on the Anti-Dumping Commission's website) to the application****

PART C: GROUNDS FOR THE APPLICATION

If this application contains confidential or commercially sensitive information, the applicant must provide a non-confidential version of the application that contains sufficient detail to give other interested parties a clear and reasonable understanding of the information being put forward.

Confidential or commercially sensitive information must be **highlighted in yellow**, and the document marked '**CONFIDENTIAL**' (bold, capitals, red font) at the top of each page. Non-confidential versions should be marked '**NON-CONFIDENTIAL**' (bold, capitals, black font) at the top of each page.

- Personal information contained in a non-confidential application will be published unless otherwise redacted by the applicant/applicant's representative.

For lengthy submissions, responses to this part may be provided in a separate document attached to the application. Please check this box if you have done so: ☐

Please note: Failure to adequately and accurately respond to questions 9 – 12 below may result in the application or ground/s being rejected pursuant to s 269ZZG(2) or s 269ZZG(5) of the *Customs Act 1901*. Where there are multiple grounds of review, it is important to address each of the questions below for each ground.

9. Set out the grounds on which the applicant believes that the reviewable decision is not the correct or preferable decision:

Note: Each ground should be articulated as a short, clear statement. Reasons to support the ground of review should be included in Question 11.

In the questionnaire reply submitted by the Applicant, it reported all the suppliers/manufacturers of aluminum ingots and billets as privately held entities in in sheet G-7.4 Raw material purchases (see Attachment 1 the Spreadsheet submitted by Goomax in the reply to deficiency letter dated 23 February 2025) **【Confidential attachment】.**

In REP 657, the Commissioner determined that the Applicant's suppliers/manufacturers of aluminium ingot and billet are SIE/SOE and then calculated the LTAR subsidy for the Applicant (see Attachment 2 REP 657 - Confidential attachment 22 - Goomax - Subsidy margin) 【Confidential attachment】.

As a matter of fact, the Applicant's suppliers of aluminum ingots and billets, including the suppliers and manufacturers, are privately held entities.

In other words, the Commission made factual errors in its determination regarding Goomax.

Meanwhile, in REP 657, the Commission stated that as the aluminum ingots and billets suppliers of another sampled company-Jinxiecheng were privately held entities, it determined that Jinxiecheng had not received an LTAR subsidy(see Attachment 3 final report).

Given that Goomax is in the same situation—where its aluminum ingots and billets suppliers are also privately held entities—the two companies should be treated equally.

That is, the Commission should conclude that Goomax likewise did not receive an LTAR subsidy and should therefore exclude the LTAR subsidy when calculating Goomax's subsidy margin.

10. Identify what, in the applicant's opinion, the correct or preferable decision (or decisions) ought to be, resulting from the grounds raised in response to question 9:

The Commission should conclude that Goomax did not receive an LTAR subsidy and should therefore exclude the LTAR subsidy when calculating Goomax's subsidy margin.

Therefore, the subsidy margin of Goomax should corrected as 0.9%(that is 5.6%-4.7%) and the combined effective rate of duty should be corrected as 0.9%.

11. Set out how the grounds raised in question 9 support the making of the proposed correct or preferable decision:

In Goomax questionnaire reply, Goomax correctly reported the nature of the suppliers of aluminum ingots and billets as privately held entities, please refer to the Attachment 1 【Confidential attachment】. In order to prove that the aluminum ingots and billets suppliers of the Applicant are privately held entities, the Applicant used Wolters Kluwer (A Legal Information Database) to investigate the ownership structure of each supplier and traced it back to the ultimate actual controller (see Attachment 4- Ownership structure of Goomax's manufacturers and suppliers) 【Confidential attachment】. Based on this attachment it can be concluded that the suppliers of aluminum ingots and billets for the Applicant are all privately held entities.

The Commissioner incorrectly determined that all the suppliers of aluminum ingots and billets are SOE/SIE. Please refer to the Attachment 2 【Confidential attachment】.

The Commissioner determined another sampled company-Jinxiecheng had not received an LTAR subsidy since the aluminum ingots and billets suppliers of Jinxiecheng were privately held entities (see Attachment 3 final report)

The incorrect findings on the nature of Goomax's suppliers of aluminum ingots and billets should therefore be corrected.

12. Set out the reasons why the proposed decision provided in response to question 10 is materially different from the reviewable decision:

Do not answer question 12 if this application is in relation to a reviewable decision made under subsection 269TL(1) of the Customs Act 1901.

In REP 657, the Commissioner determined that the suppliers/manufacturers of aluminium ingot and billet are SIE/SOE and then calculated the LTAR subsidy for the Applicant. As a matter of fact, the Applicant's suppliers of aluminum ingots and billets, including the suppliers and manufacturers, are privately held entities.

The basis for the Commission's determination on LTAR subsidy is materially different from the actual facts, and therefore, the decision based on the incorrect facts should be corrected.

13. Please list all attachments provided in support of this application:

Attachment 1 the Spreadsheet submitted by Goomax in the reply to deficiency letter dated 23 February 2025 【Confidential attachment】

Attachment 2 REP 657 - Confidential attachment 22 - Goomax - Subsidy margin 【Confidential attachment】

Attachment 3 Final report

Attachment 4 Ownership structure of Goomax's manufacturers and suppliers 【Confidential attachment】

Attachment 5 Anti-Dumping Notice

PART D: DECLARATION

The applicant declares that:

- The applicant understands that the Review Panel may hold conferences in relation to this application, either before or during the conduct of a review. The applicant understands that if the Review Panel decides to hold a conference *before* it gives public notice of its intention to conduct a review, and the applicant (or the applicant's representative) does not attend the conference without reasonable excuse, this application may be rejected; and
- The information and documents provided in this application are true and correct. The applicant understands that providing false or misleading information or documents to the Review Panel is an offence under the *Customs Act 1901* and *Criminal Code Act 1995*.

Signature: 

Name: Ms. Chen Huilan

Position: Chairman Assistant and Chief Supervisor

Organisation: **Goomax Metal Co., Ltd**

Date: 7 November 2025

PART E: AUTHORISED REPRESENTATIVE

Provide details of the applicant's authorised representative:

Full name of representative:
Ms. Vivian Wang
Organisation:
East & Concord Partners
Address:
22nd/F, Landmark Tower 1, 8 North Dongsanhuan Road, Beijing 100004 China
Email address:
vivian_wang@east-concord.com
Telephone number:
(86.10) 6510.7050

The person named above is authorised to act as the applicant's representative in relation to this application and any review that may be conducted as a result of this application.

Signature:

Name: Ms. Chen Huilan

Position: Chairman Assistant and Chief Supervisor

Organisation: GOOMAX METAL CO., LTD

Date: 1 November 2025





CUSTOMS ACT 1901 - PART XVB

REPORT NO. 657

**INQUIRY INTO THE CONTINUATION OF
ANTI-DUMPING AND COUNTERVAILING MEASURES
ON CERTAIN ALUMINIUM EXTRUSIONS
EXPORTED TO AUSTRALIA FROM
THE PEOPLE'S REPUBLIC OF CHINA**

23 September 2025

CONTENTS

CONTENTS	2
ABBREVIATIONS	5
1 SUMMARY AND RECOMMENDATIONS	8
1.1 INTRODUCTION	8
1.2 RECOMMENDATIONS	8
1.3 BACKGROUND TO THE INQUIRY (CHAPTER 2)	10
1.4 SUMMARY OF KEY FINDINGS	11
2 BACKGROUND	16
2.1 LEGISLATIVE FRAMEWORK	16
2.2 APPLICATION, INITIATION AND EXTENSION OF TIME TO PUBLISH SEF AND PROVIDE FINAL REPORT	17
2.3 CURRENT ANTI-DUMPING MEASURES	18
2.4 OTHER MEASURES CURRENTLY APPLYING TO ALUMINIUM EXTRUSIONS	20
2.5 CONDUCT OF THE INQUIRY	20
2.6 ACCELERATED REVIEW 672	30
3 THE GOODS, LIKE GOODS AND AUSTRALIAN INDUSTRY	32
3.1 FINDING	32
3.2 LEGISLATIVE FRAMEWORK	32
3.3 THE GOODS UNDER CONSIDERATION	33
3.4 PROPOSED MODEL CONTROL CODE	34
3.5 PROPOSED AMENDMENTS TO MCC STRUCTURE	35
3.6 AMENDED MCC STRUCTURE USED IN THIS INQUIRY	39
3.7 LIKE GOODS	39
3.8 AUSTRALIAN INDUSTRY – DOMESTIC PRODUCTION	40
4 AUSTRALIAN MARKET	43
4.1 FINDING	43
4.2 APPROACH TO ANALYSIS	43
4.3 MARKET STRUCTURE	43
4.4 MARKET SEGMENTS	47
4.5 DEMAND IN THE AUSTRALIAN MARKET	48
4.6 MARKET COMPETITION	49
4.7 MARKET SIZE	52
5 ECONOMIC CONDITION OF THE INDUSTRY	53
5.1 FINDING	53
5.2 APPROACH TO ANALYSIS	53
5.3 VOLUME EFFECTS	53
5.4 PRICE EFFECTS	55
5.5 PROFITS AND PROFITABILITY	55
5.6 OTHER ECONOMIC FACTORS	56
6 DUMPING DURING THE INQUIRY PERIOD	58
6.1 FINDING	58
6.2 LEGISLATIVE FRAMEWORK	58
6.3 VARIABLE FACTORS – GOOMAX	60
6.4 VARIABLE FACTORS – JINXIECHENG	65
6.5 VARIABLE FACTORS – PMI	69
6.6 VARIABLE FACTORS – XINGFA ALUMINIUM	77
6.7 VARIABLE FACTORS – RESIDUAL EXPORTERS	82
6.8 VARIABLE FACTORS – UNCOOPERATIVE AND ALL OTHER EXPORTERS	82
7 SUBSIDISATION DURING THE INQUIRY PERIOD	84

PUBLIC RECORD

7.1	FINDING.....	84
7.2	LEGISLATIVE FRAMEWORK.....	84
7.3	NON-COOPERATION BY GOC AND CERTAIN EXPORTERS	85
7.4	ASSESSMENT OF SUBSIDY PROGRAMS.....	85
7.5	GOOMAX - NEW SUBSIDY PROGRAMS AND SUBSIDY MARGIN CALCULATED	86
7.6	JINXIECHENG - NEW SUBSIDY PROGRAMS AND SUBSIDY MARGIN CALCULATED.....	87
7.7	XINGFA ALUMINIUM - NEW SUBSIDY PROGRAMS AND SUBSIDY MARGIN CALCULATED	88
7.8	RESIDUAL EXPORTERS, NON-COOPERATIVE ENTITIES AND ALL OTHER EXPORTERS.....	90
8	LIKELIHOOD THAT DUMPING, SUBSIDISATION AND MATERIAL INJURY WILL CONTINUE OR RECUR	93
8.1	FINDING.....	93
8.2	LEGISLATIVE FRAMEWORK.....	94
8.3	THE COMMISSION'S APPROACH.....	95
8.4	AUSTRALIAN INDUSTRY CLAIMS	95
8.5	SUBMISSIONS ABOUT THE CONTINUATION OR RECURRENCE OF DUMPING AND SUBSIDISATION	95
8.6	ARE EXPORTS LIKELY TO CONTINUE OR RECUR?.....	97
8.7	WILL DUMPING AND SUBSIDISATION CONTINUE OR RECUR?.....	100
8.8	WILL MATERIAL INJURY CONTINUE OR RECUR?.....	104
9	MEASURES	112
9.1	FINDINGS AND RECOMMENDATIONS	112
9.2	LEGISLATIVE FRAMEWORK.....	112
9.3	RECOMMENDED FORM OF MEASURES AND EFFECTIVE RATES OF DUTY.....	114
10	RECOMMENDATIONS.....	119
10.1	FINDINGS AND RECOMMENDATIONS.....	119
11	APPENDICES AND ATTACHMENTS	127
APPENDIX A	PARTICULAR MARKET SITUATION ASSESSMENT	129
A1	FINDINGS	129
A2	INTRODUCTION.....	129
A2.1	QUESTIONNAIRE SENT TO THE GOVERNMENT OF CHINA	129
A2.2	PRICE-SETTING QUESTIONNAIRE SENT TO EXPORTERS.....	130
A3	SUBMISSIONS CONCERNING THE PARTICULAR MARKET SITUATION ASSESSMENT IN SEF 657	130
A4	AUSTRALIAN LEGISLATION, POLICY AND PRACTICE	131
A4.1	LEGISLATION	131
A5	ASSESSING THE PARTICULAR MARKET SITUATION IN THIS INQUIRY	131
A5.1	POLICY AND PRACTICE	132
A5.2	EVIDENCE AND INFORMATION BEFORE THE COMMISSION	132
A6	CONDITIONS IN THE CHINESE PRIMARY AND SECONDARY ALUMINIUM MARKET	133
A.6.1	PRIMARY ALUMINIUM PRODUCTION AND CAPACITY IN CHINA	134
A.6.2	SECONDARY ALUMINIUM PRODUCTION AND CAPACITY IN CHINA.....	135
A.6.3	PRIMARY AND SECONDARY ALUMINIUM MARKET PRICE AND INDICES	136
A.6.4	PRODUCTION AND CONSUMPTION OF ALUMINIUM IN CHINA	141
A7	GOC INFLUENCE IN THE CHINESE ALUMINIUM MARKET	143
A7.1	GOC DIRECTIVES — RELEVANCE AND ENFORCEABILITY	145
A7.2	GOC DIRECTIVES RELEVANT TO THE PRIMARY ALUMINIUM INDUSTRY.....	146
A7.3	GOC INVOLVEMENT IN ENERGY SECTOR	149
A7.4	GOC BELOW MARKET FINANCE POLICIES.....	151
A7.5	GOC TAXATION AND TARIFF POLICIES.....	152
A7.6	GOC STOCKPILING POLICIES	152
A8	THE CHINESE ALUMINIUM EXTRUSION MARKET	153
A8.1	CONDITIONS IN THE CHINESE ALUMINIUM EXTRUSION MARKET	153
A8.2	GOC SUBSIDY PROGRAMS TO CHINESE ALUMINIUM EXTRUSION PRODUCERS.....	153
A9	ASSESSMENT OF PARTICULAR MARKET SITUATION IN THE CHINESE ALUMINIUM EXTRUSIONS MARKET	153
A8.1	ASSESSMENT OF CONDITIONS IN THE CHINESE ALUMINIUM MARKET.....	153

PUBLIC RECORD

A8.2	FLOW THROUGH TO ALUMINIUM EXTRUSIONS SECTOR.....	154
A8.3	COMPARISON OF RAW MATERIAL PRICES.....	154
A.4	CONCLUSION	159
APPENDIX B	PROPER COMPARISON OF DOMESTIC AND EXPORT PRICES	160
B1	FINDING.....	160
B2	INTRODUCTION.....	160
B3	SUBMISSIONS ON PROPER COMPARISON IN RESPONSE TO SEF 657	160
B4	PROPER COMPARISON OF DOMESTIC AND EXPORT PRICE	160
	PREVAILING CONDITIONS OF COMPETITION IN CHINA AND AUSTRALIA.....	161
B4.1	MARKET STRUCTURE.....	161
B4.2	MARKET CONDITIONS – PRIMARY AND SECONDARY ALUMINIUM.....	162
B4.3	IMPORT PENETRATION	163
B5	RELATIONSHIP BETWEEN PRICE AND COST	165
B5.1	RELATIONSHIP BETWEEN PRICE AND COST - GOOMAX.....	166
B5.2	RELATIONSHIP BETWEEN PRICE AND COST – JINXIECHENG	167
B5.3	RELATIONSHIP BETWEEN PRICE AND COST - PMI	168
B5.4	RELATIONSHIP BETWEEN PRICE AND COST – XINGFA ALUMINIUM	169
B6	CONCLUSION ON THE EFFECTS OF THE SITUATION IN THE MARKET	171
APPENDIX C	CONSTRUCTED NORMAL VALUE	173
C1	FINDINGS	173
C2	APPLICABLE LEGISLATION, POLICY AND PRACTICE	173
C3	THIRD COUNTRY SALES	174
C4	COST OF PRODUCTION OR MANUFACTURE.....	174
C4.1	ALUMINIUM BENCHMARK COST USED TO ASSESS THE EXPORTER’S RECORDS.....	174
C4.2	GOOMAX’S RECORDS	180
C4.3	JINXIECHENG’S RECORDS	184
C4.4	PMI’S RECORDS	187
C4.5	XINGFA ALUMINIUM’S RECORDS	192
C5	THE ALUMINIUM COST ADJUSTMENT	196
C5.1	CHINESE DOMESTIC PRICES.....	196
C5.2	EQUIVALENT LME + MJP IMPORT PRICE TO CHINA AS A SUITABLE COST	197
C5.3	ADJUSTMENTS TO THE EQUIVALENT LME + MJP IMPORT PRICE TO CHINA	198
APPENDIX D	ASSESSMENT OF ALLEGED SUBSIDY PROGRAMS IN CHINA	199
D1	INTRODUCTION.....	199
D2	RELEVANT LEGISLATION	199
D3	DEFINITION OF GOVERNMENT, PUBLIC AND PRIVATE BODIES.....	199
D3.1	GOVERNMENT.....	199
D3.2	PUBLIC BODIES	200
D3.3	PRIVATE BODIES.....	200
D4	ASSESSMENT OF EXISTING PROGRAMS	201
D4.1	PROGRAM 15 – ALUMINIUM PROVIDED AT LESS THAN ADEQUATE REMUNERATION.....	201
D4.2	PROGRAM 47 - PREFERENTIAL TAX POLICIES FOR HIGH AND NEW TECHNOLOGY	203
D5	ASSESSMENT OF NEW PROGRAMS IN THE INQUIRY PERIOD.....	209
	NON-CONFIDENTIAL ATTACHMENT 1: EFFECT OF RECOMMENDATIONS.....	227
	NON-CONFIDENTIAL ATTACHMENT 2: COMBINED EFFECT OF DUMPING AND SUBSIDY MARGINS	229

ABBREVIATIONS

AAC	Australian Aluminium Council
ABF	Australian Border Force
ACCL, Chalco	Aluminium Corporation of China Limited
the Act	<i>Customs Act 1901</i>
ADA	<i>WTO Agreement for the Implementation of Article VI of the General Agreement on Tariffs and Trade 1994</i>
ADN	Anti-Dumping Notice
A&L Windows	A&L Windows Pty Ltd
ANV	ascertained normal value
Capral	Capral Limited, the applicant
China	the People's Republic of China
CIF	cost, insurance and freight
the commission	Anti-Dumping Commission
the Commissioner	Commissioner of the Anti-Dumping Commission
CRRG	China Resources Recycling Group Co. Ltd
CTM	cost to make
CTMS	cost to make and sell
DCR	Dumping Commodity Register
the Direction	<i>Customs (Extensions of Time and Non-cooperation) Direction 2015</i>
Dumping Duty Act	<i>Customs Tariff (Anti-Dumping) Act 1975</i>
EC	European Commission
EPR	electronic public record
EU	European Union
Extension of Time Direction	<i>Customs (Extensions of Time and Non-cooperation) Direction 2015</i>
FIS	free into store
FOB	free on board
Hopergy	Xiamen Hopergy Photovoltaic Technology Co., Ltd
GAAP	generally accepted accounting principles
G James	G James Australia Pty Ltd
GOC	Government of China
Goomax	Goomax Metal Co., Ltd
the goods	certain aluminium extrusions
GUC	goods under consideration
ICD	interim countervailing duty
IDD	interim dumping duty
IAI	International Aluminium Institute
Initiation ADN	ADN No. 2024/085 dated 8 November 2024

PUBLIC RECORD

inquiry period	the period from 1 October 2023 to 30 September 2024
Jinxiecheng	Guangdong Jinxiecheng Al. Manufacturing Co., Ltd
LME	London Metal Exchange
Lunar Metal	Lunar Metal Trading Pty Ltd
LME	London Metal Exchange
LTAR	Less than adequate remuneration
Manual	<i>Dumping and Subsidy Manual (December 2021)</i>
MCC	model control code
the measures	the anti-dumping measures currently applicable to aluminium extrusions from China
Mega Stone	Mega Stone Aluminium Pty Ltd
the Minister	the Minister for Industry and Innovation and the Minister for Science
MITT	Ministry of Industry and Information Technology (China)
MJP	Major Japanese Port premium
NDRC	National Development and Reform Commission
NFSRA	National Food and Strategic Reserves Administration
NIP	non-injurious price
OCOT	ordinary course of trade
OECD	Organisation for Economic Co-operation and Development
PIR	Preliminary Information Request, Residual Exporter Questionnaire
PMAA	Press Metal Aluminium (Australia) Pty Ltd
PMI	Press Metal International Ltd
PSQ	Price-setting questionnaire
the Regulation	<i>Customs (International Obligations) Regulation 2015</i>
REP 543/CON 543	<i>Continuation inquiry no 543</i>
REP 609/REV 609	<i>Review of measures no 609</i>
REQ	response to the exporter questionnaire
s232	section 232 of the Trade Expansion Act of 1962 (USA)
SASAC	State-owned Assets and Administration Commission
SEF	statement of essential facts
SG&A	selling, general and administrative
SHFE	Shanghai Futures Exchange
SIEs	State-Invested Enterprises
SMM	Shanghai Metals Market
SOEs	State-Owned Enterprises
Staralum	Star Aluminium Pty Ltd
US, USA	United States of America
USP	unsuppressed selling price
VAT	value added tax

PUBLIC RECORD

WTO	World Trade Organization
Xingfa Aluminium	Guangdong Xingfa Aluminium Co., Ltd
Xingtaomei	Foshan Xingtaomei Aluminum Industry Co., Ltd
YE	year ended

1 SUMMARY AND RECOMMENDATIONS

1.1 Introduction

This final report concerns an inquiry into whether the anti-dumping measures (the measures) on certain aluminium extrusions (the goods) exported to Australia from the People's Republic of China (China) should be continued. The measures are in the form of a dumping duty notice and a countervailing duty notice. The notices are due to expire on 28 October 2025.¹

Section 269ZHF(2) of the *Customs Act 1901 (Cth)* (the Act) provides that the Commissioner must not recommend that the Minister take steps to secure the continuation of the anti-dumping measures unless the Commissioner is satisfied that the expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping or subsidisation and the material injury that the anti-dumping measure is intended to prevent.

This report sets out the facts on which the Commissioner of the Anti-Dumping Commission (the Commissioner) has based his recommendations to the Minister for Industry and Innovation and the Minister for Science (the Minister).

1.2 Recommendations

The Commissioner is satisfied that the expiry of the measures on aluminium extrusions exported to Australia from China would be likely to lead to a continuation and recurrence of the dumping and subsidisation of aluminium extrusions, and the material injury that the measures are intended to prevent. The Commissioner recommends that:

- the measures apply to exporters generally as if different variable factors had been ascertained²
- the rates of interim dumping duty (IDD) and interim countervailing duty (ICD) in Table 1 apply from **29 October 2025**.
- the notice in respect to Xiamen Hopergy Photovoltaic Technology Co., Ltd (Hopergy) remain unaltered.³

The effect of the Commissioner's recommended changes to the variable factors are that the IDD and ICD rates, excluding those applying to Hopergy, have changed for all selected exporters, residual exporters⁴, uncooperative exporters and non-cooperative entities.

¹ Section 269TM of the *Customs Act 1901* (the Act). All legislative references are to the *Customs Act 1901*, unless otherwise specified.

² Section 269ZHF(1)(a)(iii).

³ See Chapter 1.4.4

⁴ Residual exporters in respect of the subsidy inquiry are exporters who cooperated with the inquiry but were not selected for individual examination and who are not non-cooperative exporters.

PUBLIC RECORD

Exporter	Recommended effective rates of IDD and/or ICD ⁵	Duty method
Selected exporters		
Guangdong Jinxiecheng Al Manufacturing Co., Ltd	0.8%	Floor price IDD & <i>ad valorem</i> ICD
Goomax Metal Co., Ltd	5.6%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Xingfa Aluminium Co., Ltd	4.5%	Combination IDD & <i>ad valorem</i> ICD
Press Metal International Ltd ⁶	18.1%	Combination IDD & <i>ad valorem</i> ICD
Residual exporters		
Antai Technology Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Fenan Aluminum Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan City Nanhai Yongfeng Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan JMA Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan Sanshui Fenglu Aluminium Company Limited	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan Sanshui Yongya Aluminum Produce Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan Yatai PVC & Alu Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Fujian Minfa Aluminium Inc.	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Golden Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Haomei New Materials Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Huachang Group Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong JMA Aluminium Profile Factory (Group) Co, Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Weiye Aluminium Factory Group Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Xingqiu Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guang Ya Aluminium Industries Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Luoxiang Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Qingyuan XinYueYa Aluminium Industry Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
PanAsia Enterprises (Nanyang) Company Limited	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Tai Shan City Kam Kiu Aluminium Extrusions Co., Ltd ⁷	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Uncooperative, non-cooperative and all other exporters		
All other, uncooperative and non-cooperative exporters	29.4%	Combination IDD & <i>ad valorem</i> ICD
Guangdong Jiangsheng Aluminium Co., Ltd	Exporter not subject to measures	
Guangdong Zhongya Aluminium Company Ltd	Exporter not subject to measures	
Other		
Xiamen Hopergy Photovoltaic Technology Co., Ltd ⁸	0.2%	Floor price IDD & <i>ad valorem</i> ICD

Table 1: Recommended measures resulting from this inquiry

⁵ The effective rate removes the double-count of subsidy Program 15: Aluminium provided at less than adequate remuneration. This is discussed further at chapter 9.3.1.

⁶ Press Metal International Limited is a cooperative exporter for the purpose of the dumping investigation and a non-cooperative entity for the purpose of the subsidy investigation.

⁷ Tai Shan City Kam Kiu Aluminium Extrusions Co., Ltd was a selected exporter in Review 609 where its prior effective rate of duty of 39.1% was determined. Due to a large reduction in its export volumes during this inquiry period, it was not a selected exporter and has been assessed as a residual exporter for purposes of this continuation inquiry.

⁸ See Accelerated Review 672. Public record documents and other information on concerning this matter available on [EPR 672](#).

Further details of the effect on these recommended changes on individual exporters are explained in **Non-confidential attachment 1: Effect of recommendations**.

1.3 Background to the inquiry (chapter 2)

The Commissioner initiated this inquiry on 8 November 2024 and established an inquiry period of 1 October 2023 to 30 September 2024 (the inquiry period).⁹ Capral Limited (Capral) is the applicant seeking to continue the measures.¹⁰

1.3.1 Conduct of the inquiry

Detailed information concerning the commission's conduct of the inquiry is provided in section 2.4 of this report.

At initiation of this inquiry, the Anti-Dumping Commission (the commission) invited Australian industry, exporters, importers and other interested parties to provide information and evidence relevant to the inquiry. The commission also issued questionnaires relevant to the assessment of whether the continuation of the measures is justified and for assessing the variable factors for the inquiry period.

Australian industry members

All Australian industry members were invited to participate in this inquiry. At initiation, each member of the Australian industry was sent an Australian Industry Questionnaire. Capral Limited (Capral) submitted a response to the Australian Industry Questionnaire (RAQ).

Responses to a further abbreviated information request were received from G James Australia Pty Ltd (G James) and Extrusions Australia P/L (Extrusions Australia).

Selected exporters

At initiation of this inquiry, the commission advised it intended to, in so far as it relates to reviewing the variable factors, limit the inquiry to the examination of exports by Guangdong Xingfa Aluminium Co., Ltd (Xingfa Aluminium), Guangdong Jinxi Cheng Al Manufacturing Co., Ltd (Jinxi Cheng) and Goomax Metal Co., Ltd (Goomax). A response to the exporter questionnaire (REQ) was received from each of these 3 selected exporters.

An additional REQ was received from Press Metal International Ltd (PMI). At the time of receiving PMI's REQ, the Commissioner determined that including PMI as a selected exporter would not delay the timely completion of the inquiry. Accordingly, PMI was also included as a selected exporter. All selected exporters, including PMI, are collectively referred to as the selected exporters in this report.

Residual exporters

Other exporters were invited to provide a response to a residual questionnaire. The commission received 19 residual questionnaire responses from other Chinese exporters. These exporters' exports were not examined as part of the inquiry.

If the residual questionnaire response was complete and received with the legislated period (i.e. the due date), the exporter was found to be a residual exporter for the purpose of the inquiry. If the residual questionnaire response was not received, was incomplete and/or not received within the legislated period, the exporter was found to be an uncooperative exporter for the

⁹ Anti-Dumping Notice (ADN) no. 2024/085 on the electronic public record (EPR) for [case 657](#). See document 2.

¹⁰ EPR 657, document 1

dumping investigation aspect of this inquiry and a non-cooperative entity for the purpose of the subsidy investigation aspect of this inquiry.

Importers

The commission sent importer questionnaires to the largest importers of the goods from China and published the importer questionnaire on the Electric Public Record (EPR) for completion by other importers of the goods from China who wished to participate in this inquiry. The commission received 3 responses to the importer questionnaire (RIQ). These were received from:

- Lunar Metal Trading Pty Ltd (Lunar Metal)
- Mega Stone Aluminium Pty Ltd (Mega Stone)
- Press Metal Aluminium (Australia) Pty Ltd (PMAA).

Government of China

The commission invited the Government of China (GOC) to complete a government questionnaire. The commission did not receive a response to the questionnaire from the GOC. Also, no submissions to this inquiry were received from the GOC.

Submissions received from interested parties

At the time of providing this report, the commission had received 66 submissions to this inquiry. Of the 65 submissions received, 57 are for the public record and available on the EPR. The remaining submissions are marked as confidential or a public record version was not provided and therefore, not published. Further information concerning these submissions is available in Chapter 2.5.2.

Evidence relied upon in preparing the report

In preparing this report, the Commissioner had regard to the following:

- Capral's application
- Australian industry, importer, and exporter questionnaire responses received
- submissions provided by interested parties concerning the continuation of the measures and the calculation of variable factors prior to the SEF.
- submissions provided by interested parties in response to the SEF, except for those explicitly not considered as specified in section 2.5.2.
- information received from the verification meetings with Capral and the meeting with end user A&L Windows Pty Ltd (A&L Windows)
- data from the Australian Border Force (ABF) import database
- where specified, data obtained from independent third-party data providers
- the commission's previous findings concerning the measures subject of this inquiry
- all other relevant matters and information as outlined in this report.

1.4 Summary of key findings

The Commissioner's findings and conclusions in this report rely on the information available at this stage of the inquiry. The paragraphs below provide a summary of these findings, which are set out in further detail throughout the report.

1.4.1 The goods, like goods and the Australian industry (chapter 3)

The Commissioner finds locally produced goods are 'like' to the goods the subject of the application. The Commissioner is satisfied that there is an Australian industry comprised of multiple producers producing like goods, the largest being Capral.

1.4.2 Australian market (chapter 4)

The Australian market for aluminium extrusions continues to be supplied by both Australian industry and exporters. Imports are predominantly sourced from China, followed by Indonesia, Malaysia, Vietnam, Thailand, and, to a lesser extent, other countries. Since the last continuation of the anti-dumping measures in October 2020, the volume of imports from China subject to the measures has increased in absolute terms and in terms of the share of total imports, while the aggregate volume of imports from other countries has declined in absolute terms and in terms of the share of total imports.¹¹

The Australian market expanded following October 2020, peaking in 2022. This growth aligned with increased construction activity driven by government programs introduced in response to the COVID-19 pandemic. Since 2022, however, the market has contracted and stabilised, coinciding with a downturn in residential construction activity.

Although there have been some changes in the mix of market participants since the last inquiry, the underlying competitive conditions remain largely unchanged. Aluminium extrusions continue to be treated as a commodity product, with price remaining the primary factor influencing purchasing decisions.

1.4.3 Economic condition of the Australian industry (chapter 5)

The commission assessed the economic condition of the Australian industry from 1 October 2020 to analyse trends in the market for aluminium extrusions and assess potential injury factors.

The Commissioner has found that the Australian industry initially achieved improvements in several economic indicators following the continuation of measures in October 2020, including improvements in sales volume and market share, revenue, capacity utilisation and employment.

These improvements however had dissipated by the conclusion of the inquiry period in this inquiry. Following October 2020, Australian industry initially sustained a relatively stable margin between selling prices and the cost to make and sell (CTMS). However, a deterioration in this margin was noted during the inquiry period. When also combined with observed reductions in sales volume and market share in the inquiry period, Australian industry experienced an overall deterioration in profit and profitability during the inquiry period.

The commission further notes the Australian industry's profit and profitability was lower at the conclusion of the inquiry period compared to when measures were last continued.

1.4.4 Dumping and subsidisation during the inquiry period (chapter 6 and 7)

For the purposes of this continuation inquiry, the commission has assessed variable factors to determine whether exports in the inquiry period were dumped and/or subsidised, and whether dumping and/or subsidisation is likely to continue or recur if the anti-dumping measures are not continued. The Commissioner has also used this information to determine that the variable factors have changed. The commission has determined dumping and subsidy margins as set out in Table 2.

¹¹ Whilst import volumes of other countries have overall declined, the import volumes of some individual countries within this group have increased.

PUBLIC RECORD

Exporter	Dumping margin	Subsidy margin	Recommended effective rate of duty
Guangdong Jinxiecheng Al Manufacturing Co., Ltd	negative 9.8%	0.8%	0.8%
Goomax Metal Co., Ltd	negative 7.2%	5.6%	5.6%
Guangdong Xingfa Aluminium Co., Ltd	4.0%	0.6%	4.5% ¹²
Press Metal International Ltd ¹³	17.7%	1.6%	18.1% ¹⁴
Residual exporters	negative 0.9%	1.7%	1.7%
All other exporters, uncooperative and non-cooperative	28.4%	5.7%	29.4% ¹⁵

Table 2: Dumping and subsidy margins

The recommended effective rate of duty specified in Table 2 is the effective combined dumping and subsidy margin after adjusting the dumping margin to remove any double counting of subsidy Program 15 – *Aluminium provided at less than adequate remuneration (LTAR)*. The deduction of the Program 15 LTAR amount from the dumping margin avoids any double counting that arises from the cost adjustments applied to the exporter's CTMS and normal value. Further information concerning the calculation of the effective rate of duty is provided in Chapter 9 of this report. Where an exporter has a negative dumping margin, the effective rate reflects the subsidy margin.

On 3 April 2025, the Commissioner received an application for an accelerated review of the anti-dumping measures (in the form of a dumping duty notice and a countervailing duty notice applying to certain aluminium extrusions exported to Australia from China, as they relate to Hopergy.¹⁶ The Commissioner provided his report in relation to the accelerated review to the Minister on 14 July 2025.

Measures applying to Hopergy

On 6 August 2025, the Minister accepted the recommendations and reasons for the recommendations set out in the Commissioner's report to the Minister, including all the material findings of facts and law.¹⁷ Accordingly, the Minister determined the following that apply to Hopergy's exports to Australia:

- the effective rate of IDD is an amount worked out in accordance with the floor price duty method as set out in sections 5(4) and 5(5) of the *Customs Tariff (Anti-Dumping) Regulation 2013*, and
- the effective rate of ICD is 0.2%.

¹² The combined effective rate of 4.5% for Xingfa Aluminium is calculated by removing LTAR (0.1%).

¹³ The Commissioner has determined PMI to be a non-cooperative entity in so far as it relates to the subsidy part of this inquiry. PMI has not been determined as an uncooperative exporter in relation to the dumping aspect of this inquiry. Refer to chapter 2.5.1 for further details.

¹⁴ The combined effective rate for PMI is calculated by removing LTAR (1.2%).

¹⁵ The combined effective rate for uncooperative, non-cooperative and all other exporters is calculated by removing LTAR (4.7%).

¹⁶ See Accelerated Review 672. Public record documents and other information on concerning this matter available on [EPR 672](#).

¹⁷ [ADN 2025/062](#) refers

The measures for Hopergy took effect retrospectively from 3 April 2025, the date the application was lodged. For the purposes of this inquiry, the Commissioner deems Hopergy to be a cooperative exporter. The current notice therefore will remain unaltered in respect to Hopergy.

1.4.5 Likelihood of dumping, subsidisation and material injury continuing or recurring (chapter 8)

Under section 269ZHF(2) the Commissioner must not recommend that the Minister take steps to secure the continuation of measures unless they are satisfied that the expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping or subsidisation and the material injury that the measures are intended to prevent.

The Commissioner's view is that the expiry of the measures would lead, or would be likely to lead, to a continuation or recurrence of the dumping and material injury that the measures are intended to prevent.

The Commissioner has reached this view based on a finding that:

- Chinese exporters will likely continue exporting the goods (chapter 8.6)
- Chinese exports will likely continue to be dumped and subsidised (chapter 8.7), and
- the dumping and subsidisation are likely to cause a continuation and/or recurrence of material injury to the Australian industry (chapter 8.8).

As outlined in chapter 8.6, the Commissioner has found that Chinese exporters will likely continue exporting the goods because:

- exports have been observed throughout the life of the measures. Specifically, Chinese exports accounted for around 20% of all sales in the Australian market during the inquiry period.
- exporters have maintained distribution links as well as forming new links.
- new exporters and importers have entered the market since the measures were last continued.
- exporters maintain excess production capacity sufficient to supply the entire Australian market.
- existing trade measures in other jurisdictions ensure Australian continues to be an attractive export market.

As outlined in chapter 8.7, the Commissioner has found that the exports will likely continue to be dumped and subsidised because:

- Xingfa, PMI and uncooperative exporters were found to have exported the goods at dumped prices during the inquiry period.
- an analysis of export pricing after the inquiry period indicates that export prices have not increased in line with the increase in aluminium input costs, such that dumping has likely continued in relation to those exporters found to have been dumping during the inquiry period and recurred in relation to those not found to have been dumping during the inquiry period.
- the commission observed a significant number of exporters in the "all other exporter" category with FOB export prices below those of the largest suppliers to the Australian market. In the absence of measures, these exporters would have increased price competitiveness and would leverage these dumped prices to challenge the market share of the more established exporters, likely putting further downward pressure on export prices for all participants in the market.
- trade measures in numerous other jurisdictions indicate that Chinese exporters have a propensity to export at dumped prices.

- exporters were identified as having received countervailable subsidies during the inquiry period.
- countervailable subsidies have been observed throughout the life of the measures.
- throughout the life of the measures the GOC has influenced the price of aluminium such that the price for primary aluminium is lower than it would otherwise be, and the commission has no evidence that this practice is likely to change.

As outlined in chapter 8.8, the Commissioner has found that the dumping and subsidisation will cause material injury to Australian industry because:

- aluminium extrusions are a price sensitive commodity.
- importers of aluminium extrusions from the subject exporters compete directly with Australian industry's customer base.
- imports from China undercut Australian industry's prices during the inquiry period, particularly with respect to the value-added segment of the market,¹⁸ placing downward pressure on Australian industry's prices.
- in the absence of measures, competition would intensify among the large cohort of Chinese exporters supplying the Australian market, leading to downward price pressure on all participants in the Australian market.
- should Australian industry seek to compete on price against dumped and subsidised exports from China it will experience price suppression and/or price depression.
- should Australian industry be unwilling or unable to compete on price, it will likely experience lost sales volumes and market share to dumped and subsidised exports from China.
- while the economic condition of the Australian industry is likely also impacted by lower priced exports from other sources, the commission considers that should the measures be removed, dumped and subsidised exports from China will become the price leader. This is likely given:
 - the existing market penetration and market share held by Chinese exporters
 - the number of Chinese exporters already supplying the Australian market, and
 - excess Chinese production capacity.
- lower Chinese export prices will depress prices for all participants including exporters not subject to measures, exporters from other countries, and Australian industry.

1.4.6 Measures (chapter 9)

The Commissioner considers the IDD and ICD payable on aluminium extrusions exported from China should be worked out using the following methods:

- combination method for IDD and *ad valorem* method for ICD for exports of aluminium extrusions from China by PMI, Xingfa, and Uncooperative, non-cooperative and all other exporters
- floor price method for IDD and *ad valorem* method for ICD for exports of aluminium extrusions from China by Goomax and Jinxiacheng.

The Commissioner also recommends that, the Minister consider it is not desirable to specify a method of calculating IDD and/or fix the amount of ICD such that the sum of the export price of the goods as ascertained in this inquiry, the amount the amount of IDD payable and the amount of ICD payable do not exceed the non-injurious price (NIP).

¹⁸ The value-add segment of the market relates to aluminium extrusions that had finishes applied, including powder coating and anodising.

2 BACKGROUND

2.1 Legislative framework

The Commissioner follows the procedures that are relevant to an application for the continuation of anti-dumping measures, set out in Division 6A of Part XVB of the Act.

2.1.1 Legislative test

Under section 269ZHF(2), the Commissioner must not recommend that the Minister take steps to secure the continuation of the anti-dumping measures unless the Commissioner is satisfied that the expiration of the anti-dumping measures would lead, or would be likely to lead, to a continuation of, or a recurrence of the dumping and subsidisation and the material injury that the anti-dumping measure is intended to prevent.

2.1.2 Statement of essential facts (SEF)

Section 269ZHE(1) requires the Commissioner to publish a statement of the facts on which they propose to base their recommendations to the Minister about the continuation of the measures. This is referred to as the SEF.

Section 269ZHE(2) requires the Commissioner to formulate the SEF with regard to the application and any submissions received within 37 days of the initiation of the inquiry. Under section 269ZHE(3), the Commissioner is not obliged to have regard to any submissions relating generally to the inquiry that are received by the Commissioner after the 37 days if to do so would, in the Commissioner's opinion, prevent the timely placement of the SEF on the EPR. The Commissioner may also have regard to any other matters they consider relevant.

The Commissioner placed SEF 657 on the public record on 21 July 2025.

2.1.3 Corrigendum to SEF

On the 31 July 2025 the Commissioner published a corrigendum Anti-Dumping Notice (ADN) with revised dumping margins.¹⁹ This was to correct an error in the benchmark calculations and dumping margins that were specified in the SEF²⁰.

Following submissions from interested parties in response to the variable factors, the commission has made further changes to both the dumping margins and subsidy margins. These changes are detailed in chapter 6 and chapter 7.

2.1.4 Final report

Section 269ZHF(1) requires the Commissioner, after conducting an inquiry, to give the Minister a report which recommends that the relevant notice:

- remain unaltered

¹⁹ ADN No. 2025/070

²⁰ A submission was received from Press Metal International Ltd (PMI) concerning the aluminium benchmark referenced to adjust the selected cooperating exporters aluminium costs (see EPR 657, document 34). Upon further examination of PMI's submission, the commission identified a calculation error in the aluminium benchmark. A further submission was received from PMI which queried the size of the dumping margin calculated and queried if there were potential errors. PMI stated that further submissions would be made concerning any such errors identified (see EPR 657, document 33). Subsequent submissions were received from PMI which are addressed in this report.

- cease to apply to a particular exporter or to a particular kind of goods
- have effect in relation to a particular exporter or to exporters generally as if different variable factors had been ascertained, or
- expire on the specified expiry day.

The Commissioner is not obliged to have regard to any submission made in response to the SEF that is received more than 20 days after the publication of the SEF, if to do so would, in the Commissioner's opinion, prevent the timely preparation of the report to the Minister.²¹

The Commissioner may also have regard to any other matter they consider relevant.²²

The final report to the Minister must include a statement of the Commissioner's reasons for any recommendation contained in the report, set out the material findings of fact on which the recommendation is based, and provide particulars of the evidence relied on to support those findings.

2.2 Application, initiation and extension of time to publish SEF and provide final report

On 15 August 2024, the Commissioner published a notice on the commission's website inviting the following persons to apply for the continuation of the anti-dumping measures:²³

- the person whose application under section 269TB resulted in the anti-dumping measures,²⁴ or
- persons representing the whole or a portion of the Australian industry producing like goods to the goods covered by the anti-dumping measures.²⁵

On 19 September 2024, Capral lodged an application for the continuation of the anti-dumping measures on the goods exported to Australia from China.²⁶ The Commissioner was satisfied that:

- the application complied with section 269ZHC (content and lodgement requirements),²⁷ and
- there appeared to be reasonable grounds for asserting that the expiry of the anti-dumping measures might lead, or might be likely to lead, to a continuation of, or a recurrence of, the material injury that the measures are intended to prevent.²⁸

The Commissioner decided not to reject the application and published ADN 2024/085 initiating this inquiry on 8 November 2024.²⁹ The initiation notice advised that the SEF would be placed on the public record by 26 February 2025 and the final report would be provided to the Minister on or before 12 April 2025. The Commissioner subsequently granted an extension of time to publish the SEF by 21 July 2025 and to provide the final report to the Minister by 15 September 2025.³⁰ The

²¹ Section 269ZHF(4)

²² Section 269ZHF(3)(b)

²³ In accordance with section 269ZHB(1). [ADN 2024/046](#) refers.

²⁴ Section 269ZHB(1)(b)(i).

²⁵ Section 269ZHB(1)(b)(ii)

²⁶ Under section 269ZHC. A non-confidential version of the application is available on EPR 657 - document 1 refers.

²⁷ Section 269ZHD(2)(a)

²⁸ Section 269ZHD(2)(b)

²⁹ *Op cit* (9) (Initiation ADN)

³⁰ EPR 657, document 31

SEF was published on the public record on 21 July 2025. The Commissioner granted a further extension of time to provide the final report to the Minister by 23 September 2025.³¹

2.3 Current anti-dumping measures

The anti-dumping measures were initially imposed by public notice on 28 October 2010 following the publication of *Trade Remedies Branch Report No 148*.

On 20 October 2015, in response to the findings of Continuation Inquiry No 287, the then assistant Minister for Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science (the then Parliamentary Secretary) continued the anti-dumping measures for a further 5 years until 28 October 2020. Findings of this inquiry are detailed in *Anti-Dumping Commission Report No 287* (REP 287).³²

On 12 October 2020, the then Minister for Industry, Science and Technology continued the anti-dumping measures for a further 5 years until 28 October 2025 in response to the findings of Continuation Inquiry No 543. The findings of this inquiry are detailed in *Anti-Dumping Commission Report No 543* (REP 543).³³

Table 3 summarises the anti-dumping measures currently applying to exports of the goods to Australia from China and includes the recommended new effective rates of duty.

Exporter	IDD method	ICD method	Current effective rate of duty	Recommended new effective rate of duty
Guangdong Jinxiecheng Al Manufacturing Co., Ltd	Floor price	<i>ad valorem</i>	0.0%	0.8%
Goomax Metal Co., Ltd	Floor price	<i>ad valorem</i>	0.7%	5.6%
Guangdong Xingfa Aluminium Co., Ltd	Floor price	<i>ad valorem</i>	0.4%	4.5%
Press Metal International Ltd	Floor price	<i>ad valorem</i>	0.5%	18.1%
Guangdong Jiangsheng Aluminium Co., Ltd	n/a	n/a	n/a	n/a
Guangdong Zhongya Aluminium Company Ltd	n/a	n/a	n/a	n/a
Tai Shan City Kam Kiu Aluminium Extrusion Co., Ltd	Combination ³⁴	<i>ad valorem</i>	39.1%	1.7%
Antai Technology Co., Ltd	Floor price	<i>ad valorem</i>	2.1%	1.7%
Qingyuan XinYueYa Aluminium Industry Co., Ltd	Floor price	<i>ad valorem</i>	0.2%	1.7%
Xiamen Hopergy Photovoltaic Technology Co., Ltd	Floor price	<i>ad valorem</i>	0.2% ³⁵	0.2%
Residual exporters	Floor price	<i>ad valorem</i>	0.5%	1.7%
All other, uncooperative and non-cooperative exporters	Floor price	<i>ad valorem</i>	42.9%	29.4%

Table 3: Current measures applying to exports of the goods from China

³¹ [ADN 2025/085](#)

³² EPR 543, document 14

³³ EPR 543, document 61

³⁴ Fixed and variable.

³⁵ This exporter applied for an accelerated review in April 2025 (Accelerated Review 672) wherein a determination was made on 6 August 2025. Refer to section 2.6 for further detail.

PUBLIC RECORD

Further details regarding these measures can be found on the Dumping Commodity Register (DCR) for aluminium extrusions, available on the commission's website.³⁶

2.3.1 Other cases

The commission has conducted multiple cases relating to aluminium extrusions. The full history of cases can be found on the commission's website³⁷ A summary of the main cases involving aluminium extrusions exported to Australia from China is set out in Table 4.

Case type and number	ADN	Date	Findings
Investigation 148	2010/40	28 October 2010	Anti-dumping measures were imposed on all exports of aluminium extrusions from China to Australia. Tai Ao (Taishan) Co Ltd (now Guangdong Jiangsheng Aluminium Co Ltd) was excluded from the anti-dumping measures. <i>Trade Measures Report No. 148</i> (REP 148) refers.
Reinvestigation 175 (Reinvestigation of findings in REP 148)	2011/31	26 August 2011	The variable factors were changed for all exporters from China. The dumping duty notice no longer applied to exports from Zhaoqing New Zhongya Aluminium Co Ltd (now Guangdong Zhongya Aluminium Company Ltd).
Review 248	2015/96	19 August 2015	The variable factors were changed for all exporters from China.
Continuation 287	2015/125	20 October 2015	The anti-dumping measures were continued for a further 5 years.
Review 392	2017/138	8 November 2017	The variable factors were changed for all exporters from China.
Review 482	2019/44	8 May 2019	The variable factors were changed for all exporters from China.
ADRP Review 2019/104	N/A	24 September 2019	The countervailing notice in respect of exports from Guangdong Zhongya Aluminium Company Ltd was revoked. The variable factors for Tai Shan City Kam Kiu Aluminium Extrusion Co Ltd and PanAsia Aluminium (China) Limited were changed.
Continuation 543	2020/103	12 October 2020	The anti-dumping measures were continued for a further 5 years. The variable factors were changed for all exporters from China.
Review 609	2023/051	20 September 2023	The variable factors were changed for all exporters from China. ³⁸

³⁶ [Dumping Commodity Register](#)

³⁷ The commission's website, under [Archived cases](#).

³⁸ Excluding Antai Technology Co. Ltd and Qingyuan XinYueYa Aluminium Industry Co. Ltd. The variable factors for these exporters were updated as part of *Accelerated Review 618* and *Accelerated Review 619* respectively

Case type and number	ADN	Date	Findings
Review 633	2025/015	14 March 2025	The variable factors for Guangdong Xingfa Aluminium Co. Ltd were changed.

Table 4: Main cases relating to the goods from China

2.4 Other measures currently applying to aluminium extrusions

Other than China, anti-dumping measures currently also apply to aluminium extrusions exported to Australia from Malaysia and the Socialist Republic of Vietnam (Vietnam).³⁹ Table 5 provides a summary of these anti-dumping measures.⁴⁰

Country	Measure	Effective duty rates	Date Measures Imposed	Measures Expire	Current or Pending Inquiries
Malaysia (mill finish)	IDD	4.9% - 13.2%	2 June 2021 ⁴¹	2 June 2026	Continuation 682 ⁴²
Malaysia (surface finish)	IDD	2.6% - 18.5%	2 June 2021 ⁴³	2 June 2026	Continuation 683 ⁴⁴
Malaysia	IDD	0.0% - 27.0%	27 June 2017 ⁴⁵	27 June 2027	Expiry notice will be issued in April 2026
Vietnam	IDD	5.2% - 9.0%	27 June 2017 ⁴⁶	27 June 2027	

Table 5: Summary of anti-dumping measures applying to other countries

2.5 Conduct of the inquiry

The inquiry period for this continuation inquiry is 1 October 2023 to 30 September 2024 (the inquiry period). To analyse the performance of the Australian industry in the years after the measures were last continued, the commission examined the period from 1 October 2020 to 30 September 2024 (the analysis period).

2.5.1 Application, questionnaires and assessing information provided

To assist with the inquiry, the commission issued questionnaires to:

- Australian industry
- exporters
- importers, and
- the GOC.

³⁹ Certain entities from Thailand and Taiwan are subject to anti-dumping measures following the completion of Anti-circumvention inquiry 447.

⁴⁰ Refer to the [Dumping Commodity Register](#) for more detailed information on the measures.

⁴¹ ADN [2021/033](#) refers.

⁴² EPR 682, document 2, ADN 2025/054

⁴³ ADN [2021/035](#) refers.

⁴⁴ EPR 683, document 2, ADN 2025/055

⁴⁵ [ADRP Review](#) - ADRP Report No. 155 refers

⁴⁶ Ibid (45), expiry notices refer.

Further information concerning the responses received and the commission's evaluation of these questionnaire responses is detailed below.

Australian industry

Capral in its application for the continuation inquiry provided a statement of reasons for seeking the continuation of the anti-dumping measures and financial data relevant to assessing its economic performance during the inquiry period and the analysis period. Capral further completed an Australian industry questionnaire providing additional financial data, information concerning its operations and the Australian market. The public record versions of Capral's application and questionnaire response are available on the EPR.⁴⁷

The commission met with Capral during March and April 2025 to discuss its application, the evidence supporting its claims for injury caused by dumped and subsidised aluminium extrusions from China and its claims for the continuation of the measures. The commission published a file note on the EPR summarising these meetings with Capral.⁴⁸ The commission did not conduct a verification of Capral's financial data as the same category of this data had been verified on multiple prior occasions and in each case had been found to be accurate and reliable.

At initiation the commission wrote to other Australian industry members seeking them to also complete an Australian industry questionnaire. No responses from other industry members were received by the commission. Through Capral, as a member of the Australian industry, the commission extended a further invitation to the other Australian industry members to respond to an abbreviated information request. The commission received responses from Extrusions Australia and G James. The abbreviated information request responses provided data on capacity, capacity utilisation and cost to make. The information provided in these responses was commercially sensitive and could not be summarised for the purposes of providing a public record versions of these responses.

Exporters

The Australian Border Force (ABF) import database identified several hundred exporters of the goods from China during the inquiry period.

Selected Exporters

At the commencement of the inquiry, the commission determined it was not practicable to examine the exports of all these exporters and selected a sample of exporters who constituted a statistically valid sample and were responsible for the largest volume of exports to Australia that could be reasonably examined pursuant to Section 269TACAA(1) of the Act. The commission initially limited the inquiry to an examination of the exports of:

- Goomax Metal Co., Ltd (Goomax)
- Guangdong Jinxiecheng Al Manufacturing Co., Ltd (Jinxiecheng)
- Guangdong Xingfa Aluminium Co., Ltd (Xingfa Aluminium).

These selected exporters represented approximately 68% of the volume of the goods exported to Australia from China during the inquiry period that were subject to measures. The commission also placed a copy of the selected exporter questionnaire on the commission's website.

The commission received responses to the exporter questionnaire (REQ) from each of the selected exporters. A response was also received from Press Metal International Ltd (PMI). In

⁴⁷ EPR 657, document 1 and 12.

⁴⁸ EPR 657, document 13

PUBLIC RECORD

considering whether to extend the inquiry beyond the 3 selected exporters to include PMI, the Commissioner considered:

- the timeframe in which the case must be completed
- the resources needed to complete the case within the necessary timeframe
- the suitable level of verification required for each case.

On 10 January 2025, having considered the above, the Commissioner decided that the inclusion of PMI would not prevent the timely completion of the inquiry. Accordingly, PMI was included as a selected exporter in the inquiry along with Goomax, Jinxiecheng and Xingfa Aluminium.

The non-confidential versions of the REQs are available on the EPR.⁴⁹

Residual Exporters

Exporters of the goods other than the selected exporters were requested to make themselves known to the commission and provide a basic level of information, via a preliminary information request (PIR).⁵⁰ By completing this PIR these exporters were regarded to be 'residual exporters' if their exports were not examined as part of the inquiry and they were not deemed an uncooperative exporter in relation to the inquiry.

Exporters who completed the residual questionnaire and who were assessed to be co-operating residual exporters are listed in the Table 6.

No.	Name of exporter
1.	Antai Technology Co., Ltd
2.	Fenan Aluminum Co., Ltd
3.	Foshan City Nanhai Yongfeng Aluminium Co., Ltd
4.	Foshan JMA Aluminium Co., Ltd
5.	Foshan Sanshui Fenglu Aluminium Company Limited
6.	Foshan Sanshui Yongya Aluminum Produce Co., Ltd
7.	Foshan Yatai PVC & Alu Co., Ltd
8.	Fujian Minfa Aluminium Inc.
9.	Guangdong Golden Aluminium Co., Ltd
10.	Guangdong Haomei New Materials Co., Ltd
11.	Guangdong Huachang Group Co., Ltd
12.	Guangdong JMA Aluminium Profile Factory (Group) Co., Ltd
13.	Guangdong Weiye Aluminium Factory Group Co., Ltd
14.	Guangdong Xingqiu Aluminum Co., Ltd
15.	Guang Ya Aluminium Industries Co., Ltd
16.	Luoxiang Aluminium Co., Ltd
17.	PanAsia Enterprises (Nanyang) Company Limited
18.	Qingyuan XinYueYa Aluminium Industry Co., Ltd
19.	Tai Shan City Kam Kiu Aluminium Extrusions Co., Ltd

Table 6: Residual exporters in this inquiry

⁴⁹ EPR 657, document 7, 8, 9 and 15 in relation to Goomax, Jinxiecheng, Xingfa Aluminium and PMI respectively

⁵⁰ This PIR included written questionnaire and an associated spreadsheet.

PUBLIC RECORD

In addition to the above listed exporters, residual questionnaire responses were received from:

- Hao Mei Aluminium Products Company Limited (Hao Mei Aluminium)
- Jiangmen COSCO SHIPPING Aluminium Co., Ltd (Jiangmen COSCO SHIPPING)
- Zhengzhou Mingtai Transportation New Material Co., Ltd (Zhengzhou Mingtai)
- Ningbo Hengli Blinds Company Limited (Hengli Blinds)
- Foshan Xingtaomei Aluminum Industry Co., Ltd. (Xingtaomei)

The commission has found that Hao Mei Aluminium and Jiangmen COSCO SHIPPING are not exporters of the goods, but were intermediaries involved in the export of the goods or were entities that did not export the goods.⁵¹

The residual questionnaire response received from Zhengzhou Mingtai Transportation New Material Co., Ltd (Zhengzhou Mingtai) was received after the legislated period. Consequently, the Commissioner determined Zhengzhou Mingtai to be an uncooperative exporter on the basis that it did not provide a response within the legislated period, being before the due date of 15 December 2024, and it did not request a longer period to provide its response.⁵²

Hengli Blinds submitted a response to the PIR on 5 March. The Commissioner has determined that Hengli Blinds is also an uncooperative exporter as it did not provide a response within the legislated period, being before the due date of 15 December 2024, and it did not request a longer period to provide its response.

On 24 July 2025, the commission received a request from Xingtaomei to treat it as a cooperative exporter in the inquiry. Xingtaomei cited several reasons for why it had failed to respond by the legislated due date. Also attached to its request was a response to the PIR.⁵³ The Commissioner considered the reasons provided and has determined Xingtaomei to be an uncooperative exporter in this inquiry as it provided a response significantly after the legislated period and had not submitted prior to the legislated date a request for a longer period to provide its response.

Evaluation of selected exporter questionnaire responses

The commission decided not to conduct onsite verifications for exporters in this inquiry given that:

- Three of the sampled exporters have been previously verified in prior investigations or inquiries, some on multiple occasions. Xingfa Aluminium was last verified onsite in April 2024 (as part of Review 633), while the commission held virtual verifications of Jinxiacheng and Goomax in January 2023 (as part of Review 609).
- PMI, whilst having not being previously verified, reflected a small volume of exports into the Australian market during the inquiry period.⁵⁴

The REQs were reviewed for deficiencies. Issues identified were followed up with exporters via deficiency advice. The commission also undertook data analysis and further reviews of the exporter's REQs which are detailed in the preliminary variable factors assessment file notes for each exporter published on the EPR.⁵⁵

⁵¹ EPR 657, document 5.

⁵² Ibid (51), sampling report refers.

⁵³ EPR 657, document 77

⁵⁴ The commission has not previously verified PMI on the basis that exports from PMI into Australia have been relatively immaterial in the context of total imports from China. In the period relevant for inquiry 657, exports from PMI comprise less than 1% of all Chinese imports into Australia.

⁵⁵ [EPR 657](#) refers.

Non-cooperative entity determination in relation to selected exporter, PMI

The Commissioner has determined PMI to be a cooperative exporter in so far as it relates to the dumping inquiry. However, the Commissioner has determined PMI as a non-cooperative entity for the purpose of the subsidy inquiry, on the basis that PMI did not provide the relevant information required by the legislated timeframe⁵⁶ and that the non-provision of relevant information has significantly impeded the inquiry. PMI was notified of the Commissioner's determination in writing on 3 June 2025.

On 25 June 2025, PMI wrote to the Commissioner in response to the Commissioner's non-cooperative entity determination.⁵⁷ PMI claimed that the commission had received sufficient information within the legislated timeframe to assess the subsidies PMI had received and that the requested information provided after the legislated timeframe only verified the subsidies received or related to subsidies not relevant to PMI. PMI further stated that some of the information was already with the commission, having been provided by other parties in prior inquiries. PMI also claimed it was unclear how the late provision of information had impeded the investigation, given the length of the extension of time granted to publish the SEF and provide the final report to the Minister.

The commission disagrees with PMI's claim that the information provided after the legislated period only had limited verification value. The information requested by the commission and provided by PMI after the legislated period was relevant to the assessment of the existence and amount of countervailable subsidies PMI received during the inquiry period. Although PMI has been determined to be a non-cooperative entity in relation to the countervailing duty notice, the Commissioner has reviewed and considered all relevant information provided by PMI in relation to countervailable subsidies received by PMI during the inquiry, including that provided after the legislated timeframe, where it did not delay the publication of the SEF. The commission notes that PMI was provided multiple extensions of time to provide information relevant to the inquiry and also advised as to the potential outcomes if this information was not provided by the relevant due dates before the Commissioner determined PMI to be a non-cooperative entity.

Other exporters

After having regard to sections 269T(1) and 269TAACA(1) as well as the *Customs (Extensions of Time and Non-cooperation) Direction 2015* (Extensions of Time Direction), the Commissioner determined that all exporters and entities from China that did not provide information requested of them through a residual exporter questionnaire to be uncooperative exporters and non-cooperative entities for the purposes of the inquiry.⁵⁸

Importers

The commission received responses to the importer questionnaire (RIQ) from:

- Lunar Metal Trading Pty Ltd (Lunar Metal)
- Mega Stone Aluminium Pty Ltd (Mega Stone)
- Press Metal Aluminium (Australia) Pty Ltd (PMAA).

Using the ABF importer database, the commission identified multiple importers of the goods from China during the inquiry period. The commission sent importer questionnaires to the largest importers whose primary supplier was subject to the current measures. A copy of the importer

⁵⁶ PMI sought and was granted several extensions to provide the information required.

⁵⁷ EPR 657, document 24

⁵⁸ EPR 657, document 5

questionnaire was also placed on the commission's website for completion by other importers who were not directly invited to complete the questionnaire.

The commission did not conduct onsite importer verifications in this inquiry as the above importers were recently verified in prior investigations and inquiries. Lunar Metal was last verified onsite in April 2024 (Review 633), while Mega Stone was last verified onsite in February 2023 (Review 609). The commission last verified PMAA in October 2024 (Review 640) in relation to imports of aluminium extrusions from Malaysia, but not from China. The RIQs were subjected to a comprehensive deficiency review. Issues identified, were followed up with importers via a deficiency advice. In addition, the commission undertook relevant assessments for each importer. The commission published file notes in relation to each of these assessments on the EPR.⁵⁹

An end user submitted that the importer questionnaire responses were not published on the EPR.⁶⁰ The commission does not typically publish importer questionnaire responses given that it is not possible to publish or summarise these responses without disclosing confidential information.

Importer assessment feedback received from importer Lunar Metal

After being provided with its importer assessment, Lunar Metal identified errors in the RIQ it had submitted to the Commission. These errors were relevant to the commission's profitability assessment. Lunar Metal explained these errors to the commission and provided updated data and new supporting information. Lunar Metal subsequently outlined these errors in their submission dated 11 August 2025.⁶¹

The commission has considered this information following the publication of the SEF and found that the sales by Lunar Metal were profitable.⁶² The import expenses in the original data that Lunar Metal provided were found to be overstated. The errors identified included:

- The inclusion of charges from the factory to the port in China which were found not to be expenses incurred by Lunar Metal
- the double counting of inland charges
- a formula error, and
- the incorrect inclusion of air freight for one sale which was paid by the end customer.

Lunar Metal provided supporting evidence in relation to these errors which was then reconciled by the commission to the data provided.

Lunar Metal also provided a submission on 22 August 2025 concerning the profitability assessment.⁶³ Evidence provided with this submission included its tax return for the 2024 financial year showing that they had made a profit. While this does not establish that they made a profit on the examined imports, it is consistent with the commission's revised profitability finding, especially considering a large volume of their sales are the subject goods.

As a result of their sales being profitable, the commission is satisfied that Lunar Metal's imports from its supplier are arm's length, consistent with previous findings in REP 633.

⁵⁹ EPR 657, document 29 (Lunar Metal); 27 (Mega Stone); 26 (PMAA) refers.

⁶⁰ EPR 657, document 51

⁶¹ EPR 567, document 43

⁶² Confidential Attachment 17

⁶³ EPR 657, Document 64

Importer assessment feedback received from importer Mega Stone

Mega Stone contacted the commission regarding its profitability assessment and requested an explanation of the commission's approach to calculating the net weight (in kg) of the goods it sold in Australia. Mega Stone also asked the commission to adopt an alternative method for assessing profitability. The commission provided further clarification to Mega Stone on the commission's approach to calculating net weight and advised it would consider Mega Stone's alternative approach to calculating profitability after the publication of the SEF.

Mega Stone provided a submission in response to the SEF on 11 August 2025.⁶⁴ This submission outlined several 'flawed assumptions' that Mega Stone claims influenced the commission's methodology for assessing Mega Stone's profitability. Mega Stone stated that it sells its aluminium extrusions in the same condition as they import them without any further processing such as cutting. The commission's original calculations in the SEF allocated weight to similar models but of differing lengths based on a per metre calculation, assuming that the profile of each model was the same. This inadvertently led to weight not being allocated correctly which resulted in additional sales being compared to the incorrect import product. The commission revised the allocation of weight (kg) to ensure that it was matched by an exact product code between their cost to import and sell (CTIS) spreadsheet and sales spreadsheets.

Following their submission, the commission has reassessed its profitability analysis and found that sales by Mega Stone were profitable. As a result of their sales being profitable, the commission has found that Mega Stone's imports from its supplier are arm's length, consistent with previous findings in REP 609.

Government of China

The commission invited the GOC to complete a government questionnaire. The questionnaire sought information concerning:

- the aluminium extrusion market in China
- whether a particular market situation existed in the Chinese domestic market, and
- any subsidies Chinese exporters may be receiving.

The questionnaire also included information concerning the potential impacts of not responding to the government questionnaire, including that the commission may rely on information provided by other parties (including Australian industry), findings from previous cases, any other information that the Commissioner considers relevant, and assumptions the Commissioner considers reasonable.

The commission did not receive a response to the questionnaire from the GOC.

2.5.2 Submissions received from interested parties

Submissions that were addressed in the SEF are listed below in Table 7.

EPR number	Interested party	Submission topics	Date published
3	Capral	Response to initiation of continuation inquiry	12 November 2024

⁶⁴ EPR 657, document 42

PUBLIC RECORD

EPR number	Interested party	Submission topics	Date published
4	Australian Aluminium Council (AAC)	Support for the continuation of measures	19 December 2024
10	Capral	United States aluminium tariffs	28 March 2025
11	Capral	Redirection of global aluminium exports. Price offer emails for the goods from China and Southeast Asia	28 March 2025
14	Capral	Current developments in measures on aluminium extrusions from China	16 May 2025
16	Capral	Assessment of REQs and variable factor calculation claims. Price offer emails for the goods from China.	12 June 2025
17	AAC	Independent review and assessment conclude measures should continue	13 June 2025
21	Goomax	Comments on preliminary assessment	15 July 2025
23	Jinxiecheng	Comments on preliminary variable factor assessment	15 July 2025
24	PMI	Non-cooperative entity determination	16 July 2025

Table 7: Submissions considered in the SEF

Prior to the publication of SEF 657, the Commissioner had insufficient time to consider submissions received from Capral, and a downstream aluminium extrusion industry member listed in Table 8 (EPR no. 19 and 30). These submissions have now been considered in preparing this report.

Following the publication of the SEF, the commission received an additional 53 submissions and responses to the SEF. Non-confidential versions of these submissions are available on the EPR and are listed in Table 8.

EPR number	Interested party	Submission topics	Date published
19	Capral	Comments about meeting with A&L Windows	15 July 2027
30	Confidentiality claimed	Operation of the anti-dumping system and its impact on the Australian market for aluminium extrusions	16 July 2025
33	PMI	Comments on preliminary assessment of PMI	25 July 2025
34	PMI	Comments on the preliminary variable factor findings	31 July 2025
36	Jinxiecheng	Comments on raw materials suppliers and state-owned enterprises	6 August 2025
37	Goomax	Comments on SEF 657	6 August 2025
38	PMI	Comments on constructed normal value	7 August 2025
39	PMI	Propose amendments to the model control code structure	7 August 2025
40	AAC	Comments on SEF 657	7 August 2025
41	Capral	Comments on SEF 657	8 August 2025
42	Mega Stone	Comments on SEF 657	12 August 2025

PUBLIC RECORD

EPR number	Interested party	Submission topics	Date published
43	Lunar Metal	Comments on SEF 657	12 August 2025
44	Xingfa Aluminium	Comments on SEF 657	12 August 2025
45	PMI	Comments on assessment relating to rebates	12 August 2025
46	PMI	Comments on dumping margin calculations	12 August 2025
47	PMI	Comments on assessment of particular market situation	12 August 2025
48	Capral	Comments on submissions from exporters	12 August 2025
49	Confidentiality claimed	Comments on Australian industry and downstream fabricators	13 August 2025
50	Confidentiality claimed	Comments on outcome of SEF to downstream industry	13 August 2025
51	Confidentiality claimed	Comments on transparency of SEF evidence base	13 August 2025
52	Confidentiality claimed	Comments on measures, productivity and transparency of SEF	13 August 2025
53	Confidentiality claimed	Comments on Capral's acquisition of Comsupply ⁶⁵	13 August 2025
54	Confidentiality claimed	Comments on the consequences of anti-dumping measures on downstream industry	13 August 2025
55	Confidentiality claimed	Comments on submission from AAC	13 August 2025
56	PMI	Comments on submission from AAC	15 August 2025
57	PMI	Comments on countervailing duties and dumping margin determination	18 August 2025
58	AAC	Comments on submission from downstream industry member	18 August 2025
59	Capral	Comments on submissions from downstream industry member	18 August 2025
60	Capral	Comments on submissions from exporters on SEF 657	18 August 2025
61	PMI	Comments on limited data and unsupported assumptions in SEF 657	19 August 2025
62	Coastline Architectural Windows	Support for Australian industry and anti-dumping measures	22 August 2025
63	Confidentiality claimed	Comments on Capral's submission published 18 August 2025 (EPR number 59)	22 August 2025
64	Lunar Metal	Comments on the findings relating to profitability of sales	25 August 2025
65	Clearspec	Support for Australian industry and anti-dumping measures	27 August 2025
66	JAG Windows	Support for Australian industry and anti-dumping measures	27 August 2025
67	Prestige Aluminium Windows	Support for Australian industry and anti-dumping measures	27 August 2025

⁶⁵ Aluminium systems and hardware distributor based in Perth, Western Australia

PUBLIC RECORD

EPR number	Interested party	Submission topics	Date published
68	Regency Windows	Support for Australian industry and anti-dumping measures	27 August 2025
69	Stylerite Windows and Doors	Support for Australian industry and anti-dumping measures	27 August 2025
70	Bekkers Windows and Doors	Support for Australian industry and anti-dumping measures	27 August 2025
71	Portland Aluminium & Glass	Support for Australian industry and anti-dumping measures	28 August 2025
72	Latrobe Valley Shopfitters	Support for Australian industry and anti-dumping measures	28 August 2025
73	Advanced Windows & Doors	Support for Australian industry and anti-dumping measures	28 August 2025
74	ACME 1 Windows & Doors	Support for Australian industry and anti-dumping measures	28 August 2025
75	Capral	Comments on the support from industry for anti-dumping measures	28 August 2025
77	Xingtaomei	Consideration to be treated as a cooperative exporter in the inquiry	3 September 2025
78	K&B windows	Support for Australian industry and anti-dumping measures	3 September 2025
79	Avista Windows	Support for Australian industry and anti-dumping measures	3 September 2025

Table 8: Submissions received and published on the EPR following the SEF⁶⁶

Pursuant to ss 269ZHF(3)(a)(iv) the Commissioner must have regard to any submissions made in response to the SEF that are received within 20 days after placing the SEF on the public record. The Commissioner is not obliged to have regard to any submission in response to the SEF after this date, if to do so would, in the Commissioner's opinion, prevent the timely preparation of the final report to the Minister.

The commission has had regard to the submissions listed in Table 8 in making the findings outlined in this report, but for PMI's late submission published on the 19 August.⁶⁷ In the Commissioner's opinion, to have regard to this submission would have prevented the timely preparation of this report. This is due to the complexity and length of the submission.

The commission has had regard to all other submissions including a large number of submissions from Australian industry members, industry groups and downstream end users. These have been both in support of the measures, and against the measures. While a number of these have been received after the due date, their similarity in nature and the issues raised could be addressed without delaying the report. The commission has addressed these submissions in chapter 8.8.4.

All other submissions are addressed throughout this report.

The commission received 5 confidential submissions from downstream end users for which a public record version was not provided. These submissions are similar to the large number of

⁶⁶ All submissions are available on the EPR on the commission's website

⁶⁷ EPR 657, document 61

submissions from the downstream industry members, claiming support for the Australian industry and for the continuation of measures.⁶⁸ The Commissioner may disregard information for which an interested party did not provide a public summary unless they can satisfy the commissioner that there was no way a summary could be provided which would provide sufficient understanding of the confidential information. The Commissioner is satisfied that public record versions of these submissions could have been provided without disclosing confidential information. Consequently, these submissions have not been considered in this report.

A further 3 submissions were received from the end user claiming confidentiality. These submissions were received significantly outside the 20-day period for submissions. Also, no confirmation was received that they could be placed on the public record. In the Commissioner's opinion, to have regard to these 3 submissions would have prevented the timely preparation of this report.

2.5.3 Meeting with end user

The commission met with end user A&L Windows to gain a further understanding of the Australian market from an end user perspective. A file note summarising the commission's discussions with A&L Windows is on the EPR.⁶⁹

An end user claimed that input had not been sought or obtained from downstream users.⁷⁰ The commission notes that in addition to meeting with A&L Windows, submissions to the inquiry from this end user and other end users have been considered in preparing this report.

2.6 Accelerated Review 672

On 3 April 2025, the Commissioner received an application for an accelerated review of the anti-dumping measures (in the form of a dumping duty notice and a countervailing duty notice) applying to certain aluminium extrusions exported to Australia from China, as they relate to Hopergy.⁷¹

The Commissioner provided their report in relation to the accelerated review to the Minister on 14 July 2025.

On 6 August 2025, the Minister accepted the recommendations and reasons for the recommendations set out in the Commissioner's report to the Minister, including all the material findings of facts and law.⁷² Accordingly, the Minister determined the following apply to Hopergy's exports to Australia:

- the effective rate of IDD is an amount worked out in accordance with the floor price duty method as set out in sections 5(4) and 5(5) of the *Customs Tariff (Anti-Dumping) Regulation 2013*, and
- the effective rate of ICD is 0.2%.

The measures for Hopergy took effect retrospectively from 3 April 2025, the date the application was lodged. For the purposes of this inquiry, the Commissioner considers Hopergy to be a

⁶⁸ The commission wrote to each of these 4 parties requesting that they provide a public record version of their submissions. None of these 4 parties had provided a public record version as at the date of this report.

⁶⁹ EPR 657, document 18

⁷⁰ EPR 657, document 51

⁷¹ [EPR 672](#) – contains the public record documents and other information concerning this matter.

⁷² [ADN 2025/062](#) refers

PUBLIC RECORD

cooperative exporter. The Commissioner therefore recommends that the current notice remain unaltered in respect to Hopergy pursuant to section 269ZHG(4)(a)(i).

3 THE GOODS, LIKE GOODS AND AUSTRALIAN INDUSTRY

3.1 Finding

The Commissioner finds that:

- locally manufactured goods are 'like' to the goods subject to the measures
- there is an Australian industry that produces like goods which comprises multiple members, of which Capral is the largest, and
- the like goods are wholly produced in Australia.

3.2 Legislative framework

To be satisfied that the expiration of the measures would lead, or would be likely to lead, to a continuation or recurrence of dumping and subsidisation and the material injury that the measure is intended to prevent, the Commissioner firstly determines whether the goods produced by the Australian industry are 'like' to the imported goods.

Section 269T(1) defines like goods as:

...goods that are identical in all respects to the goods under consideration or that, although not alike in all respects to the goods under consideration, have characteristics closely resembling those of the goods under consideration.

The definition of like goods is relevant in the context of this inquiry in determining the Australian industry and whether the expiry of the measures would lead to a continuation of, or a recurrence of, the dumping, subsidisation and material injury that the measures are intended to prevent. The commission's framework for assessing like goods is outlined in chapter 2 of the *Dumping and Subsidy Manual* (the Manual).⁷³

Where the locally produced goods and the imported goods are not alike in all respects, the Commissioner assesses whether the respective goods have characteristics closely resembling each other. The Commissioner considers:

- physical likeness
- commercial likeness
- functional likeness and
- production likeness.

The Commissioner must also consider whether the Australian industry manufactures 'like' goods in Australia. Section 269T(2) specifies that for goods to be regarded as being produced in Australia, they must be either wholly or partly manufactured in Australia. Under section 269T(3), to be considered as partly manufactured in Australia, at least one substantial process in the manufacture of the goods must be carried out in Australia.

The following analysis therefore establishes the scope of the commission's inquiry.

⁷³ The [Manual](#), Chapter 2 refers.

3.3 The goods under consideration

3.3.1 The goods description

As specified in the initiation notice, the goods subject of the anti-dumping measures (relevant to China) and this application are as follows:⁷⁴

Aluminium extrusions produced via an extrusion process, 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), with the finish being as extruded (mill), mechanical, anodised or painted or otherwise coated, whether or not worked, having a wall thickness or diameter greater than 0.5 mm, with a maximum weight per metre of 27 kilograms and a profile or cross-section which fits within a circle having a diameter of 421 mm.

The following explanatory comments included in the initiation ADN form part of the goods description:

The goods include aluminium extrusion products that have been further processed or fabricated to a limited extent, after aluminium has been extruded through a die. Aluminium extrusion products that have been painted, anodised, or otherwise coated, or worked (e.g., precision cut, machined, punched or drilled) fall within the scope of the goods.

The goods do not extend to intermediate or finished products that are processed or fabricated to such an extent that they no longer possess the nature and physical characteristics of an aluminium extrusion but have become a different product.

The table below provides guidance to assist with the categorisation of aluminium extrusions into the types covered by the measures (goods under consideration or GUC) and those that are not covered (non-GUC).

< GUC >				< Non GUC >		
1	2	3	4	5	6	7
Aluminium extrusions	Aluminium extrusions with minor working	Aluminium extrusions that are parts intended for use in intermediate or finished products	Aluminium extrusions that are themselves finished products	Unassembled products containing aluminium extrusions, e.g. 'kits' that at time of import comprise all necessary parts to assemble finished goods	Intermediate or partly assembled products containing aluminium extrusions	Fully assembled finished products containing aluminium extrusions
< Examples >						
Mill finish, painted, powder coated, anodised, or otherwise coated aluminium extrusions	Precision cut, machined, punched or drilled aluminium extrusions	Aluminium extrusions designed for use in a door or window	Carpet liner, fence posts, heat sinks	Shower frame kits, window kits, unassembled unitised curtain walls	Unglazed window or door frames	Windows, doors

⁷⁴ See ADN No. 2024/085 (initiation ADN). EPR 657, document 2 refers.

Further information concerning the goods are included in the DCR for aluminium extrusions on the Commission's website.⁷⁵ The DCR includes additional information in relation to the goods subject to the measures and the exemptions to the measures that apply.

3.3.2 Tariff classification

The goods are generally classified according to the following tariff subheadings in Schedule 3 to the *Customs Tariff Act 1995*:⁷⁶

Tariff subheading	Statistical code	Description
7604 – Aluminium bars, rods and profiles		
7604.10.00	06	Non alloyed aluminium bars, rods and profiles
7604.21.00	07	Aluminium alloy hollow angles and other shapes
	08	Aluminium alloy hollow profiles
7604.29.00	09	Aluminium alloy non hollow angles and other shapes
	10	Aluminium alloy non hollow profiles
7608 – Aluminium tubes and pipes		
7608.10.00	09	Non alloyed aluminium tubes and pipes
7608.20.00	10	Aluminium alloy tubes and pipes
7610 – Aluminium structures (incl. parts); Aluminium profiles for use in structures		
7610.10.00	12	Doors, windows and their frames and thresholds for doors
7610.90.00	13	Other

Table 9: Tariff classification of the goods

3.4 Proposed Model Control Code

The proposed model control code (MCC) structure described in the initiation ADN and replicated at Table 10 describes the key physical characteristics of the goods that influence price.

Category	Sub-category and identifier		Sales data	Cost data
Finish	A	Anodised	Mandatory	Mandatory
	BD	Bright dip		
	M	Mill		
	PC	Powder coating		
Alloy code	6A	6060, 6063	Mandatory	Optional
	6B	6106		
	6C	6101, 1350, 6082, 6351, 6061		

⁷⁵ See [Dumping Commodity Register - Aluminium Extrusions](#) on the commission's website.

⁷⁶ These tariff classifications and statistical codes may include goods that are both subject and not subject to the anti-dumping measures. The listing of these tariff classifications and statistical codes is for convenience or reference only and does not form part of the goods description. Please refer to the goods description for authoritative detail about goods subject to the anti-dumping measures.

Category	Sub-category and identifier		Sales data	Cost data
	6D	6005A		
	O	Other		
Temper code	T1	T1, T4, T5, T6	Optional	Optional
	T50	T591, T595, T52		
	O	Other		
Anodising microns	0	Not anodised	Optional	Optional
	1	< 20µm		
	2	≥ 20µm ⁷⁷		

Table 10: Proposed MCC structure in the initiation ADN

Several of the selected exporters proposed amendments to the structure set out in Table 11. Further details and the commission's evaluation of these proposed amendments are detailed below.

3.5 Proposed amendments to MCC structure

Several exporters proposed amendments to the MCC structure to include additional categories and corresponding sub-categories. The commission's assessment of these proposed amendments is detailed below.

3.5.1 Additional MCC categories proposed

Three selected exporters proposed adding additional categories to the MCC structure. These proposed additional categories are listed in Table 11.

Category, sub-category and identifier proposed			Domestic sales	Export sales
Further processing	F	Further processing	-	Jinxiecheng
	NF	No further processing		
Thermal break	T	Thermal break	PMI, Xingfa	PMI
	NT	No thermal break	PMI	
Certification	CtN	No certification	PMI	PMI
	CtR	Certification required		-

Table 11: Additional MCC categories proposed

The additional 'further processing' category was accepted by the commission. The 'Thermal break' and 'Certification' categories were not accepted. The commission's assessment of these additional categories is detailed below.

Further processing - accepted

Jinxiecheng advised in its REQ that the goods sold to Australia included an additional 'further processing' production step which included the aluminium extrusion being worked (i.e. precision

⁷⁷ The commission identified an error in the Anodising microns category, published in the initiation ADN 2024/085. Anodising microns = 20µm was excluded. The commission sought guidance from Capral and considered REQ information from exporters such as PMI. All conferred that subcategory 2 include anodising thickness of = 20µm. The commission made this update.

cut, machined, punched or drilled).⁷⁸ Prior to this further processing step, the Australian export goods were otherwise produced in the same or similar manner as the domestic goods.

The commission has accepted Jinxiecheng's proposal, which has also previously been accepted by the commission in a prior inquiry (REP 609) as a separate MCC category for Jinxiecheng. The commission also reviewed evidence provided by Jinxiecheng to this inquiry describing the Australian export goods with the additional work.

Thermal break – not accepted

Xingfa Aluminium and PMI proposed an additional MCC category for extrusions produced with a 'thermal break'. A thermal break aluminium profile has an insulating strip of polyamide or other insulating material inserted between 2 aluminium extrusion profiles. The resulting product is insulated, and it is commonly used to produce window and door frames.

The commission considers that aluminium extrusions with a thermal break requires more fabrication than described in the goods description. Additionally, the integration of other materials between 2 or more aluminium extrusions is not specifically stipulated in the goods description. Accordingly, the commission has not accepted Xingfa Aluminium and PMI's proposal to include this additional MCC category. Any thermal break goods included by any interested party has been excluded from the commission's assessment of the goods.

In their respective post SEF submissions dated 7 August and 8 August 2025,⁷⁹ the AAC and Capral submitted that goods with thermal breaks should fall within the scope of the inquiry on the basis that such goods retain the essential nature, material and physical characteristics and end use/functional properties of aluminium extrusions. Specifically, they claimed that:

- the aluminium component comprises the core component and the majority of the mass and structural integrity of the extrusion, with the thermal break being a secondary insulating insert
- the thermal break is introduced as a secondary operation, but the extrusion process itself remains unaltered
- the appearance and finish remain the same as the aluminium extrusion
- the thermal barrier does not alter the core structural characteristics inherent to aluminium extrusions
- thermally broken aluminium extrusions serve the same functional purpose as standard aluminium extrusions (e.g., windows, doors, curtain walls, façade framing systems)
- thermally broken extrusions are classified under the same tariff classification as other aluminium extrusions.

A downstream window fabricator submitted that thermally broken aluminium extrusions serve a distinct market segment and involve higher-cost and high-performance applications⁸⁰. The fabricator further claimed that whilst they shared material similarities, thermally broken aluminium extrusions were functionally different from standard extrusions.

The commission considers that whilst thermally broken extrusions share some physical and functional properties with other aluminium extrusions, the commission notes that the goods description does not specifically stipulate the incorporation of non-aluminium materials between individual and separate pieces of finished aluminium extrusions to form an integrated piece, as

⁷⁸ The type of further processing described by Jinxiecheng is included in the explanatory comments that form the goods description.

⁷⁹ EPR 657, document 40 and 41

⁸⁰ EPR 657, document 55

being the goods under consideration. The commission considers that the insertion of the thermal break has involved further fabrication of the aluminium extrusion to such an extent that they no longer possess the nature and physical characteristics of an aluminium extrusion but have become a different product. The commission further notes that the use of the same tariff classification code is for convenience and reference only. They do not form part of the goods description (ADN2024/085 refers). The commission also notes that the tariff classification and statistical codes may include goods that are both subject and not subject to the inquiry.

Certification – not accepted

PMI proposed an additional category of ‘certification’ be included. The commission considers that any certifications provided by PMI are not, in and of themselves, physical characteristics of the goods, but rather a formal confirmation that the goods meet the desired physical characteristics of the goods. Accordingly, the commission has not adopted this as an MCC category.

PMI – post SEF submissions on MCC

In its submission dated 6 August 2025, PMI proposed a new additional MCC category called ‘Jobbing’.⁸¹ This proposal was not suggested by PMI prior to the SEF.

PMI submitted that ‘jobbing’ refers to ‘further processing’ undertaken to the product. PMI describes ‘jobbing’ as a process where aluminium extrusion products undergo further processing either internally by PMI or externally by third parties before being sold to the customer. This includes activities such as precision cutting to non-standard lengths, or the application of specialised coatings by external processors. PMI uses the term ‘jobbing’ to refer to these arrangements where the product is customised through additional processing to meet specific customer requirements.

At Confidential Attachment E to the submission, PMI provided updated cost and sales data indicating transactions that includes ‘jobbing’. This information was not provided in PMI’s original REQ and it is not clear how PMI differentiated transactions that included ‘jobbing’ and those that did not. While the commission has considered PMI’s claim, it does not consider that sufficient reliable information and evidence has been furnished regarding the additional ‘jobbing’ category to establish that this change to the MCC structure is warranted. Additionally, noting the late stage⁸² of the inquiry that PMI proposed the additional ‘jobbing’ category restricts the ability of the commission to undertake the steps required to ascertain the sufficiency and reliability of such data.

Capral, in response to PMI’s submission, submitted that products made from a ‘jobbing’ process are still aluminium extrusions as they still possess the nature and physical characteristics of an aluminium extrusion.⁸³ Capral submitted that any ‘jobbing’ goods should remain within the scope of the measures.

⁸¹ EPR 657, document 39

⁸² ADN2024/085 advises that amendments to the MCC structure should be submitted as soon as possible, but no later than 15 December 2024, the day submissions concerning the continuation of the anti-dumping measures are due. See also Chapter 14 of the *Dumping and Subsidy Manual 2021*.

⁸³ EPR 657, document 48

3.5.2 Additional MCC finish sub-categories proposed

Table 12 sets out the additional finish sub-categories proposed by the selected exporters.

Category	Sub-category and identifier proposed		Domestic sales	Export sales
Finish	E	Electrophoresis	Jinxiecheng, Xingfa	Jinxiecheng, Xingfa
	F	Fluorocarbon (powder coat)	Xingfa, PMI	Xingfa
	WG	Wood grain	Goomax, Xingfa	Goomax, Xingfa
	SPC	Special Powder Coating	PMI	-
	CHR	Chromate	PMI	-

Table 12: Additional MCC sub-categories proposed

The additional finish sub-categories ‘wood grain’, ‘electrophoresis’ and ‘fluorocarbon’ were accepted by the commission. The proposed chromate finish types and the distinctions between powder coating and anodising were initially not accepted at the time of the SEF.

Wood grain, electrophoresis and fluorocarbon finish sub-categories - accepted

The commission has previously accepted wood grain, fluorocarbon and electrophoresis finishes as distinct finish sub-categories in previous cases on aluminium extrusions (see REP 609). The commission re-assessed these finishes in this inquiry and, consistent with previous findings, found price differences.

Accordingly, wood grain, fluorocarbon and electrophoresis finishes were accepted as additional finish sub-categories in this inquiry.

Chromate and special powder coated—accepted

In the SEF, the commission did not accept the proposed additional subcategories to the finish category submitted by PMI. However, after reviewing PMI’s submission of 6 August 2025 and the sales and cost data submitted in PMI’s REQ,⁸⁴ the commission has accepted the proposed additional finish subcategories of Special Powder Coating and Chromate.⁸⁵

Anodised sandblasted – not accepted

In its submission dated 6 August 2025, PMI also proposed an additional category for ‘anodised sandblasted’ aluminium extrusions.⁸⁶ However, the commission notes that PMI did not classify these goods within their own ‘finish’ MCC category in their provided data.

PMI did classify anodised products as either ‘sandblasted’ or ‘non-sandblasted’ as an additional column in their data, so the commission was able to compare prices. The commission found that there were inconsistent prices between the 2 types of anodised products and therefore did not provide justification for the commission to amend the ‘finish’ MCC category as provided in PMI’s data.

The commission has not included this finish as an MCC category.

The commission’s analysis on PMI’s MCC structure is found in **Confidential attachment 43 – PMI MCC analysis**.

⁸⁴ EPR 657, document 39

⁸⁵ Special powder coating refers to special, more expensive colours

⁸⁶ EPR 657, document 39

3.6 Amended MCC structure used in this inquiry

The amended MCC structure used in this inquiry is set out in Table 13. The reasons for accepting or rejecting the MCC amendment proposals made by the selected exporters are explained in chapter 3.5 above. The new MCC category and sub-categories are italicised in Table 13.

Category	Sub-category and identifier		Sales data	Cost data
Finish	A	Anodised	Mandatory	Mandatory
	BD	Bright dip		
	M	Mill		
	PC	Powder coating		
	<i>E</i>	<i>Electrophoretic</i>		
	<i>F</i>	<i>Fluorocarbon</i>		
	<i>WG</i>	<i>Wood grain</i>		
	<i>SPC</i>	<i>Special Powder Coating</i>		
	<i>CHR</i>	<i>Chromate</i>		
Alloy code	6A	6060, 6063	Mandatory	Optional
	6B	6106		
	6C	6101, 1350, 6082, 6351, 6061		
	6D	6005A		
	O	Other		
Temper code	T1	T1, T4, T5, T6	Optional	Optional
	T50	T591, T595, T52		
	O	Other		
Anodising microns	0	Not anodised	Optional	Optional
	1	< 20µm		
	2	≥ 20µm		
<i>Further processing</i>	<i>F</i>	<i>Further processing</i>	Optional	Optional

Table 13: MCC structure used in continuation inquiry

3.7 Like goods

The Commissioner is satisfied that the domestically produced goods and the Chinese exported goods are like to the goods the subject of the measures ⁸⁷ because the following characteristics of each closely resemble each other:

- physical likeness
- commercial likeness
- functional likeness, and
- production likeness.

⁸⁷ Section 269T(1) of the Act refers

The commission has relied on information obtained from previous cases on aluminium extrusions, as well as data and information submitted by interested parties to this inquiry, including a production tour of Capral's extrusion mill at Bremer Park, Queensland.

3.7.1 Physical likeness

The aluminium extrusions produced by Australian industry and imported from China are physically like to the goods subject of the measures. They have similar dimensions, are both of the same aluminium alloys specified in the goods description and are both produced with the same or similar surface finishes.

3.7.2 Commercial likeness

The locally produced goods and the Chinese export goods are commercially like to the goods subject of the measures. In the Australian market, aluminium extrusions produced by the Australian industry compete directly with the goods from China in that they are sold to common customers and into the same market sectors. They also compete at the same levels of trade and through the same distribution channels. The goods produced by the Australian industry are also sold on similar commercial terms with respect to price setting and other market references (e.g. aluminium extrusion prices are typically based on the London Metal Exchange (LME) prices for primary aluminium or the Chinese primary aluminium market price indices). Consequently, the commission considers the locally produced goods to be commercially like to the goods the subject of the measures.

3.7.3 Functional likeness

The locally produced goods and the Chinese export goods are functionally like to the goods subject of the measures. The aluminium extrusions produced by Australian industry are interchangeable or substitutable with the goods exported from China and the goods subject to the measures, given that the goods are sold to the same or similar customers to be used in fabricated goods that serve identical or comparable end uses.

3.7.4 Production likeness

The commission considers that the locally produced goods and the Chinese export goods are produced using the same or a similar production method as the goods the subject of the measures. Regardless of origin, all aluminium extrusion mills require aluminium billet as the intermediate raw material input. The commission observed production at Capral's extrusion mill at Bremer Park and confirmed that the same or similar production processes were detailed by the selected exporters in their REQ responses and previously verified onsite in other aluminium extrusion investigations and inquiries.

3.8 Australian industry – domestic production

In addition to Capral, other Australian producers of the goods are:⁸⁸

- Olympic Aluminium Co. Pty Ltd
- Aluminium Shapemakers Pty Ltd (AluShapes)
- Extrusions Australia
- G James
- Independent Extrusions Pty Ltd (INEX)

⁸⁸ <https://aluminium.org.au/australian-industry/producers-and-distributors/>

- National Aluminium Pty Ltd (Aluminium Profiles Australia)
- Vulcan Ullrich Aluminium Pty Ltd (Vulcan Ullrich).

The commission notes that Alxin Australia Industrial Pty Ltd officially commenced production at a new production facility in Australia in August 2025,⁸⁹ and is now a member of the Australian industry.

Based on the information provided by Capral in its application, and prior findings by the commission, the commission understands that Capral is the largest local manufacturer of aluminium extrusions and makes up a major proportion of the total Australian market.

In addition to the production of aluminium extrusions, some of the Australian industry members also possess anodising and powder coating facilities.

3.8.1 Production process

The raw material input for manufacturing aluminium extrusions is aluminium billet,⁹⁰ being a solid cylinder of alloyed aluminium. The Australian industry does not produce its own aluminium billet. Industry purchases aluminium billet from either Australian smelters or from overseas suppliers.

Before the extrusion process, the aluminium billet is pre-heated in a furnace to increase malleability so it can be pushed through a steel die mounted to the extrusion press. Pushing the hot billet through the steel die causes the aluminium billet to transform from a solid cylinder shape to the shape of the die. This shape can be flat, a tube, a channel, complex or geometric (simple).

The newly formed extrusion then undergoes stretching before being tempered by entering a furnace to age the material. Depending on the alloy, the aluminium extrusion is then cooled naturally or through air or water quenches. Extrusions at this stage are classified as mill finished.

This mill finished extrusion can be sold in this condition and be further fabricated into other products, such as window or door frames. Alternatively, the mill finish extrusion can be powder coated or anodised to change the colour of the extrusion and provide additional durability.

Powder coating (otherwise known as painting) is the method of applying decorative and protective paint finish to a mill finish extrusion. The mill finish extrusion is pre-treated by a chemical process before being sprayed with the paint which is in the form of a fine dry powder. The powder coated extrusion is then heated in a curing oven to fuse the powder to the extrusion to form a smooth coating.

Anodising is the electrochemical process where aluminium is converted into aluminium oxide on the surface of a mill finish extrusion. The resulting product can be coloured or remain un-coloured (i.e. clear anodising).

Completed products are then packed and prepared for delivery to a distribution centre or direct to the customer.

In the production process, scrap is an inherent by-product and cannot be avoided. Scrap occurs during the extrusion process, where some of the aluminium billet is not extruded (known as a butt end) or from cutting the aluminium extrusion to desired lengths. In both instances, the scrap is considered planned waste. Unplanned waste occurs where there is an error during the extrusion process (i.e. the billet was pushed through the die at the wrong pressure and caused a distortion).

⁸⁹ <https://www.tomago.com.au/alxin-australia-opens-new-facility-in-tomago/>

⁹⁰ A billet may be cut from a longer length, known as a log.

Scrap is sold and is used to produce recycled aluminium ingot, which is then transformed into aluminium billet. The commission understands that recycled aluminium is not presently produced in Australia.

3.8.2 Conclusion – Australian industry

Based on the information obtained from prior inquiries, Capral's application, industry questionnaire responses and from the production tour of Capral's extrusion mill, the Commissioner is satisfied that:

- the like goods were wholly manufactured in Australia⁹¹
- there is an Australian industry which produces like goods in Australia.⁹²

⁹¹ Section 269T(2) refers.

⁹² Section 269T(4) refers.

4 AUSTRALIAN MARKET

4.1 Finding

The Commissioner has found since the measures were last continued in October 2020 that:

- The Australian market for aluminium extrusions has continued to be supplied by Australian industry and exporters. Exports predominantly originated from China, followed by Indonesia, Malaysia, Vietnam, Thailand and, to a smaller extent, other countries.
- Since the last continuation of the anti-dumping measures in October 2020, the volume of imports from China subject to the measures has increased in absolute terms and in terms of the share of total imports, while the aggregate volume of imports from other countries has declined in absolute terms and in terms of the share of total imports.⁹³
- The Australian market peaked in size in 2022, coinciding with an increase in construction activity associated with government programs and initiatives responding to the COVID-19 pandemic. The market has subsequently contracted and stabilised in the last 2 years. This slowdown has coincided with a reduction in residential construction activity.
- While there have been some changes in the composition of participants supplying the market, the fundamental conditions of competition remain unchanged. Aluminium extrusions remain a commodity product where price is the primary factor in purchaser decision making.

4.2 Approach to analysis

The analysis in this chapter is based on:

- information submitted by Capral
- data from the ABF import database
- information from importer and exporter questionnaire responses and
- information obtained from past investigations, reviews and inquiries conducted into aluminium extrusions.

The period 1 October 2020 to 30 September 2024 was examined for the purpose of analysing relevant aspects of the Australian market for aluminium extrusions.

4.3 Market structure

The Australian aluminium extrusion market is supplied by the Australian industry and importers/exporters of aluminium extrusions from China (the largest source of imports) and other countries. Entities that further finish the goods (e.g. powder coating and anodising) operate in the market to value-add to aluminium extrusion products. These further finishing services can occur at any stage in the supply chain. Some Australian industry members also possess anodising and powder coating facilities which enable them to apply these finishes. Imported goods are also imported with finishes applied.

Aluminium extrusions can be sold direct from suppliers to end users or can be distributed via intermediary distribution centres and trade centres to end users.

A representation of the market structure for aluminium extrusions is set out in Figure 1.

⁹³ Whilst import volumes of other countries have overall declined, the import volumes of some individual countries within this group have increased.

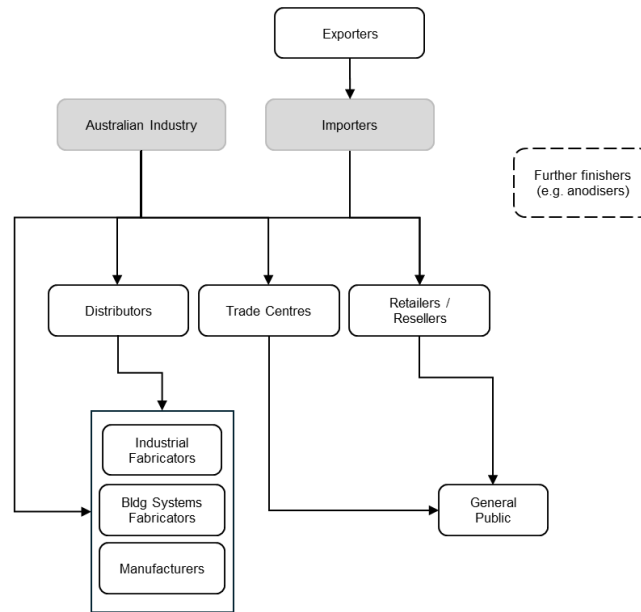


Figure 1: Market structure in Australia for aluminium extrusions

4.3.1 Suppliers – source of aluminium extrusions in Australia

The Australian market for aluminium extrusions is supplied by 9 Australian industry members and importers who source aluminium extrusions from several countries.⁹⁴ The commission identified from ABF data that there were over 500 importers of aluminium extrusions during the inquiry period.

Since the last continuation inquiry, there have been some changes to the suppliers of aluminium extrusions to the Australian market. Previous suppliers have either exited the market or merged with other suppliers. New suppliers have also entered the market. The commission is aware of the following material changes with suppliers in the Australian market since the last continuation inquiry:

- Olympic Aluminium Co. Pty Ltd. did not produce aluminium extrusions during the inquiry period.
- Vulcan Steel acquired Ullrich Aluminium Pty Ltd to form Vulcan Ullrich Aluminium Pty Ltd.
- Alxin Australia Industrial Pty Ltd (a subsidiary of Xingfa Aluminium) has established an extrusion mill in Tomago, NSW which commenced operations in August 2025. This entity is now a member of the Australian industry for aluminium extrusions.
- Capral acquired several distribution centres.

⁹⁴ The Australian industry members are described in chapter 3.8.

4.3.2 Distribution and the supply chain

There are 2 primary channels through which aluminium extrusions are sold to end users in the Australian market. These are:

- direct from the Australian manufacturer or direct from the exporter (if the importer is also the end user)
- via an intermediary distributor or trader (or both).

Direct sales

The Australian industry sells and delivers aluminium extrusions direct from the extrusion mill to the customer. These sales are known as 'mill direct' sales and usually require large minimum order quantities. These types of transactions typically require planning and regular production cycles.

Importers that are also end users negotiate directly with exporters to procure aluminium extrusions. Based on information before the commission, these direct export sales commonly are not subject to minimum order quantities.

Sales via intermediaries

Regional distribution centres (RDCs) or distribution centres (DCs) are intermediary sellers between the manufacturer (Australian industry or exporter) and the customer. RDCs or DCs can be:

- owned and operated by the Australian industry
- operated by an importer who operates as a distributor
- other intermediaries that buy aluminium extrusions from Australian industry and/or importers for warehousing and sale in their own DCs or RDCs.

RDCs and DCs will stock a range of products to supply a variety of customers. The available goods are typically geometric, standard profiles in a range of finishes. Special order items can be procured. Procurement of special-order items by DCs or RDCs may be limited or constrained if the product is the intellectual property⁹⁵ of another entity or from an original equipment manufacturer.

Trade centres are like DCs but are on a smaller scale and have a limited range of aluminium extrusions. Akin to a retail environment for aluminium extrusions, trade centres cater for tradespeople and the public.

4.3.3 End users

The size and operational scale of end users in Australia can vary from small to large. The type of aluminium extrusion required by end users can also vary from:

- standard (otherwise known as 'geometric') profiles⁹⁶
- specialised profiles developed exclusively for the end user by the aluminium extrusion manufacturer, otherwise known as 'in-house' profiles
- profiles that are designed and owned by the customer who outsources the manufacture of the aluminium extrusion to an aluminium extrusion manufacturer.

⁹⁵ See explanation at chapter 4.3.3 at *Building Systems Fabricators*

⁹⁶ Capral publishes its range of geometric and in-house profiles in *The Green Book* at <https://www.capral.com.au/wp-content/uploads/2023/07/Capral-Green-Book.pdf>.

The largest end user groups are broadly classified as fabricators and manufacturers. Aluminium extrusions can vary from being a significant component of their downstream product or a small portion of the components used in their product.

Building Systems Fabricators in commercial and residential construction

Building system fabricators (BSFs) design and engineer architectural systems for commercial and residential construction. These systems can include windows and doors, curtain walls, fences, roofing, exterior cladding or modular office components. Aluminium extrusions are a significant component of the BSF's product range. BSFs typically own their brand and product range including the intellectual property (IP), and research and development (R&D).

The design, die and the resulting aluminium extrusions are owned by the BSF and are exclusive to this end user. In some instances, these aluminium extrusions can be used by approved fabricators under license. The manufacture, distribution and use of the aluminium extrusion is controlled by the BSF.

A BSF will typically engage a producer of aluminium extrusions to manufacture the aluminium extrusion on their behalf.

Commercial and residential construction fabricators

Commercial and residential construction fabricators operate in the same market segments⁹⁷ as BSFs, fabricating similar downstream products. The only difference is the type of aluminium extrusion used. Commercial and residential construction fabricators will typically use geometric profiles or in-house profiles. These fabricators do not own or design their own architectural systems.

Industrial fabricators and manufacturers

Industrial fabrication covers a diverse range of industries, where aluminium extrusions are used in the downstream fabrication of:

- truck and utility vehicle components, such as tipper bodies, trays, bull bars and flooring
- solar panel framing systems, and solar rails
- electrical and electronic applications, such as heat sinks, conduits and cases and housings
- marine craft manufacture.

Industrial fabricators can control the design and engineering of their profile (i.e. have brand and IP ownership), work with the extrusion mill to develop or use an in-house profile or use standard geometric profiles.

The number of aluminium extrusions used by industrial fabricators and manufacturers will vary depending on the product produced.

General public

Individuals looking to undertake home improvements can also purchase aluminium extrusions. This occurs typically via trade centres.

⁹⁷ See discussion at chapter 4.4.

4.4 Market segments

Aluminium extrusions continue to be sold to end users in the following market segments in Australia:

- residential building – window and door frame systems, prefabricated structures, roofing, cladding, fencing and louvres
- commercial building – commercial windows and doors, office fit outs (modular partitions, cable-storage), sun-shading, cladding and facades, such as curtain walls
- industrial – including transportation such a truck trays, solar rails for mounting solar panels, marine, electrical, signage, portable buildings and industrial infrastructure.

The end user groups described at chapter 4.3.3 form these 3 major market segments. These end users can operate across more than one of these market segments.

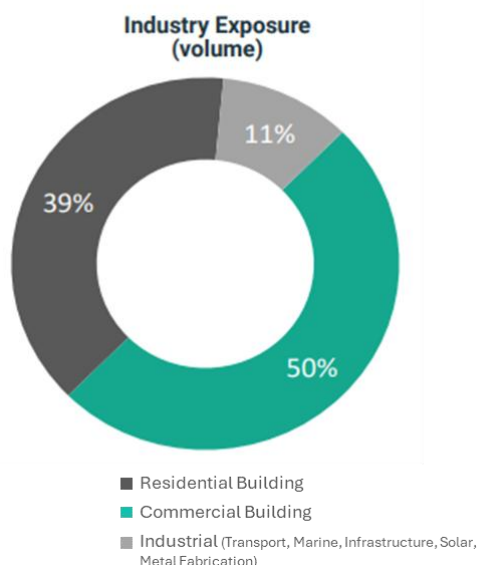


Figure 2: Market segments in Australia and portion of Capral's sales in 2024⁹⁸

As shown in Figure 2 the residential and commercial construction industry in Australia is the major consumer of aluminium extrusions (and aluminium plate⁹⁹) produced by Capral.

This is consistent with REQ information provided by Goomax, Jinxi Cheng and Xingfa Aluminium. Xingfa Aluminium stated that almost of all its revenue from Australian sales was from the residential and commercial construction sector.

⁹⁸ Capral's 2024 Full Year Results, Presentation and Earnings Guidance (to shareholders), at <https://www.capral.com.au/wp-content/uploads/2025/03/2024-Full-Year-Results-Presentation.pdf>

The portion of Capral's sales includes sales of aluminium extrusions and aluminium plate. The diagram has been used to demonstrate the market segments in Australia that are relevant for aluminium extrusions. The relative portion of aluminium extrusions sold to these market segments by Capral is confidential information.

⁹⁹ Aluminium plate does not form part of the goods subject of this inquiry.

4.5 Demand in the Australian market

Demand for aluminium extrusions in Australia appears to be sensitive to changes in demand by the residential construction market segment, as the size of the Australian market (see chapter 4.7) appears to respond to events in residential construction.

4.5.1 Residential construction market segment

The commission understands that demand for aluminium extrusions in Australia is largely driven by residential construction. Aluminium extrusions are used extensively in window and door frames, cladding, roofing, facades and fences (to name a few of the downstream fabricated products).

Capral observed that demand in the residential construction market segment remained low in 2024 and was lower than in 2018¹⁰⁰. In this context, the commission updated the analysis performed in the last continuation inquiry¹⁰¹ on dwelling commencements in Australia, using data published by the Australian Bureau of Statistics (ABS).¹⁰² The analysis, represented in Figure 3, demonstrates that residential construction increased in the inquiry period, but remained lower than in 2018 (as described by Capral). This occurred after a significant downturn in this market segment following a construction peak immediately after the last continuation of the current measures.

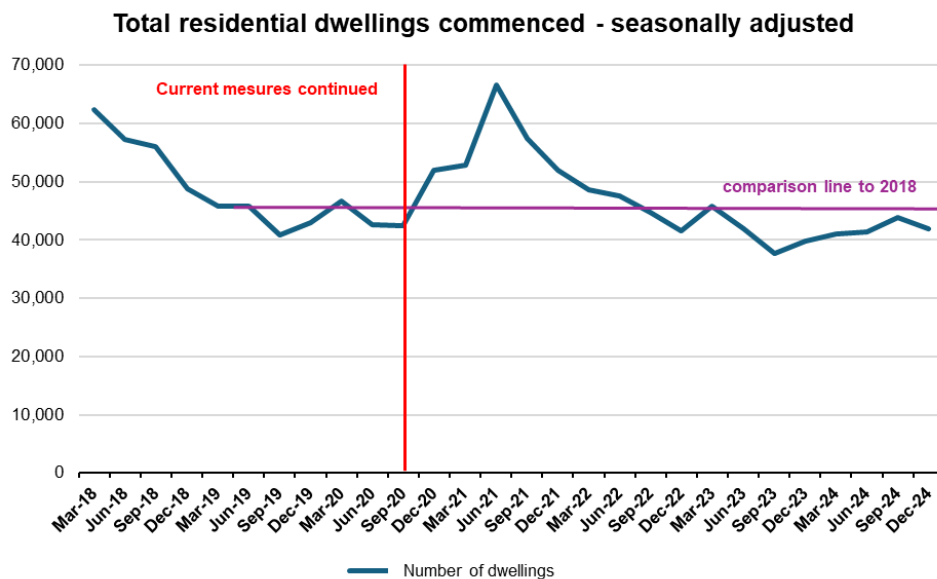


Figure 3: Total dwellings commenced Oct 2019 – Dec 2024 (source: ABS)

The ABS published an article to support its data and analysis on dwelling commencements.¹⁰³ This article explained that the increase in residential construction resulted from a combination of low interest rates and the Australian government's *HomeBuilder* stimulus program (implemented in response to the COVID-19 pandemic). The ABS also identified that subsequent increases in

¹⁰⁰ Ibid (98), Capral's 2024 Full Year Results

¹⁰¹ EPR 543, document 61

¹⁰² ABS data, *Building activity, Australia* at <https://www.abs.gov.au/statistics/industry/building-and-construction/building-activity-australia/latest-release#key-statistics>

¹⁰³ Australian Bureau of Statistics, *Home building through the pandemic, Residential building approvals and activity in Australia from 2019-2024*, 19 November 2024, at <https://www.abs.gov.au/articles/home-building-through-pandemic>

interest rates and higher construction costs coincided with the decline in residential dwelling commencements after the June 2021 quarter. The commission also understands that new applications for the *HomeBuilder* grant also closed in this quarter.

After considering the extraordinary circumstances of the COVID-19 pandemic, this analysis indicates that the residential construction market is approximately 5% lower in 2024 compared to the 2018 downturn. This decline has affected the demand for aluminium extrusions in Australia.

The commission's assessment of total residential dwellings commenced is contained in **Confidential attachment 1: Australian market.**

4.5.2 Commercial construction market segment

The ABS do not have similar data and analysis for the number of new commercial builds. However, publicly available information indicates that there has been a trend in Australia's construction industry where non-residential projects have experienced increased growth while the residential construction market segment has been experiencing a decline.¹⁰⁴

4.5.3 Industrial market segment

Whilst covering a wider range of industries than the industrial sector, publicly available information on manufacturing in Australia indicates that:¹⁰⁵

- Manufacturing activity increased during and after the COVID-19 pandemic.
- Manufacturing is consolidating into more competitive subindustries. Food & beverages and metals production have grown, while petrochemicals, machinery and other manufacturing have declined.

4.6 Market competition

The Australian aluminium extrusion market is competitive. This is due to the substitutability of aluminium extrusions between suppliers and the relative ease that end users can access their desired profile from different extrusion mills globally. Pricing is based on primary aluminium commodity prices, and when combined with ease of access and substitutability, causes aluminium extrusions to be sold typically as a commodity product.

Price is a significant competitive factor between suppliers of aluminium extrusions throughout the supply chain. The Australian market has a significant number of suppliers¹⁰⁶ competing for market share. Price will typically be the main differentiator between suppliers.

4.6.1 Product competition in Australia

Broadly, there are no commercially significant substitutes to aluminium extrusions in the Australian market. This is because the variety of shape and end uses of aluminium extrusions collectively, is much broader than the specific products that aluminium extrusions are used to

¹⁰⁴ For instance, see:

[Australia's non-residential construction market booms amid residential slowdown](#), Build Australia, October 2024 (last accessed 30 June 2025).

[Building And Construction Industry Forecasts Australia - September 2024](#), Master Builders, September 2024 (last accessed 30 June 2025)

¹⁰⁵ See: [Manufacturing in Australia Performance benchmark report 2024](#), Australian Industry Group, September 2024 (last accessed 30 June 2025).

¹⁰⁶ Chapter 4.3.1 described over 500 importers of the goods during the inquiry period from several countries

produce. For example, timber window and door frames are a commercial substitute for aluminium window and door frames in residential construction. However, aluminium window and door frames are more likely to be used in commercial construction and industrial projects.

Standard geometric profiles are a commodity product, provided they meet the relevant Australian Standard, being AS/NZS 1866:1997. This indicates that there is high degree of standardisation in the chemistry and mechanical properties of aluminium extrusions in the Australian market. Combining this with the availability of geometric profiles, this results in limited product differentiation between the goods produced by the Australian industry and the goods that are imported.

Competition for in-house profiles and end-user-controlled profiles (e.g. BSFs) is strong in the Australian market, but not as high as geometric profiles. Different competitive factors occur with profiles of this type, as there tends to be higher product differentiation compared with the low product differentiation of geometric profiles. As the profile is customised for the end-user, the following factors contribute to a lower degree of product competition:

- availability – in-house profiles are owned by the extrusion mill and therefore availability is limited, but this does not prevent different suppliers producing similar or the same profile that can meet an end-user's requirements (i.e. substitutability of profiles). End-user-controlled profiles are unique, and availability is exclusive to the end-user.
- implementation costs - the design, engineering and die costs associated with the profile create an initial competition barrier, but these costs are typically not prohibitive (depending on the design and volume required by the end user).
- supplier capability and service – the supplier's ability to produce the desired aluminium extrusion and supply the end-user to their required quantity and schedule.

Where suppliers have similar capability and service, or have a similar or same in-house profiles, an end-user can readily switch between suppliers. An initial barrier exists for end-user-controlled profiles, but if the service and capability of suppliers is similar, the implementation costs are not so prohibitive to make switching suppliers a significant competitive barrier.

The Australian aluminium extrusion market has competitive dynamics in the form of:

- product competition – substitutability of geometric profiles between suppliers and in-house profiles between suppliers.
- supplier competition – substitutability of suppliers either because of low product differentiation of geometric profiles or similar supplier production capability for more highly differentiated in-house and end-user-controlled profiles where switching supplier is not a significant competitive barrier.

In the Australian aluminium extrusion market, products and suppliers are interchangeable. This means that for a commodity product, the biggest differentiator between suppliers of aluminium extrusions in Australia is price.

4.6.2 Price competition in Australia

There is a high degree of product and supplier substitutability in the Australian aluminium extrusions market. Combined with the significant number of participants in the Australian market means that imported and Australian made aluminium extrusions are highly competitive.

This significant competition is reflected in the price of aluminium extrusions. Import prices are a reference point of the Australian's industry's price-setting model. The Australian industry has regard to import prices and the price of competitors in the supply chain. As aluminium extrusions are a commodity product, access to price intelligence is readily available via negotiation and

discussion with end-users, third party market intelligence providers, and information gained from relationships within the aluminium extrusion industry.

As aluminium extrusions from China are the dominant import source in the Australian market, the price of aluminium extrusions from China, for all market participants is a major consideration when setting price.

Price is an important competitive factor in Australia. The Australian industry sets prices by reference to the primary aluminium price published by the London Metal Exchange (LME). The commission understands that imports of aluminium extrusions are also typically sold in Australia by reference to the LME.

Imports of aluminium extrusions from China can be sold by reference to the LME or by reference to one of several Chinese primary aluminium market indices.¹⁰⁷ The effect of using these Chinese-based reference prices is that price competition in Australia is based on different primary aluminium inputs that may not respond to market dynamics the same way as the LME.

Based on information before the commission, the price of aluminium extrusions (regardless of the primary aluminium reference price) incorporates the following significant components, explained in Table 14:

	LME based pricing	Chinese-based pricing
Primary aluminium market price	LME published price	published price of several indices
Primary aluminium market premium (<i>premium charged to cover costs associated with delivery from the aluminium smelter to an approved distribution warehouse for sale to the downstream market</i>)	Major Japanese Ports (MJP) published price	inclusive in the primary aluminium price
Billet premium (<i>contracted premium charged to cover the cost of casting billet from ingot</i>)	charged by the billet producer for the Australian industry	charged by the billet producer for the Chinese industry (if billet is purchased)
Delivery costs (<i>delivery of the billet to the extrusion mill, or ingot if the extrusion mill casts its own billet</i>)	paid by the extrusion mill for billet delivery	paid by the extrusion mill for ingot or billet delivery
Extrusion conversion costs (<i>mill finish</i>)	cost of extruding billet to a mill finish extrusion	cost of extruding billet to a mill finish extrusion, may include billet casting cost if extrusion manufacturer casts own billet
Extrusion finishing costs (<i>surface finish type, paint brand and thickness and punching, cutting</i>)	variable, depending on the value add requested	variable, depending on the value add requested

Table 14: Aluminium extrusion price components (excluding transport, profit and selling expenses)

The industry refers to the ‘spread’ as being the difference between the combined sum of the primary aluminium price and premiums, and the selling price. The size of the spread between manufacturers is a key component in setting prices. Excluding SG&A and profit, the price of aluminium extrusions is driven by all the above factors, but most significantly the raw materials reflected in the price of primary aluminium (including premiums) and the billet conversion costs.

¹⁰⁷ The commission has examined these Chinese primary aluminium market indices in Appendix A, Appendix B and Appendix C in this report.

4.7 Market size

The commission estimated the size of the Australian market using information provided by Capral in its application as well as ABF import data.

Figure 4 below shows the size of the Australian market in the period from YE September 2020 to YE September 2024.

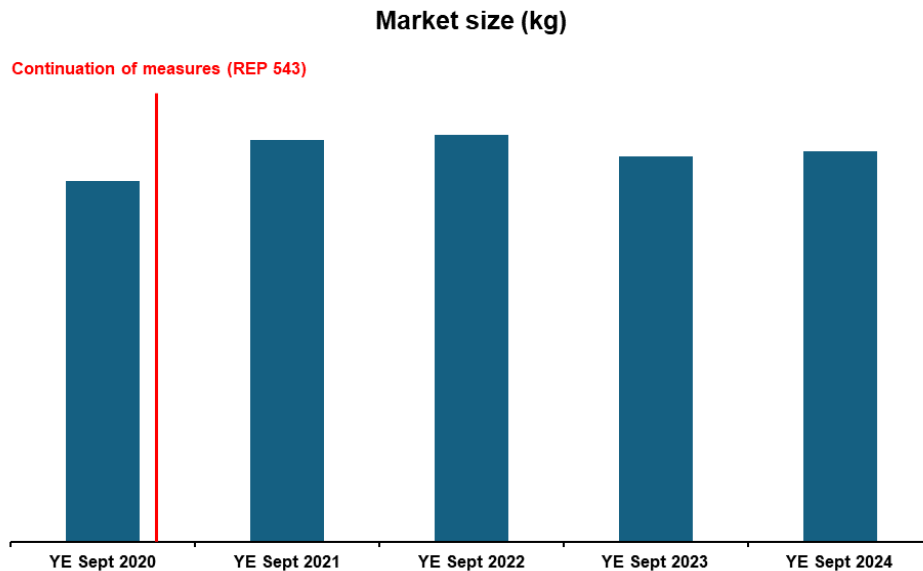


Figure 4: Australian market size for aluminium extrusions after the last continuation inquiry

Figure 4 and the underlying data indicates:

- The Australian market size increased after the last continuation of the current measures, and it peaked in size in the period 1 October 2021 to 30 September 2022 (YE Sept-2022).
- This market size peak coincides with increasing demand for residential dwelling commencements (described at chapter 4.5.1), and it also describes the subsequent market contraction and then stabilisation of the market (on an annual basis) in the inquiry period.
- The composition of the Australian market, in terms of sources of supply, has been reasonably stable, with growth in the volume of imports from Chinese exporters subject to measures offsetting reductions in imports from other countries.
- Imports from China account for around 60% of the volume of goods imported into the Australian market. Most of these imports are from exporters subject to the anti-dumping measures relevant to this inquiry.
- Other countries account the remaining volume of imports into the Australian market, with imports from Indonesia, Malaysia, Thailand and Vietnam accounting for the majority of these other country imports.

The commission's assessment of the size of the Australian market is contained in **Confidential attachment 1: Australian market**.

5 ECONOMIC CONDITION OF THE INDUSTRY

5.1 Finding

The Commissioner finds that the Australian industry initially achieved improvements in several economic indicators following the continuation of measures in 2020, including improvements in sales volume and market share, revenue, capacity utilisation and employment. These improvements however had dissipated by the conclusion of the inquiry period.

Throughout this period, Australian industry sustained a relatively stable margin between selling prices and the CTMS, although a deterioration was noted during the inquiry period. When combined with observed reductions in sales volume and market share, Australian industry has experienced an overall deterioration in profit and profitability during the inquiry period.

The commission further notes that profit and profitability was lower at the conclusion of the inquiry period than when measures were last continued.

5.2 Approach to analysis

This chapter considers the economic condition of the Australian industry since the measures were last continued in October 2020. This examination provides the basis for the commission's analysis in chapter 8 of whether material injury is likely to continue or recur.

The commission has assessed the economic condition of Australian industry using the information submitted by Capral in support of its application (including estimates of sales volume for other Australian industry participants) and data from the ABF import database.

The commission's assessment of the economic condition of Australian industry is contained in **Confidential attachment 2: Economic condition of the industry**.

5.3 Volume effects

5.3.1 Sales volume

Figure 5 below illustrates the Australian industry's total Australian sales volume for aluminium extrusions since 1 October 2020.

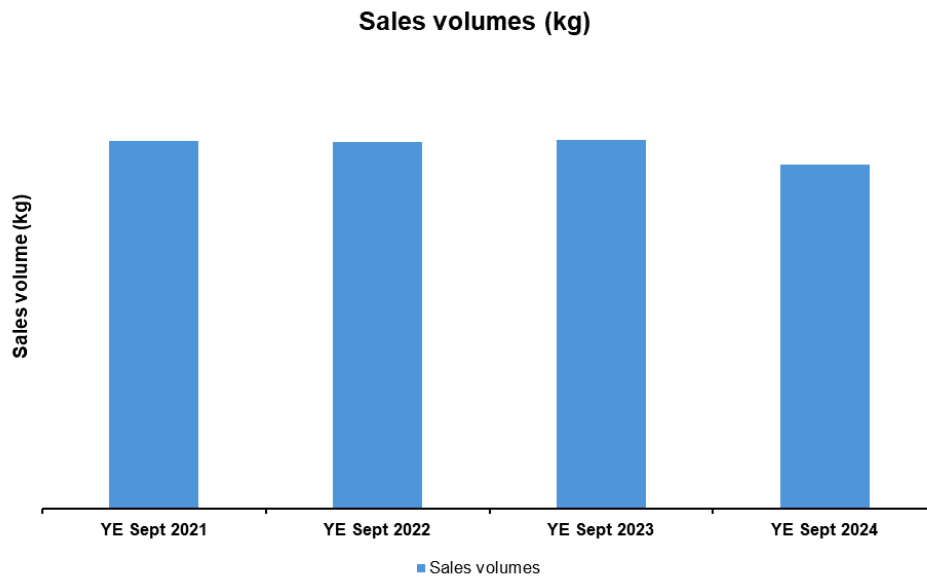


Figure 5: Australian industry sales volume (kg)

Australian industry experienced an increase in sales volumes until the year ended (YE) 30 September 2022, after which sales volumes declined each year.

5.3.2 Market share

Figure 6 below illustrates the Australian industry's market share for aluminium extrusions since 1 October 2020.

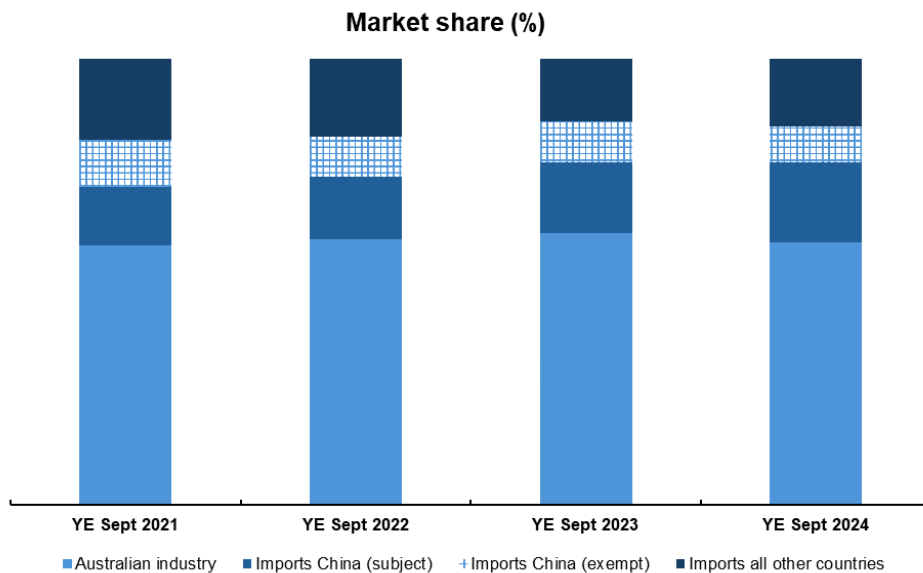


Figure 6: Market share Australian industry sales volume (kg)

Australian industry experienced increasing market share until the year ended 30 September 2023, however market share declined in the inquiry period, to levels comparable to those observed at the time the measures were last continued.

5.4 Price effects

Price depression occurs when a company, for some reason, lowers its prices.

Price suppression occurs when price increases, which otherwise might have occurred, have been prevented. An indicator of price suppression may be the margin between prices and costs.

Figure 7 below shows the trends in Australian industry's unit price and CTMS across the injury analysis period.

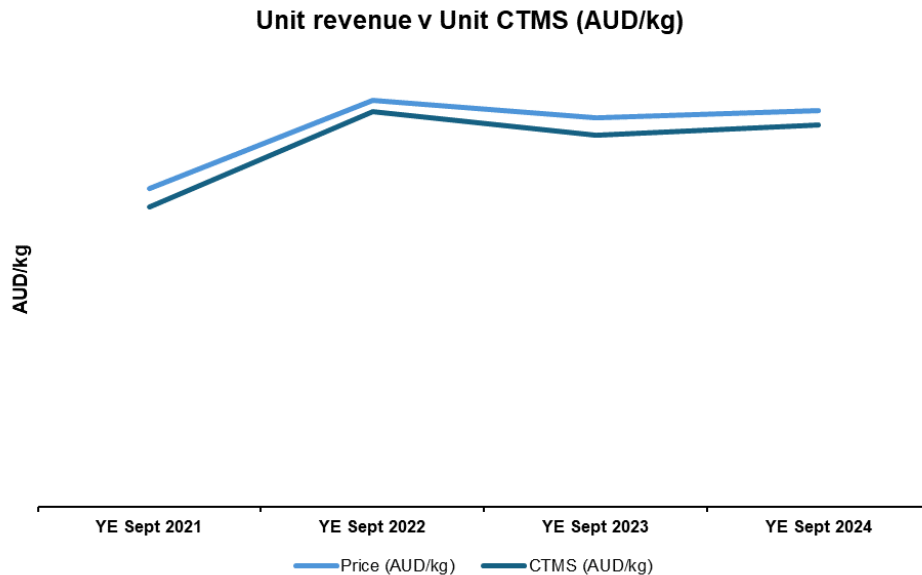


Figure 7: Unit revenue v unit CTMS (AUD/kg)

The commission notes that unit prices increased during the first year of the period of analysis, after which they stabilised with a small improvement during the inquiry period.

The Australian industry maintained a reasonably stable margin between unit revenue and unit CTMS across the injury analysis period, with a marginal deterioration noted during the inquiry period.

5.5 Profits and profitability

Figure 8 below illustrates Australian industry's profit and profitability in the period since measures were continued in 2020.

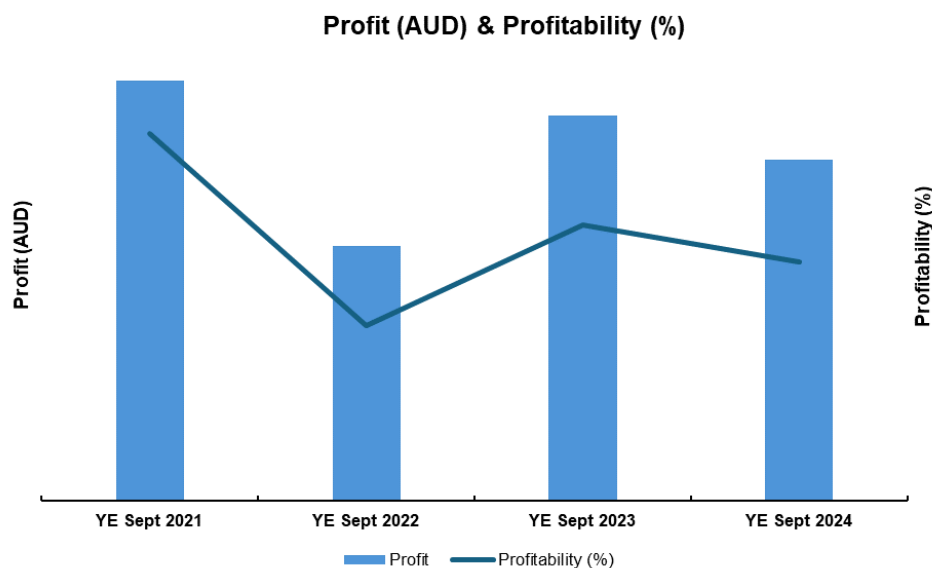


Figure 8: Profit (AUD) and Profitability (%)

The commission found that Australian industry experienced a decline in profit and profitability following the continuation of measures in 2020. Improvements were achieved during the YE September 2023 before declining again during the inquiry period.

The decline in profit and profitability during the inquiry period is consistent with Australian industry having achieved a lower volume of sales and a tighter margin between its sales price and CTMS.

The commission also notes that profit and profitability during the inquiry period remain below the levels achieved following the continuation of measures in 2020.

5.6 Other economic factors

As part of its application, the Australian industry provided data for the period of analysis in relation to a range of other economic factors.

Table 15 shows the change or variation in the Australian industry's revenue over the injury analysis period. The commission observes that revenue declined in the inquiry period because of lower sales volume described at chapters 5.3.1 and chapter 5.5 above.

	YE Sept 2021	YE Sept 2022	YE Sept 2023	YE Sept 2024
Revenue (AUD)	100	127	123	117

Table 15: Revenue index over injury analysis periods

Table 16 shows the change or variation in other economic factors in Capral's financial year between YE June 2021 and YE June 2024, indexed with respect to YE June 2021.

	YE June 2021	YE June 2022	YE June 2023	YE June 2024
Assets (AUD)	100	106	104	100
Capital investment (AUD)	100	41	97	89
Return on investment (%)	100	83	68	78
Capacity utilisation (%)	100	109	103	101

PUBLIC RECORD

	YE June 2021	YE June 2022	YE June 2023	YE June 2022
Employment (persons)	100	109	104	103
Stocks (MT)	100	114	98	96
Wages (AUD)	100	111	96	98

Table 16: Index summary of other economic factors over financial year periods

The commission observed the following trends in relation to this data over the period of analysis:

- Revenue from the sale of like goods, as well as assets, capacity utilisation, employment, stocks and wages increased in YE June 2022, however, have all been in decline since.
- Return on investment and capital investment initially declined but showed an improvement at the end of the inquiry period. However, both remained below the level observed when the measures were last continued.

The commission considers that these findings indicate that despite improvements in some economic indicators during the inquiry period, Australian industry remains vulnerable to the impact of lower priced competition.

The commission's assessment of the economic condition of Australian industry is contained in **Confidential attachment 2: Economic condition of the industry**.

6 DUMPING DURING THE INQUIRY PERIOD

6.1 Finding

The Commissioner has found that the variable factors relevant to the determination of IDD payable have changed since ascertained in REP 609 for all exporters of the goods from China (except for Xingfa Aluminium) and REP 633 for Xingfa Aluminium only. Variable factors for Hopergy were not assessed as a part of this inquiry.¹⁰⁸

Based on this finding and the findings in Chapter 8, the Commissioner proposes to recommend to the Minister that the dumping duty notice have effect as if different variable factors (export price and normal value) had been ascertained.

The determined dumping margins are summarised in Table 17.

Exporter	Dumping margin
Goomax Metal Co., Ltd	negative 7.2%
Guangdong Jinxiecheng Al. Manufacturing Co., Ltd	negative 9.8%
Press Metal International Limited	17.7%
Guangdong Xingfa Aluminium Co., Ltd	4.0%
Residual exporters	negative 0.9%
Uncooperative exporters and All other exporters	28.4%

Table 17: Summary of dumping margins¹⁰⁹

The Commissioner has also used this information to determine that the variable factors for all exporters have changed.

6.2 Legislative framework

Under section 269ZHF(2), the Commissioner must not recommend that the Minister take steps to secure the continuation of anti-dumping measures unless the Commissioner is satisfied that the expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, dumping. The existence of dumping during the inquiry period may be an indicator of whether dumping may occur in the future.

Dumping occurs when a product from one country is exported to another country at a price less than its normal value.

The commission has made an assessment of the variable factors and dumping margins for Goomax, Jinxiecheng, PMI and Xingfa Aluminium. The following sections outline the legislative provisions and the commission's assessment for each exporter.

¹⁰⁸ Variable factors for Hopergy were recently assessed in Accelerated Review 672. The Ministers findings are found in ADN No. 2025/062.

¹⁰⁹ These dumping margins are as calculated and do not have the deduction of the LTAR subsidy margin. The recommended effective rate of duty is determined in Chapter 10.

6.2.1 Export price

Export price is determined under section 269TAB.

Section 269TAB(1)(a) provides that the export price of any goods exported to Australia is the price paid or payable for the goods by the importer where the goods have been exported to Australia otherwise than by the importer and have been purchased by the importer from the exporter in arms length transactions.¹¹⁰

Section 269TAB(1)(b) provides that the export price of goods is the price that the importer sold the goods, less the prescribed deductions, where:

- goods have been exported to Australia otherwise than by the importer, and
- were purchased by the importer from the exporter, but not at 'arm's length', and
- the importer subsequently sells the goods in the condition they were imported to a party not associated with the importer.

Section 269TAB(1)(c) provides that in all other cases, the export price is a price determined by the Minister having regard to all the circumstances of the exportation.

Section 269TAB(3) provides that, where the export price cannot be established under the preceding sections, the export price is determined having regard to all relevant information.

6.2.2 Normal value

Normal value is determined under section 269TAC.

Section 269TAC(1) states that the normal value of any goods exported to Australia is the price paid or payable for like goods sold in the ordinary course of trade (OCOT) for home consumption in the country of export in sales that are arms length transactions by the exporter, or, if like goods are not so sold by the exporter, by other sellers of like goods.

However, if one of the circumstances set out in sections 269TAC(2)(a) or (b) is present, such as where there is an absence or low volume of relevant sales of like goods in the market of the country of export, or there is a particular market situation such that the sales in that market are not suitable for determining a price the normal value of the goods is to be calculated through either a constructed normal value under section 269TAC(2)(c) or using prices of like goods exported to a third country under section 269TAC(2)(d).

6.2.3 Dumping margin

Cooperative exporters: Section 269TACB sets out the provisions calculating export prices and normal values for uncooperative exporters. For all cooperative exporter dumping margins calculated for the purposes of this inquiry, the commission compared export prices over the whole of the inquiry period with the corresponding normal values.

Uncooperative exporters: Section 269TACAB(1) sets out the provisions for calculating export prices and normal values for uncooperative exporters. Export prices are to be worked out under section 269TAB(3) and normal values are to be calculated under section 269TAC(6).

¹¹⁰ Arms length transaction is defined in section 269TAA.

6.3 Variable factors – Goomax

The Commissioner has found that the export price and normal value relevant to the determination of IDD payable has changed, since last ascertained in REP 609 in respect of the goods exported to Australia by Goomax.

The Commissioner is satisfied that Goomax is a manufacturer of the goods and like goods and that the information provided by Goomax is sufficient and reliable for the purpose of ascertaining variable factors applicable to its exports of the goods.

The dumping margin for Goomax is **negative 7.2%**.

A file note describing the commission's assessment of Goomax's REQ is available on the EPR.¹¹¹

6.3.1 Interested party claims for consideration after the SEF

Goomax provided a submission regarding the commission's preliminary variable factor calculations.¹¹² Specifically, Goomax claimed:

1. There should not be a double count of the LTAR subsidy (Program 15: Aluminium at Less Than Adequate Remuneration) in the dumping margin and the subsidy margin.
2. It is unfounded to calculate a deductive export price for one of Goomax's customers.
3. The additional export-related shipping cost applied as an upwards adjustment to the normal value should apply to 1 customer only and not all of Goomax's customers.
4. The source of the aluminium benchmark (used to adjust Goomax's aluminium inputs in its CTM) should be disclosed.
5. A group of SG&A expenses (a general type of expense) should not have been included in the domestic SG&A calculation.

In response to Goomax's submission, the commission confirms that:

- The LTAR subsidy (Goomax claim 1) has not been double counted. This is addressed at chapter 9.3 in this report.
- The source, method and reasons for selecting the aluminium benchmark (Goomax claim 4) is discussed at **APPENDIX A to C** in this report.
- Although Goomax has not disclosed the type of expenses (Goomax claim 5), the commission specifically requested that information to be included in the REQ and considers such expenses are relevant inclusions for the SG&A calculation. Goomax did not submit evidence or a specific claim about the nature of the expenses in the group and why they should be excluded. The commission finds that the charges in question are reasonable SG&A expenses.

The commission has also considered claims 2 and 3 in preparing this report. These claims were also reiterated in a submission from Goomax dated 5 August 2025.¹¹³

¹¹¹ EPR 657, document 20 (Goomax file note). Goomax claimed confidentiality of certain information in the file note.

¹¹² EPR 657, document 21 (Goomax submission). Goomax has claimed confidentiality of certain information in its submission.

¹¹³ EPR 657, document 37

The commission has found that in respect of Goomax's Australian sales of the goods in relation to one of its customers (confidential customer),¹¹⁴ that they were arms length (claim 2). This is based on submissions and evidence provided by the confidential customer. As a result of this change, a deductive export price was not applied.

Goomax claimed that an additional export-related shipping cost applied as an upwards adjustment to its normal value (claim 3) should have only been applied based on one customer and not all of Goomax's export customers. The commission has accepted this claim reviewing evidence provided in Goomax's submission. The commission notes that this revised finding is consistent with the commission's prior findings in REP 609. The normal value has been calculated by applying the revised upwards adjustment for export related expenses.

Having considered Goomax's comments in its submission of 5 August 2025 concerning SGA&A expenses, the commission continues to find that the charges in question are reasonable SG&A expenses to include. The further information provided by Goomax does not sufficiently address why they should be excluded.

6.3.2 Export price

The commission has calculated the export price for Goomax using section 269TAB(1)(a) for arms length export transactions.

The commission considers Goomax to be the exporter of the goods because Goomax:

- produced the Australian export goods
- is named as the supplier on the commercial invoice
- is named as consignor on the bill of lading
- arranged and paid for inland transport to the port of export
- arranged and paid for port handling charges at the port of export.

The Commissioner is satisfied that for all its Australian export sales during the inquiry period, Goomax was the exporter of the goods.

Arms length assessment

In respect of Goomax's Australian sales of the goods to its Australian customers during the period, the commission found no evidence that:

- there was consideration for the goods other than price
- a relationship between a buyer, a seller or their associates appeared to influence the price
- a buyer or buyer's associate directly or indirectly received compensation, reimbursement or another benefit for, or relating to, any part of the price.

Based on the information available, the Commissioner considers that all export sales made by Goomax during the inquiry period were arms length transactions.

In respect of Australian sales of the goods by Goomax, the commission has determined an export price under section 269TAB(1)(a), being the price paid by the importer to the exporter, less transport and other costs arising after exportation

¹¹⁴ Goomax claimed confidentiality over the name of the importer customer whose transactions were deemed to be non-arms length in the SEF. The commission initially assessed this importer's RIQ and identified that the importer's Australian sales of goods imported from Goomax were unprofitable in the inquiry period. In this report the commission has amended its preliminary finding.

The commission's calculation of Goomax's export price is at **Confidential attachment 3: Goomax – Export price** and **Confidential attachment 4: Goomax – profitability of importer**.

6.3.3 Normal value

The Commissioner is satisfied that, due to a situation in the domestic market for the goods in China, sales in that market are not suitable for use in determining a normal value under section 269TAC(1). The commission has therefore calculated a normal value under section 269TAC(2)(c) using the sum of:

- the cost of production of the goods in China, which was calculated using the CTM for Goomax, with its primary aluminium costs adjusted by reference to a benchmark
- SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the *Customs (International Obligations) Regulation 2015* (the Regulation)
- an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

The commission's calculation of Goomax's normal value is at **Confidential attachment 5: Goomax – CTMS** and **Confidential attachment 6: Goomax – Normal value**.

Particular market situation assessment

The Commissioner finds that:

- a particular market situation existed in respect of the domestic market for aluminium extrusions in China for the inquiry period, and
- because of that particular market situation, sales of like goods in the Chinese domestic market are not suitable for determining a price under section 269TAC(1), because the price of such sales does not permit a proper comparison with the export price in determining the dumping margin.

The evidence and analysis which supports these findings is detailed in **APPENDIX A** and **APPENDIX B** of this report.¹¹⁵ Accordingly, the commission has determined that Goomax's normal value be calculated pursuant to section 269TAC(2)(c).

Section 43(2) of the Regulation

In accordance with section 269TAC(5A), the commission has assessed the raw material input costs in Goomax's CTM. The commission assessed that Goomax kept its records relating to the goods in accordance with the generally accepted accounting principles (GAAP) of China.

However, the commission was not satisfied that Goomax's aluminium cost reasonably reflect competitive market costs associated with the production of like goods, due to the influence of the GOC in the domestic Chinese market for primary aluminium. As a result, section 43(2) of the Regulation, which requires the commission to use a producer's records to determine the cost of production of goods in the country of export where, amongst other things, those records reasonably reflect competitive market costs, is not applicable.¹¹⁶

¹¹⁵ **APPENDIX A** contains the commission's particular market situation analysis for China. **APPENDIX B** contains the commission's proper comparison analysis for China

¹¹⁶ Section 43(2) of the Regulation requires the commission to use a producer's records to determine the cost of production of goods in the country of export where those records reasonably reflect competitive market costs.

The commission's section 43(2) of the Regulation analysis is contained in **APPENDIX C** of this report.¹¹⁷

Section 269TAC(2)(c)(i)

Where the criteria in section 43(2) of the Regulation are not satisfied, the Minister is neither required to, nor prohibited from, using an exporter's records to determine normal values under section 269TAC(2)(c)(i). The discretion section 269TAC(2)(c)(i) provides is to be exercised in accordance with the requirements of the World Trade Organization (WTO) *Agreement for the Implementation of Article VI of the General Agreement on Tariffs and Trade 1994* (ADA).¹¹⁸

As noted above, the Commissioner is satisfied that Goomax's records were kept in accordance with the GAAP of China. The Commissioner is also satisfied that Goomax's records reasonably reflect the costs associated with the production of the goods, because the Commissioner is satisfied that the recorded costs reflect the costs actually incurred by Goomax.

While the commission's usual starting point is to use an exporter's records, where the first and second condition of Article 2.2.1.1 of the ADA are met (as found above), the Commissioner considers that there are nonetheless compelling reasons to deviate from this position, given the specific and exceptional facts of this inquiry. This applies to one component of the exporter's records, being the cost of primary aluminium.

The commission considers that the primary aluminium costs in Goomax's records are not normal and ordinary. For this reason, the commission considers that evidence in this case in respect of the primary aluminium component of Goomax's records, provide compelling reasons to deviate from using Goomax's records.

Having reached this conclusion, the Commissioner considers that relying on the cost paid by Goomax for primary aluminium to construct the normal value would undermine the very basis for having recourse to a constructed normal value in the first place. That is, there are compelling reasons for not using Goomax's recorded aluminium costs as to do so would reintroduce the very factors that warranted, in the first instance, recourse to constructing the normal value.

The commission has adjusted Goomax's aluminium cost according to the LME + MJP benchmark. The commission notes the function of the LME price for 'price discovery' and as reference prices for physical contracts demonstrate that the LME cash prices are sufficiently reliable and representative for use in determining a market-based cost in China. With the addition of regional premiums and other costs, this is considered an appropriate replacement as it reasonably represents a market driven cost for primary aluminium available to producers in China in the absence of the government induced distortions that existed during the inquiry period. In this regard, the commission considers the LME + MJP benchmark as a suitable proxy for primary aluminium given its close relationship to the prices of imports of aluminium into China, which indicates that it is in fact a price that is paid by Chinese manufacturers. The commission considers this to be apt to yielding the cost of producing primary aluminium in China.

The commission has not adjusted any of the other items in Goomax's recorded cost of production.

¹¹⁷ **APPENDIX C** contains the commission's assessment of the LME benchmark and the constructed normal value for each exporter.

¹¹⁸ See *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2018] FCAFC 20; 259 FCR 478, [108], Pagone and Bromwich JJ agreeing at [128] and [137] respectively. Cited affirmatively by Griffith J in *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science (No 2)* [2018] FCA 1135, [50].

APPENDIX C provides further details of this analysis and calculation.

Section 269TAC(2)(c)(ii) – SG&A and profit

The commission has used Goomax's SG&A based on its records.

The commission calculated an amount of profit based on the profit achieved on all domestic sales of like goods in the OCOT, pursuant to section 45(2) of the Regulation.

6.3.4 Adjustments

The commission is satisfied there is sufficient information to justify the following adjustments under section 269TAC(9). The commission considers these adjustments to be necessary to ensure a fair comparison of normal values and export prices.

Adjustment description	How to apply an amount for adjustment
[redacted: export-related expense]	Add
Export inland transport	Add
Export port handling	Add
Export credit terms	Add
Timing	Either add or deduct

Table 18: Goomax – summary of normal value adjustments

Capral requested the commission to provide further information concerning the nature of the redacted adjustment for Goomax's export expense.¹¹⁹ The commission confirms that this expense relates to how the exported goods are packaged within a shipping container.

6.3.5 Dumping margin

The dumping margin for the goods exported to Australia by Goomax for the inquiry period is **negative 7.2%**.

The commission's dumping margin calculations are at **Confidential attachment 7: Goomax – Dumping margin**.

6.3.6 Submissions received on variable factor calculations

Capral submitted its views of Goomax's REQ.¹²⁰ Capral asserted that there are packaging differences between domestic and export sales and accordingly, an upwards adjustment for export packaging should be applied to the normal value.

The commission has not applied a separate upwards adjustment for Australian packaging costs and has used the reported packaging costs included in Goomax's Australian CTM as the basis of the normal value calculation.

¹¹⁹ EPR 657, document 41

¹²⁰ EPR 657, document 16

6.4 Variable factors – Jinxiecheng

The Commissioner has found that the export price and normal value relevant to the determination of IDD payable has changed, since last ascertained in REP 609 in respect of the goods exported by Jinxiecheng to Australia.

The Commissioner is satisfied that Jinxiecheng is a manufacturer of the goods and like goods and that the information provided by Jinxiecheng is sufficient and reliable for the purpose of ascertaining variable factors applicable to its exports of the goods.

The dumping margin for Jinxiecheng is **negative 9.8%**.

A file note describing the commission's initial assessment of Jinxiecheng's REQ is available on the EPR¹²¹.

6.4.1 Interested party claims for consideration after the SEF

Jinxiecheng provided a submission regarding the commission's preliminary variable factor calculations.¹²² Specifically, Jinxiecheng claimed:

1. Jinxiecheng made an error with the value of the preferential income tax amount for *Program 47: Preferential tax for high-tech enterprises* in its REQ. Jinxiecheng stated it received an income tax rate of 10% in the REQ, when it actually pays 15% income tax.
2. There should not be a double count of the LTAR subsidy (Program 15: Aluminium at Less Than Adequate Remuneration) in the dumping margin and the subsidy margin.
3. The commission incorrectly identified Jinxiecheng's suppliers of aluminium ingot and billet as SIE/SOE's when they are private companies. Jinxiecheng submitted company record searches to demonstrate ownership of its suppliers.

The commission confirms that the following claims by Jinxiecheng are addressed in this report:

- Jinxiecheng submitted information to confirm that it paid an income tax rate of 15% under Program 47: Preferential tax for high-tech enterprises (Jinxiecheng claim 1). The commission also reviewed Jinxiecheng's income tax returns and confirmed that 15% income tax was paid. Jinxiecheng's error in the data it submitted was corrected.
- LTAR subsidy (Jinxiecheng claim 2) has not been double counted. This is addressed at chapter 9.3 in this report.

Jinxiecheng's claim 3 has been considered in chapter 7 of this report.

6.4.2 Export price

The commission has calculated the export price for Jinxiecheng using section 269TAB(1)(a) for arms length export transactions

The commission considers Jinxiecheng to be the exporter of the goods because Jinxiecheng:

- produced the Australian export goods
- is named as the supplier on the commercial invoice
- is named as consignor on the bill of lading

¹²¹ EPR 657, document 22 (Jinxiecheng file note).

¹²² EPR 657, document 23 (Jinxiecheng submission).

- arranged and paid for inland transport to the port of export
- arranged and paid for port handling charges at the port of export.

The Commissioner is satisfied that for all its Australian export sales during the inquiry period, Jinxiecheng was the exporter of the goods.

Arms length assessment

In respect of Jinxiecheng's Australian sales of the goods to its Australian customers during the period, the commission found no evidence that:

- there was consideration for the goods other than price
- a relationship between a buyer, a seller or their associates appeared to influence the price
- a buyer or buyer's associate directly or indirectly received compensation, reimbursement or another benefit for, or relating to, any part of the price.

Based on the information available, the Commissioner considers that all export sales made by Jinxiecheng during the inquiry period were arms length transactions.

The commission's arms length finding is detailed in the Jinxiecheng preliminary variable factor assessment file note available on the EPR.¹²³

In respect of Australian sales of the goods by Jinxiecheng, the commission has determined an export price under section 269TAB(1)(a), being the price paid by the importer to the exporter, less transport and other costs arising after exportation.

The commission's calculation of Jinxiecheng's export price is at **Confidential attachment 8: Jinxiecheng – Export price**.

6.4.3 Normal value

The Commissioner is satisfied that, due to a situation in the domestic market for the goods in China, sales in that market are not suitable for use in determining a normal value under section 269TAC(1). The commission has therefore calculated a normal value under section 269TAC(2)(c) using the sum of:

- the cost of production of the goods in China, which was calculated using the CTM for Jinxiecheng, with its primary aluminium costs adjusted by reference to a benchmark
- SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the Regulation
- an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

The commission's calculation of Jinxiecheng's normal value is at **Confidential attachment 9: Jinxiecheng – CTMS** and **Confidential attachment 10: Jinxiecheng - Normal value**.

Particular market situation assessment

The Commissioner finds that:

- a particular market situation existed in respect of the domestic market for aluminium extrusions in China for the inquiry period, and

¹²³ EPR 657, document 22 (Jinxiecheng file note).

- because of that particular market situation, sales of like goods in the Chinese domestic market are not suitable for determining a price under section 269TAC(1), because the price of such sales does not permit a proper comparison with the export price in determining the dumping margin.

The evidence and analysis which supports these findings is detailed in **APPENDIX A** and **APPENDIX B** of this report.¹²⁴ Accordingly, the commission has determined that Jinxiecheng's normal value be calculated pursuant to section 269TAC(2)(c).

Section 43(2) of the Regulation

In accordance with section 269TAC(5A), the commission has assessed the raw material input costs in Jinxiecheng's CTM. The commission assessed that Jinxiecheng kept its records relating to the goods in accordance with the GAAP of China.

However, the commission was not satisfied that Jinxiecheng's aluminium cost reasonably reflect competitive market costs associated with the production of like goods, due to the influence of the GOC in the domestic Chinese market for primary aluminium. As a result, section 43(2) of the Regulation, which requires the commission to use a producer's records to determine the cost of production of goods in the country of export where, amongst other things, those records reasonably reflect competitive market costs, is not applicable.¹²⁵

The commission's section 43(2) of the Regulation analysis is contained in **APPENDIX C** of this report.¹²⁶

Section 269TAC(2)(c)(i)

Where the criteria in section 43(2) of the Regulation are not satisfied, the Minister is neither required to, nor prohibited from, using an exporter's records to determine normal values under section 269TAC(2)(c)(i). The discretion section 269TAC(2)(c)(i) provides is to be exercised in accordance with the requirements of the ADA.¹²⁷

As noted above, the Commissioner is satisfied that Jinxiecheng's records were kept in accordance with the GAAP of China. The Commissioner is also satisfied that Jinxiecheng records reasonably reflect the costs associated with the production of the goods, because the Commissioner is satisfied that the recorded costs reflect the costs actually incurred by Jinxiecheng.

While the commission's usual starting point is to use an exporter's records, where the first and second condition of Article 2.2.1.1 of the ADA are met (as found above), the Commissioner considers that there are nonetheless compelling reasons to deviate from this position, given the specific and exceptional facts of this inquiry. This applies to one component of the exporter's records, being the cost of primary aluminium.

¹²⁴ **APPENDIX A** contains the commission's particular market situation analysis for China. **APPENDIX B** contains the commission's proper comparison analysis for China

¹²⁵ Section 43(2) of the Regulation requires the commission to use a producer's records to determine the cost of production of goods in the country of export where those records are in accordance with generally acceptable accounting principles and reasonably reflect competitive market costs.

¹²⁶ **APPENDIX C** contains the commission's assessment of the LME benchmark and the constructed normal value for each exporter.

¹²⁷ See *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2018] FCAFC 20; 259 FCR 478, [108], Pagone and Bromwich JJ agreeing at [128] and [137] respectively. Cited affirmatively by Griffith J in *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science (No 2)* [2018] FCA 1135, [50].

The commission considers that the primary aluminium cost in Jinxiecheng's records are not normal and ordinary. For this reason, the commission considers that the evidence in this case in respect of the primary aluminium component of Jinxiecheng's records, provide compelling reasons to deviate from using Jinxiecheng's records.

Having reached this conclusion, the Commissioner considers that relying on the cost paid by Jinxiecheng for primary aluminium to construct the normal value would undermine the very basis for having recourse to a constructed normal value in the first place. That is, there are compelling reasons for not using Jinxiecheng's recorded aluminium costs as to do so would reintroduce the very factors that warranted, in the first instance, recourse to constructing the normal value.

The commission has adjusted Jinxiecheng's aluminium cost according to the LME + MJP benchmark. The commission notes the function of the LME price for 'price discovery' and as reference prices for physical contracts demonstrate that the LME cash prices are sufficiently reliable and representative for use in determining a market-based cost in China. With the addition of regional premiums and other costs, this is considered an appropriate replacement as it reasonably represents a market driven cost for primary aluminium available to producers in China in the absence of the government induced distortions that existed during the inquiry period. In this regard, the commission considers the LME + MJP benchmark as a suitable proxy for primary aluminium given its close relationship to the prices of imports of aluminium into China, which indicates that it is in fact a price that is paid by Chinese manufacturers. The commission considers this to be apt to yielding the cost of producing primary aluminium in China.

The commission has not adjusted any of the other items in Jinxiecheng's recorded cost of production.

APPENDIX C provides further details of this analysis and calculation.

Section 269TAC(2)(c)(ii) – SG&A and profit

The commission has used Jinxiecheng's SG&A based on its records.

The commission calculated an amount of profit based on the profit achieved on all domestic sales of like goods in the OCOT, pursuant to section 45(2) of the Regulation.

6.4.4 Adjustments

The commission is satisfied there is sufficient information to justify the following adjustments under section 269TAC(9). The commission considers these adjustments to be necessary to ensure a fair comparison of normal values and export prices.

Adjustment description	How to apply an amount for adjustment
Trolley return expense	Add
Export inland transport	Add
Export port handling	Add
Export credit terms	Add

Table 19: Jinxiecheng – summary of normal value adjustments

6.4.5 Dumping margin

The dumping margin for the goods exported to Australia by Jinxiecheng for the inquiry period is **negative 9.8%**.

The commission's dumping margin calculations are at **Confidential attachment 11: Jinxiecheng - Dumping margin**.

6.4.6 Submissions received on variable factor calculations

Capral submitted its views of Jinxiecheng's REQ. Capral asserted that: ¹²⁸

- There are packaging differences between domestic and export sales and accordingly, an upwards adjustment for export packaging should be applied to the normal value.
- Jinxiecheng did not provide an adequate REQ response to section G-5.1 and section G-5.2. As such, Jinxiecheng's response should be deemed incomplete and found to be a non-cooperative exporter.

The commission confirms that:

- Jinxiecheng's Australian CTM records include costs that do not occur in Jinxiecheng's domestic CTM records. Such costs are the further finishing and packaging costs. As these expenses have been included in the Australian CTM, no additional upwards adjustment for packaging costs is required.
- Jinxiecheng submitted its Australian CTM as required. The commission understood Jinxiecheng's response to mean that it did not want its confidential data made public in the public record version of the REQ. Jinxiecheng made similar claims at section G-3 in relation to its domestic CTM data and in other sections of its REQ response.

6.5 Variable factors – PMI

The Commissioner has found that the export price and normal value relevant to the determination of IDD payable has changed, since last ascertained in REP 609 in respect of the goods exported by PMI to Australia.

The Commissioner is satisfied that PMI is a manufacturer of the goods and like goods and that the information provided by PMI is sufficient and reliable for the purpose of ascertaining variable factors applicable to its exports of the goods.

The dumping margin for PMI is **17.7%**.

A file note describing the commission's assessment of PMI's REQ is available on the EPR¹²⁹.

6.5.1 PMI's claims for consideration after the SEF

The commission met with PMI's representatives on 10 July 2025 (at PMI's request) to discuss the commission's preliminary variable factor assessment and findings. PMI stated that it had made errors in the data it provided in its REQ which affected the commission's assessments. Specifically, they stated these errors related to the:

- MCCs specified in its data
- the data relating to the level of trade adjustment applied, and the associated amount of profit calculated.

¹²⁸ EPR 657, document 16

¹²⁹ EPR 657, document 25 (PMI file note)

PMI also requested an explanation of the commission's approach to calculating the:

- cost adjustment applied to PMI's aluminium costs in its CTM for related party purchases and in relation to the particular market situation
- constructed normal value adjustments.

The commission provided PMI with a further explanation of the method used by the commission in these calculations.

The commission requested PMI to make a confidential and public record submission on the issues it raised and provide evidence to support its claims. PMI agreed that it would make a submission. After the meeting, PMI provided several documents, but did not explain what the documents were, their purpose and their relevance to a claim or observation.¹³⁰

The commission has had regard to these documents in preparing this report where they were relevant or specified in subsequent PMI submissions.

As outlined in section 3.5.2 above, the commission accepted PMI's proposal to add Special Powder Coating and Chromate as subcategories under the Finish category. Consequently, the commission revised PMI's dumping margin to reflect these changes.

To implement this revision, the commission relied on data from the domestic sales, domestic cost, and Australian cost spreadsheets submitted in PMI's REQ. While the Australian sales spreadsheet included only the original finish subcategories and lacked PMI's proposed additions, the commission was able to determine the relevant finishes using data provided in Confidential Attachment E to PMI's submission dated 6 August 2025.¹³¹

In the Australian sales and cost spreadsheets, the only revision made was to the anodised subcategory, which was divided into:

- Normal Anodised (PMI code: "NA")
- Bright Dip (PMI code: "CA")

In the domestic sales and cost spreadsheets, the commission applied the same anodised subcategory revision and additionally reclassified the powder coated category into:

- Normal Powder Coated ("NPC")
- Fluorocarbon ("FPC")
- Special Powder Coated ("SPC")
- Chromated ("CHR")

Furthermore, following a review of PMI's 6 August 2025 submission and PMI's dumping margin spreadsheets, the commission excluded domestic sales of:

- Aluminium profiles with a cross section greater than 421mm
- Extrusions with a thermal break.

¹³⁰ It is noted that under s 269ZJ(4) that if oral information is given to the Commissioner by a person, the Commissioner must not take that information into account unless it is subsequently put in writing by the person or by the Commissioner and thereby becomes available, subject to considerations of confidentiality and to the need to protect business and commercial interests, as a part of the public record.

¹³¹ EPR 657, document 39

Level of Trade

PMI claims that the commission misapplied a level of trade adjustment to the constructed normal value for PMI in its 6 August 2025 submission.¹³² PMI claims that this adjustment was applied on the basis that a customer operated as a 'wholesaler/distributor' and the rest being treated as 'manufacturers'. PMI claim that this adjustment is not correct and that differences in 'prices' between PMI's customers for the purposes of the variable factor assessment were not due to differences in level of trade. PMI have also submitted that the majority of transactions involving their 'wholesaler/distributor' customer are not comparable due to further processing or 'Jobbing'.

As discussed in chapter 3.5.1 the commission has not accepted PMI's new additional MCC category called 'Jobbing' (further processing). The information concerning this category, including updated costs and sales data, was not provided in PMI's REQ. The commission further notes that regardless of accepting this additional MCC, all sales of like goods would still be included in any profitability assessment.

The commission has relied on PMI's own level of trade classifications provided in their REQ and accepted their claims for a level of trade adjustment based on these classifications using the information that PMI provided. As stated in PMI's file note for the preliminary variable factors assessment¹³³, the commission compared PMI's domestic sales to customers with different levels of trade as PMI claims that there is a difference in price between different levels of trade. The commission found that customers with different levels of trade had different prices. The commission does not consider it has misapplied a level of trade adjustment, as the justification and evidence for such an adjustment came from PMI directly through its REQ.

6.5.2 Export price

The commission has calculated the export price for PMI using section 269TAB(1)(a) for arms length export transactions

The commission considers PMI to be the exporter of the goods because PMI:

- produced the Australian export goods
- is named as the supplier on the commercial invoice
- is named as consignor on the bill of lading
- arranged and paid for inland transport to the port of export
- arranged and paid for port handling charges at the port of export.

The Commissioner is satisfied that, for all its Australian export sales during the inquiry period, PMI was the exporter of the goods.

Arms length assessment

In respect of PMI's Australian sales of the goods to its Australian customers during the period, the commission found no evidence that:

- there was consideration for the goods other than price
- a relationship between a buyer, a seller or their associates appeared to influence the price
- a buyer or buyer's associate directly or indirectly received compensation, reimbursement or another benefit for, or relating to, any part of the price.

¹³² EPR 657, document 39

¹³³ EPR 657, document 25

Based on the information available, the Commissioner considers that all export sales made by PMI during the inquiry period were arms length transactions.

The commission's arms length finding is detailed in the PMI exporter preliminary variable factor assessment file note available on the EPR.¹³⁴

In respect of Australian sales of the goods by PMI, the commission has determined an export price under section 269TAB(1)(a), being the price paid by the importer to the exporter, less transport and other costs arising after exportation.

The commission's calculation of PMI's export price is at **Confidential attachment 12: PMI – Export price**.

6.5.3 Normal value

The Commissioner is satisfied that, due to a situation in the domestic market for the goods in China, sales in that market are not suitable for use in determining a normal value under section 269TAC(1). The commission has therefore calculated a normal value under section 269TAC(2)(c) using the sum of:

- the cost of production of the goods in China, which was calculated using the CTM for PMI, with its primary aluminium costs adjusted by reference to a benchmark
- SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the Regulation
- an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

PMI submissions of 18 July and 15 August 2025 concerning the benchmark and the application of the benchmark to PMI's costs are considered in Appendix C of this report.¹³⁵

In its submission dated the 29 July 2025,¹³⁶ PMI identified inconsistencies between the preliminary variable factors file note and the SEF regarding their constructed normal value. The commission confirms that for the purpose calculating the normal value (as outlined above), it has used the cost of production of the goods in China, using PMI's CTM, with primary aluminium costs adjusted by reference to the benchmark. The inconsistency raised in the same submission regarding the SG&A amount applied, and adjustments to their cost records has been addressed later in this section in response to an initial PMI submission dated 18 July 2025.¹³⁷

PMI also submitted that the commission's treatment of rebates payable and paid to its domestic customers was incorrectly dealt with in the preliminary variable factors assessment in the SEF.¹³⁸ The commission also notes that there was a number of negative value invoices listed in PMI's domestic sales listing that were also excluded in the normal value calculations for the SEF.

The commission has now included the negative value invoices in the normal value calculation for PMI. The commission found that these were for sales delivered and recognised near or at the end of the month, while invoiced at the start of the new month. The commission was able to reconcile

¹³⁴ EPR 657, document 25 (PMI file note)

¹³⁵ ERP 657, documents 34 and 57

¹³⁶ EPR 657, document 38

¹³⁷ EPR 657, document 34

¹³⁸ EPR 657, document 45

the offsetting negative (credit) transactions to the 2 positive transactions (sales entry and invoice) for each sale.

For the treatment of rebates, the commission has not accepted PMI's submission to include these in normal value calculations. PMI's REQ stated that it did not provide any on-invoice or off-invoice rebates to the customer or an associate of the customer in relation to the sales of the like goods during the inquiry period.¹³⁹ These were also not listed in the REQ domestic sales spreadsheet columns specific to discounts or rebates. PMI listed a lump sum of rebates but had not apportioned it to the actual sales. Therefore, the commission did not include any rebate based on the evidence as presented.

PMI's submission received on 6 August 2025, notified the commission that their domestic CTM data submitted in its REQ included products that were only further worked (such as finishing on a customer supplied extrusion).¹⁴⁰ The commission has now excluded these goods from the domestic CTMS listing. The commission notes that the sales of these goods were not identified by PMI in its domestic sales listing. However, as these sales of customer supplied further worked products are at such a low price, they will likely not be included in the OCOT.

The commission has also made changes based on the 3 'miscellaneous errors' PMI identified they made in the data provided in their REQ.¹⁴¹ The first error was regarding a column label in the domestic sales listing, while the second error required a minor change to the powder coating classifications in the Australian CTM spreadsheet. The final error change made was the removal of 'finishing' costs for 'mill' finished goods in PMI's domestic and Australian CTM spreadsheets. This change appears reasonable as 'mill' finished extrusions are typically not further worked. The commission notes that the effect these 3 changes had on PMI's overall dumping margin was minimal.

The commission's calculation of PMI's normal value is at **Confidential attachment 13: PMI – CTMS** and **Confidential attachment 14: PMI – Normal value**.

Non-arms length assessment of raw material purchases from related suppliers

The commission preliminarily found in SEF 657 that PMI's records in relation to its purchase of Malaysian origin aluminium (ingot and billet) from related entities were not arms length transactions, and therefore did not reasonably reflect competitive market costs, because the price of the aluminium appeared to be influenced by a commercial or other relationship between the buyer, or an associate of the buyer, and the seller, or an associate of the seller (section 269TAA(1)(b)).

This preliminary assessment was based on an initial assessment of PMI's purchases of aluminium from related parties in Malaysia which indicated that the price paid was below the contracted LME + MJP import price to China established between the parties.

PMI disputed the finding that the price paid by PMI was materially different to the contract or agreed price submitted in its REQ and was observed on sample contracts.¹⁴² PMI submitted that according to its records and those of its supplier, there are no inconsistencies between contract prices and amounts actually paid including for matters such as inland freight. PMI further stated

¹³⁹ EPR 657, document 15, Section D, D-1.5 p 5.

¹⁴⁰ EPR 657, document 39

¹⁴¹ EPR 657, document 39, p 10.

¹⁴² EPR 657, document 34

that confidential spreadsheets provided with the submission demonstrated that those prices and premiums reflected arm's length market prices and premiums.

The commission has re-examined its preliminary finding in light of the further information provided in PMI's submission and the records provided prior to SEF 657. The commission is now satisfied that the prices paid are arms length prices and were consistent with the contracted prices.

Consistent with the methodology applied by PMI in Confidential Attachment H of its submission of 15 August 2025, the commission has modified the raw material cost adjustment by apportioning the adjustment to only Chinese sourced ingot or billet based on the proportion of aluminium purchased within China.¹⁴³

The commission's analysis on PMI's purchases of raw material from its related suppliers in Malaysia is found in **Confidential attachment 44 – PMI arms length assessment of raw material purchases from related suppliers**.

Particular market situation assessment

The Commissioner finds that:

- a particular market situation existed in respect of the domestic market for aluminium extrusions in China for the inquiry period, and
- because of that particular market situation, sales of like goods in the Chinese domestic market are not suitable for determining a price under section 269TAC(1), because the price of such sales does not permit a proper comparison with the export price in determining the dumping margin.

The evidence and analysis which supports these findings is detailed in **Appendices A and B** of this report.¹⁴⁴ Accordingly, the commission has determined that PMI's normal value be calculated pursuant to section 269TAC(2)(c).

Section 43(2) of the Regulation

In accordance with section 269TAC(5A), the commission has assessed the raw material input costs in PMI's CTM. The commission assessed that PMI kept its records relating to the goods in accordance with the GAAP of China.

However, the commission was not satisfied that PMI's aluminium costs reasonably reflect competitive market costs associated with the production of like goods, due to the influence of the GOC in the domestic Chinese market for primary aluminium. As a result, section 43(2) of the Regulation, which requires the commission to use a producer's records to determine the cost of production of goods in the country of export where, amongst other things, those records reasonably reflect competitive market costs, is not applicable.¹⁴⁵

¹⁴³ EPR 657, document 57

¹⁴⁴ **APPENDIX A** contains the commission's particular market situation analysis for China. **APPENDIX B** contains the commission's proper comparison analysis for China

¹⁴⁵ Section 43(2) of the Regulation requires the commission to use a producer's records to determine the cost of production of goods in the country of export where those records are in accordance with generally accepted accounting principles and reasonably reflect competitive market costs.

The commission's section 43(2) of the Regulation analysis is contained in **APPENDIX C** of this report.¹⁴⁶

Section 269TAC(2)(c)(i)

Where the criteria in section 43(2) of the Regulation are not satisfied, the Minister is neither required to, nor prohibited from, using an exporter's records to determine normal values under section 269TAC(2)(c)(i). The discretion section 269TAC(2)(c)(i) provides is to be exercised in accordance with the requirements of the ADA.¹⁴⁷

As noted above, the Commissioner is satisfied that PMI's records were kept in accordance with the GAAP of China. The Commissioner is also satisfied that PMI records reasonably reflect the costs associated with the production of the goods, because the Commissioner is satisfied that the recorded costs reflect the costs actually incurred by PMI.

While the commission's usual starting point is to use an exporter's records, where the first and second condition of Article 2.2.1.1 of the ADA are met (as found above), the Commissioner considers that there are nonetheless compelling reasons to deviate from this position, given the specific and exceptional facts of this inquiry. This applies to one component of the exporter's records, being the cost of primary aluminium.

The commission considers that the primary aluminium cost in PMI's records are not normal and ordinary. For this reason, the commission considers that the evidence in this case in respect of the primary aluminium component of PMI's records, provide compelling reasons to deviate from using PMI's records.

Having reached this conclusion, the Commissioner considers that relying on the cost paid by PMI for primary aluminium to construct the normal value would undermine the very basis for having recourse to a constructed normal value in the first place. That is, there are compelling reasons for not using PMI's recorded aluminium costs as to do so would reintroduce the very factors that warranted, in the first instance, recourse to constructing the normal value.

The commission has adjusted PMI's aluminium cost according to the LME + MJP benchmark. Following PMI's submission of 15 August 2026,¹⁴⁸ the commission modified the adjustment to PMI's records by applying the adjustment to PMI's ingot cost only and not to the costs of converting ingot to billet. This methodology was consistent with the methodology applied by PMI in confidential attachment H of its submission.

PMI in a further submission claimed that the cost adjustment applied was an uplift.¹⁴⁹ This is not correct. In applying the cost adjustment, the commission applied both upwards and downwards adjustments to reflect the benchmark price.

The commission notes the function of the LME price for 'price discovery' and as reference prices for physical contracts demonstrate that the LME cash prices are sufficiently reliable and representative for use in determining a market-based cost in China. With the addition of regional premiums and other costs, this is considered an appropriate replacement as it reasonably

¹⁴⁶ **APPENDIX C** contains the commission's assessment of the LME benchmark and the constructed normal value for each exporter.

¹⁴⁷ See *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2018] FCAFC 20; 259 FCR 478, [108], Pagone and Bromwich JJ agreeing at [128] and [137] respectively. Cited affirmatively by Griffith J in *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science (No 2)* [2018] FCA 1135, [50].

¹⁴⁸ EPR 657, document 57

¹⁴⁹ EPR 657, document 47

represents a market driven cost for primary aluminium available to producers in China in the absence of the government induced distortions that existed during the inquiry period. In this regard, the commission considers the LME + MJP benchmark as a suitable proxy for primary aluminium given its close relationship to the prices of imports of aluminium into China, which indicates that it is in fact a price that is paid by Chinese manufacturers. The commission considers this to be apt to yielding the cost of producing primary aluminium in China.

The commission has not adjusted any of the other items in PMI's recorded cost of production.

APPENDIX C provides further details of this analysis and calculation.

Section 269TAC(2)(c)(ii) – SG&A and profit

PMI submitted that there was an error in the SG&A calculation in that it was based on export sales.¹⁵⁰ The commission can confirm that SG&A for the constructed normal value has been based on goods sold on the domestic market. Further, when reviewing the calculations, it was found that an amount was being double counted due to a formula error in the data provided in the REQ. The commission has corrected the amount and included tax surcharges and finance expenses in the final domestic SG&A calculation.

The commission has used PMI's SG&A based on its records.

Level of trade adjustment affecting profit

PMI claimed in its REQ that there were differences in prices between sales to different levels of trade. The commission assessed the claim and found that different prices existed between the different levels of trade, and therefore calculated profit separately for the different levels of trade (see section 6.5.1 for further assessment of the level of trade adjustment).

The commission calculated an amount of profit (for each level of trade) based on the profit achieved on all domestic sales of like goods in the OCOT, pursuant to section 45(2) of the Regulation.

6.5.4 Adjustments

The commission is satisfied there is sufficient information to justify the following adjustments under section 269TAC(9). The commission considers these adjustments to be necessary to ensure a fair comparison of normal values and export prices.

Adjustment description	How to apply an amount for adjustment
Trolley return expense	Add
Export inland transport	Add
Export port handling	Add
Export credit terms	Add
Timing	Either add or deduct

Table 20: PMI – summary of normal value adjustments

¹⁵⁰ EPR 657, document 34

6.5.5 Dumping margin

The dumping margin for the goods exported to Australia by PMI for the inquiry period is **17.7%**.

The commission's dumping margin calculations are at **Confidential attachment 15: PMI – Dumping margin**.

6.5.6 Submissions received on variable factor calculations

Capral submitted¹⁵¹ its views of PMI's REQ. Capral asserted that:

- A particular market situation continues to exist in China and accordingly, PMI's domestic sales should be disregarded as the basis of the normal value. The normal value should be, instead, constructed.
- PMI's claim for due allowance (adjustments) for the order date to be the date of sale, rather than the invoice date is inconsistent with the information submitted by other selected exporters and is not relevant for a normal value calculation using the constructed method.
- PMI's claim for a level of trade adjustment appears to reference reasons relevant to Malaysia and not China.

The commission confirms that a particular market situation finding continues in this inquiry and PMI's normal value has been constructed, as opposed to using PMI's domestic sales (see chapter 6.5.).

Additionally, the commission has accepted PMI's claims for the date of sale and level of trade adjustments in this inquiry. The evidence before the commission supported PMI's claims that the order date was the date that price was established and that there was a material price difference for domestic sales to manufacturers, versus domestic sales to distributors.

6.6 Variable factors - Xingfa Aluminium

The Commissioner has found that the export price and normal value relevant to the determination of IDD payable has changed, since last ascertained in REP 633 in respect of the goods exported by Xingfa Aluminium to Australia.

The Commissioner is satisfied that Xingfa Aluminium is a manufacturer of the goods and like goods and that the information provided by Xingfa Aluminium is sufficient and reliable for the purpose of ascertaining variable factors applicable to its exports of the goods.

The dumping margin for Xingfa Aluminium is **4.0%**.

A file note describing the commission's initial assessment of Xingfa Aluminium's REQ is available on the EPR¹⁵².

6.6.1 Export price

The commission has calculated the export price for Xingfa Aluminium using section 269TAB(1)(a) for non-arms length export transactions.

¹⁵¹ EPR 657, document 16

¹⁵² EPR 657, document 28 (Xingfa Aluminium file note)

The commission considers Xingfa Aluminium to be the exporter of the goods because Xingfa Aluminium:

- produced the Australian export goods
- is named as the supplier on the commercial invoice
- is named as consignor on the bill of lading
- arranged and paid for inland transport to the port of export
- arranged and paid for port handling charges at the port of export.

The Commissioner is satisfied that for all its Australian export sales during the inquiry period, Xingfa Aluminium was the exporter of the goods.

Arms length assessment

In response to the SEF, Xingfa submitted that, consistent with prior findings, there were no direct or indirect reimbursements, compensation or any other such benefit paid by Xingfa, for the whole or any part of the export price.¹⁵³ On this basis, and taking into consideration errors identified by the importer in the importer profitability assessment, Xingfa submitted that its export prices should be determined pursuant to s269TAB(1)(a), having regard to the price paid by the importer.

Following a re-assessment of importer profitability after the SEF, the commission is satisfied that the exports between Xingfa Aluminium and the confidential importer are arms length transactions. The commission has found that the confidential importer sold the goods at a profit during the inquiry period.

In respect of Xingfa's Australian sales of the goods to its Australian customers during the period, the commission found no evidence that:

- there was consideration for the goods other than price
- a relationship between a buyer, a seller or their associates appeared to influence the price
- a buyer or buyer's associate directly or indirectly received compensation, reimbursement or another benefit for, or relating to, any part of the price.

Based on the information available, the Commissioner considers that all exports made by Xingfa during the inquiry period were arms length transactions.

In respect of Australian sales of the goods by Xingfa, the commission has determined an export price under section 269TAB(1)(a), being the price paid by the importer to the exporter, less transport and other costs arising after exportation.

The commission's calculation of Xingfa Aluminium's export price is at **Confidential attachment 16: Xingfa Aluminium – Export price** and **Confidential attachment 17: Xingfa Aluminium – Profitability of importer**.

6.6.2 Normal value

The Commissioner is satisfied that, due to a situation in the domestic market for the goods in China, sales in that market are not suitable for use in determining a normal value under section 269TAC(1). The commission has therefore calculated a normal value under section 269TAC(2)(c) using the sum of:

¹⁵³ EPR 657, document 44

- the cost of production of the goods in China, which was calculated using the CTM for Xingfa Aluminium, with its primary aluminium costs adjusted by reference to a benchmark
- SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the Regulation
- an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

The commission's calculation of Xingfa Aluminium's normal value is at **Confidential attachment 18: Xingfa Aluminium – CTMS** and **Confidential attachment 19: Xingfa Aluminium – Normal value**.

Particular market situation assessment

The Commissioner finds that:

- a particular market situation existed in respect of the domestic market for aluminium extrusions in China for the inquiry period, and
- because of that particular market situation, sales of like goods in the Chinese domestic market are not suitable for determining a price under section 269TAC(1), because the price of such sales does not permit a proper comparison with the export price in determining the dumping margin.

The evidence and analysis which supports these findings is detailed in **APPENDIX A and APPENDIX B** of this report.¹⁵⁴ Accordingly, the commission has determined that Xingfa Aluminium's normal value be calculated pursuant to section 269TAC(2)(c).

Section 43(2) of the Regulation

In accordance with section 269TAC(5A), the commission has assessed the raw material input costs in Xingfa Aluminium's CTM. The commission assessed that Xingfa Aluminium kept its records relating to the goods in accordance with the GAAP of China.

However, the commission was not satisfied that Xingfa Aluminium's aluminium cost reasonably reflect competitive market costs associated with the production of like goods, due to the influence of the GOC in the domestic Chinese market for primary aluminium. As a result, section 43(2) of the Regulation, which requires the commission to use a producer's records to determine the cost of production of goods in the country of export where, amongst other things, those records reasonably reflect competitive market costs, is not applicable.¹⁵⁵

The commission's section 43(2) of the Regulation analysis is contained in **APPENDIX C** of this report.¹⁵⁶

Section 269TAC(2)(c)(i)

Where the criteria in section 43(2) of the Regulation are not satisfied, the Minister is neither required to, nor prohibited from, using an exporter's records to determine normal values under

¹⁵⁴ **APPENDIX A** contains the commission's particular market situation analysis for China. **APPENDIX B** contains the commission's proper comparison analysis for China

¹⁵⁵ Section 43(2) of the Regulation requires the commission to use a producer's records to determine the cost of production of goods in the country of export where those records are in accordance with generally accepted accounting principles and reasonably reflect competitive market costs.

¹⁵⁶ **APPENDIX C** contains the commission's assessment of the LME benchmark and the constructed normal value for each exporter.

section 269TAC(2)(c)(i). The discretion section 269TAC(2)(c)(i) provides is to be exercised in accordance with the requirements of the ADA.¹⁵⁷

As noted above, the Commissioner is satisfied that Xingfa Aluminium's records were kept in accordance with the GAAP of China. The Commissioner is also satisfied that Xingfa Aluminium records reasonably reflect the costs associated with the production of the goods, because the Commissioner is satisfied that the recorded costs reflect the costs actually incurred by Xingfa Aluminium.

While the commission's usual starting point is to use an exporter's records, where the first and second condition of Article 2.2.1.1 of the ADA are met (as found above), the Commissioner considers that there are nonetheless compelling reasons to deviate from this position, given the specific and exceptional facts of this inquiry. This applies to one component of the exporter's records, being the cost of primary aluminium.

The commission considers that the primary aluminium cost in Xingfa Aluminium's records are not normal and ordinary. For this reason, the commission considers that the evidence in this case in respect of the primary aluminium component of Xingfa Aluminium's records, provide compelling reasons to deviate from using Xingfa Aluminium's records.

Having reached this conclusion, the Commissioner considers that relying on the cost paid by Xingfa Aluminium for primary aluminium to construct the normal value would undermine the very basis for having recourse to a constructed normal value in the first place. That is, there are compelling reasons for not using Xingfa Aluminium's recorded aluminium costs as to do so would reintroduce the very factors that warranted, in the first instance, recourse to constructing the normal value.

The commission has adjusted Xingfa Aluminium's aluminium cost according to the LME + MJP benchmark. Following Xingfa Aluminium's submission in response to SEF 657¹⁵⁸, the commission amended the adjustment to reflect that a proportion of the billets used in the production of the goods were self produced from ingot. Further information concerning this adjustment and other amendments made to the benchmark applied are included in APPENDIX C at C.4.1.1.

The commission notes the function of the LME price for 'price discovery' and as reference prices for physical contracts demonstrate that the LME cash prices are sufficiently reliable and representative for use in determining a market-based cost in China. With the addition of regional premiums and other costs, this is considered an appropriate replacement as it reasonably represents a market driven cost for primary aluminium available to producers in China in the absence of the government induced distortions that existed during the inquiry period. In this regard, the commission considers the LME + MJP benchmark as a suitable proxy for primary aluminium given its close relationship to the prices of imports of aluminium into China, which indicates that it is in fact a price that is paid by Chinese manufacturers. The commission considers this to be apt to yielding the cost of producing primary aluminium in China.

The commission has not adjusted any of the other items in Xingfa Aluminium's recorded cost of production.

¹⁵⁷ See *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2018] FCAFC 20; 259 FCR 478, [108], Pagone and Bromwich JJ agreeing at [128] and [137] respectively. Cited affirmatively by Griffith J in *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science (No 2)* [2018] FCA 1135, [50].

¹⁵⁸ EPR 657, document 44

APPENDIX C provides further details of this analysis and calculation.

Section 269TAC(2)(c)(ii) – SG&A and profit

The commission has used Xingfa Aluminium's SG&A based on its records.

The commission calculated an amount of profit based on the profit achieved on all domestic sales of like goods in the OCOT, pursuant to section 45(2) of the Regulation.

6.6.3 Adjustments

The commission is satisfied there is sufficient information to justify the following adjustments under section 269TAC(9). The commission considers these adjustments to be necessary to ensure a fair comparison of normal values and export prices.

Adjustment description	How to apply an amount for adjustment
Trolley return expense	Add
Export inland transport	Add
Export port handling	Add
Export credit terms	Add
Timing	Either add or deduct

Table 21: Xingfa Aluminium – summary of normal value adjustments

6.6.4 Dumping margin

The preliminary dumping margin for the goods exported to Australia by Xingfa Aluminium for the inquiry period is **4.0%**.

The commission's dumping margin calculations are at **Confidential attachment 20: Xingfa Aluminium – Dumping margin**.

6.6.5 Submissions received on variable factor calculations

Capral submitted¹⁵⁹ its views of Xingfa Aluminium's REQ. Capral asserted that:

- There are likely related-party relationships in the supply chain between Xingfa Aluminium and its Australian customer, Lunar Metal and Lunar Metal's customer Star Aluminium Pty Ltd (Staralum).
- There are packaging differences between domestic and export sales and accordingly, an upwards adjustment for export packaging should be applied to the normal value.

The commission examined the information submitted and did not identify evidence of association (as defined at section 269TAA(4)) between these parties and Staralum.

In the SEF the commission originally found that the importer's Australian sales were sold at a loss and were unlikely to be recoverable within a reasonable period. Following submissions from both the importer and exporter the commission has re-assessed its profitability finding. The commission has found that the importers sales were profitable and as a result the sales are deemed to be sold at arms length. This finding is consistent with previous findings including most recently in REP 633.

¹⁵⁹ EPR 657, document 16 refers.

The commission has not applied a separate upwards adjustment for Australian packaging costs and has used the reported packaging costs included in Xingfa Aluminium's Australian CTM as the basis of the normal value calculation.

6.7 Variable factors – Residual exporters

The Commissioner has found that the export price and normal value relevant to the determination of IDD payable has changed, since last ascertained in REP 609 in respect of the goods exported by residual exporters to Australia. lists all residual exporters

6.7.1 Export price

The export price for residual exporters has been calculated in accordance with section 269TACAB(2)(c), which provides that the export price for residual exporters must not be less than the weighted average export price for like goods of cooperative exporters from China.

The commission calculated the weighted average export price for all cooperative exporters in the inquiry period.

6.7.2 Normal value

The normal value for residual exporters has been calculated in accordance with section 269TACAB(2)(d), which provides that the normal value must not exceed the weighted average normal value for like goods of cooperative exporters from China.

The commission calculated the weighted average export price for all cooperative exporters in the inquiry period.

6.7.3 Dumping margin

The dumping margin for the goods exported to Australia by residual exporters for the inquiry period is **negative 0.9%**.

Capral submitted that the Commission's Dumping and Subsidy Manual (the Manual) specifies that the residual rate cannot include normal values/export prices which resulted in a dumping margin of less than 2%.¹⁶⁰ The commission notes, as specified in the Manual, that this exclusion only relates to investigations. For the purposes of this continuation inquiry, the commission has included all sampled cooperative exporters, including those with a dumping margin of less than 2%. The commission further notes that the methodology used in this inquiry is consistent with prior cases.

The commission's dumping margin calculations are at **Confidential attachment 21: Residual, Uncooperative & All other – Dumping margin**.

6.8 Variable factors - Uncooperative and all other exporters

The Commissioner has found that the export price and normal value relevant to the determination of IDD payable has changed, since last ascertained in REP 609 in respect of the goods exported by uncooperative and all other exporters to Australia.

¹⁶⁰ EPR 657, document 41

6.8.1 Export price

The export price for uncooperative and all other exporters from China was determined having regard to all relevant information under section 269TAB(3).

In accordance with section 269TACAB(1)(d), the commission has determined an export price for the uncooperative exporters pursuant to section 269TAB(3), having regard to all relevant information. The commission has used the lowest FOB export price of selected cooperative exporters who exported to Australia during the inquiry period.

The commission has lowest FOB export price on the basis the lowest price at which an uncooperative exporter may export like goods to Australia. This is based on the information before the commission.

6.8.2 Normal value

The normal value for uncooperative and all other exporters from China was determined having regard to all relevant information under section 269TAC(6).

Pursuant to section 269TACAB(1)(e), the commission has determined the normal value for the uncooperative exporters pursuant to section 269TAC(6).

The commission has used the highest normal value for the inquiry period of selected cooperative exporters who exported to Australia during the inquiry period. The commission chose this on the basis that:

- the commission does not have specific information relating to the uncooperative exporters relevant to the calculation of the normal value
- the highest normal value of cooperating exporters demonstrates a price at which an uncooperative exporter may sell the goods in the domestic Chinese market, noting the variety of products, the different CTMS of selected exporters, normal value adjustments and trading terms of the selected cooperating exporters. This assessment is based on the information before the commission.

6.8.3 Dumping margin

The dumping margin for the goods exported to Australia by uncooperative and all other exporters for the inquiry period is **28.4%**.

The commission's dumping margin calculations are at **Confidential attachment 21: Residual, Uncooperative & All other – Dumping margin**.

7 SUBSIDISATION DURING THE INQUIRY PERIOD

7.1 Finding

The Commissioner finds:

- countervailable subsidies were provided to exporters for goods exported to Australia from China during the inquiry period
- the variable factors relevant to the determination of countervailing duty payable have changed.

Based on these findings and the findings set out in Chapter 8, the Commissioner proposes to recommend to the Minister that the countervailing duty notice have effect as if different variable factors (export price and the amount of countervailable subsidy received) had been ascertained.

The revised variable factors have resulted in different subsidy margins relevant to the imposition of ICD. These are summarised at Table 22 below.

Exporter	Subsidy margin	LTAR subsidy
Goomax	5.6%	4.7%
Jinxiecheng	0.8%	0.0%
PMI ¹⁶¹	1.6%	1.2%
Xingfa Aluminium	0.6%	0.1%
Residual exporters ¹⁶²	1.7%	1.0%
Non-cooperative and all other exporters	5.7%	4.7%

Table 22: Subsidy margins and portion of LTAR margin

The LTAR subsidy amounts are included in Table 22, as this amount will be deducted from the dumping margins listed at Table 17 (at chapter 6.1). The deduction of LTAR from the dumping margin avoids any double counting that arises from the cost adjustments applied to the exporter's CTMS and normal value.

The effect of the deduction is described at chapter 9.

7.2 Legislative framework

Section 269ZHF(2) provides that the Commissioner must not recommend that the Minister take steps to secure the continuation of anti-dumping measures unless the Commissioner is satisfied that the expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, subsidisation. The existence of subsidisation during the inquiry period may be an indicator of whether subsidisation may occur in the future.

¹⁶¹ PMI was determined a non-cooperative entity for the subsidy investigation and its subsidy rate has been determined pursuant to s 269TAACA(1).

¹⁶² Residual exporters in respect of the subsidy inquiry are exporters who cooperated with the inquiry but were not selected for individual examination and who are not non-cooperative exporters.

Subsidisation occurs when a financial contribution or income or price support confers a benefit (whether directly or indirectly) in relation to goods exported to Australia.¹⁶³ The amount of a countervailable subsidy is an amount determined by the Minister.¹⁶⁴

Further information is found at **APPENDIX D**.

7.3 Non-cooperation by GOC and certain exporters

The commission sent the GOC a questionnaire requesting information for the assessment of the previously identified countervailable subsidies programs. The GOC did not respond to this questionnaire. Accordingly, because the GOC has not given the commission information considered to be relevant to the inquiry, the commission has determined whether a countervailable subsidy has been received in respect of the goods, and the amount of the countervailable subsidy, in accordance with section 269TAACA(1).

Under section 269TAACA, the Commissioner has acted based on all the facts available and has made such assumptions as the Commissioner considers reasonable. In doing so, the Commissioner has relied upon the previous findings in REP 543 (the last continuation inquiry on aluminium extrusions from China), REP 609 (a review of measures for all exporters from China) and REP 633 (a review of measures for Xingfa Aluminium only), being the most recent and relevant reviews in respect of the goods exported from China, as well as the original investigation (REP 148), REP 482 and any relevant information obtained by the commission in other investigations. The Commissioner finds it reasonable to conclude, on the basis of the facts available to it, that exporters of aluminium extrusions from China continue to benefit from countervailable subsidies.

The Commissioner has identified the exporters determined as uncooperative in chapter 2.5 as non-cooperative entities, along with PMI.

7.4 Assessment of subsidy programs

7.4.1 Information considered by the Commissioner

Section 269TAACA(1) provides that, in determining whether a countervailable subsidy has been received in respect of particular goods, or the amount of a countervailable subsidy in respect of particular goods, the Commissioner may act on the basis of all the facts available and may make such assumptions as the Commissioner considers reasonable when an entity:

- has not given the Commissioner information the Commissioner considers to be relevant to the inquiry within a period the Commissioner considers to be reasonable, or
- has significantly impeded the inquiry.

Section 269TAACA(2) provides that section 269TAACA(1) applies to the following entities:

- any person who is or is likely to be directly concerned with the import or export into Australia of the goods to which the inquiry relates
- the government of the country of export of goods to which the inquiry relates.

¹⁶³ Section 269TAAC.

¹⁶⁴ Section 269TACD(1).

The Commissioner has identified the exporters determined as uncooperative in chapter 2.5 as non-cooperative entities, along with PMI.

7.4.2 Assessment of existing subsidy programs

In REP 148 (original investigation that imposed measures), the commission investigated the subsidy programs applicable to aluminium extrusions exported from China. These programs were also determined to remain countervailable in the last continuation inquiry 543 (REP 543).¹⁶⁵

Additional programs were also identified in REP 543 and subsequent reviews 609 and 633.

The commission has reviewed each program previously identified to assess the continued relevance of the program to the exports of the goods.

As previously noted, the commission did not receive a response from the GOC to the subsidy questionnaire. And accordingly, the commission has determined that the existing subsidy programs from previous matters remain countervailable.

A detailed assessment is available in non-confidential **APPENDIX D**.

7.4.3 LTAR changes following SEF

As outlined in Appendix C4, following submissions from exporters in response to the SEF, the commission made amendments to the aluminium benchmark.

The benchmark price is established to reflect adequate remuneration for aluminium and then compared to the aluminium purchase data submitted by the 4 selected exporters for the inquiry period (Appendix D4.1). The comparison of the selected exporters' aluminium purchases from SOEs suppliers to the LME-based benchmarks (for ingot and billet) demonstrated that all exporters paid less than the benchmark in the inquiry period.

Due to the changes in the benchmark following the SEF, the LTAR subsidy rates for the 4 selected exporters, residual exporters, and non-cooperative and all other exporters have changed. These changes have been reflected in the revised subsidy margins. In addition, Jinxiacheng was found to not be in receipt of the LTAR subsidy. This is discussed further in chapter 7.6.2.

7.5 Goomax - new subsidy programs and subsidy margin calculated

7.5.1 New subsidy programs identified

The Commissioner found that Goomax received an additional 6 grant benefits in relation to aluminium extrusions during the inquiry period. These programs have not previously been assessed by the commission.

These programs are in addition to receiving benefits under 3 existing LTAR (program 15), tax (program 14) and grant (program 609-14) programs. The assessment of the new and existing programs is at **APPENDIX D**.

The commission calculated the amount of countervailable subsidy received in respect of the goods exported to Australia by Goomax.

¹⁶⁵ EPR 543, document 61

Program number	Program name	Program status	Program type
15	Aluminium at less than adequate remuneration	Existing	LTAR
47	Preferential tax for high and new technology enterprises	Existing	Preferential tax
609-14	Labor cooperation subsidies to enterprises	Existing	Grant
657-24	MITT Bureau reward fund for increased production and efficiency	New	Grant
657-25	Business Bureau's Central and Municipal Trade Special Fund	New	Grant
657-26	Guiding Local Science and Technology Development Fund	New	Grant
657-27	Subsidy for enterprises to recruit outside the city	New	Grant
657-28	Cross-provincial employment subsidy for enterprises absorbing poverty alleviation	New	Grant
657-29	Safety system upgrades at plant	New	Grant

Table 23: Additional subsidy programs received by Goomax in the inquiry period

7.5.2 Subsidy margin for Goomax

For the LTAR subsidy, the amount of benefit received by Goomax has been attributed to each unit of aluminium extrusions (per kg) using volume of sales of the goods by Goomax. The amount was then expressed as a percentage of the export price for Goomax.

For all other subsidies received, the subsidy margin for Goomax has been calculated using the amount of the unit benefit received under the countervailable subsidy received, expressed as a percentage of the export price for Goomax.

The subsidy margin for the goods exported to Australia by Goomax for the inquiry period is **5.6%**.

The commission's subsidy margin calculations are at **Confidential attachment 22: Goomax – Subsidy margin**.

7.6 Jinxiecheng - new subsidy programs and subsidy margin calculated

7.6.1 New subsidy programs identified

The Commissioner found that Jinxiecheng received an additional 2 grant benefits in relation to aluminium extrusions during the inquiry period and are described in Table 24.

These programs are in addition to receiving benefits under tax (program 14) and grant (program 109) programs. The assessment of the new and existing programs is at **APPENDIX D**.

The commission calculated the amount of countervailable subsidy received in respect of the goods exported to Australia by Jinxiecheng.

Program number	Program name	Program status	Program type
47	Preferential tax for high technology enterprise	Existing	Preferential tax
109	Employment incentives for persons with disabilities	Existing	Grant

Program number	Program name	Program status	Program type
657-7	Funds for stabilising foreign trade (cross-border e-commerce direction)	New	Grant
657-21	Support for steady growth of the Industrial Economy Incentive Funds	New	Grant

Table 24: Additional subsidy programs received by Jinxiecheng in the inquiry period

7.6.2 Subsidy margin for Jinxiecheng

Jinxiecheng submitted that the commission incorrectly identified Jinxiecheng's suppliers of aluminium ingot and billet as SIE/SOE's in its preliminary findings in the SEF. Jinxiecheng claimed that these suppliers were private companies.¹⁶⁶ Jinxiecheng submitted company record searches to demonstrate ownership of its suppliers.

The commission undertook an independent search of the companies register for China, known as the *National Enterprise Credit Information Publicity System*, a governmental platform providing public access to company information managed by the State Administration for Market Regulation of China. The commission found that the results of the independent searches of the register are consistent with the evidence provided by Jinxiecheng to support its position that its raw materials suppliers are privately held entities and not SIE/SOEs. On this basis, the commission has determined that Jinxiecheng had not received a LTAR subsidy in the inquiry period. For this report, a correction to the subsidy margin specified in the SEF has been made by excluding Program 15 from the subsidies received by Jinxiecheng.

For all other subsidies received, the subsidy margin for Jinxiecheng has been calculated using the amount of the unit benefit received under the countervailable subsidy received, expressed as a percentage of the export price for Jinxiecheng.

The subsidy margin for the goods exported to Australia by Jinxiecheng for the inquiry period is **0.8%**.

The commission's subsidy margin calculations are at **Confidential attachment 23: Jinxiecheng – Subsidy margin**.

7.7 Xingfa Aluminium - new subsidy programs and subsidy margin calculated

7.7.1 New subsidy programs identified

The Commissioner found that Xingfa Aluminium received an additional 19 tax and grant benefits in relation to aluminium extrusions during the inquiry period. These programs have not previously been assessed by the commission and are described in Table 25.

These programs are in addition to receiving benefits under 11 existing LTAR (program 15), tax (program 14) and grant (program 633-7) programs. The assessment of the new and existing programs is at **Appendix D**.

The commission calculated the amount of countervailable subsidy received in respect of the goods exported to Australia by Xingfa Aluminium.

¹⁶⁶ EPR 657, document 36

PUBLIC RECORD

Program no.	Program name	Program status	Program type
15	Aluminium at less than adequate remuneration	Existing	LTAR
47	Preferential tax for high and new technology enterprises	Existing	Preferential tax
609-45	Development of Private Economy and Micro, Small and Medium Enterprises at Provincial Level for High Quality Development	Existing	Grant
609-57	Funds for foreign trade and economic development from central government (matters for coping with trade frictions)	Existing	Grant
633-3	Funding for the 24th China Patent Award, Foshan City Market Supervision and Administration Bureau	Existing	Grant
633-4	Project acceptance, carry forward government special subsidy	Existing	Grant
633-5	Job expansion grant	Existing	Grant
633-7	Subsidy to support purchases of credit products and services program, Foshan City Bureau of Commerce	Existing	Grant
633-9	VAT refund for employment of key groups	Existing	Grant
633-15	Veterans Tax Benefits	Existing	Grant
633-20	Tax handling fee refund	Existing	Grant
657-1	Input VAT deduction (5%) for advance manufacturing	New	Tax
657-2	Veteran's benefits	New	Grant
657-3	VAT deduction - tax incentive	New	Tax
657-4	Input tax deduction for advanced manufacturing industry	New	Tax
657-5	Intellectual property rights funding	New	Grant
657-8	Promoting Digital and Intelligent Transformation and Development of Manufacturing Industry in Foshan City	New	Grant
657-9	Promoting High Quality Economic Development at Provincial Level, Bureau of Economy and Science and Technology Promotion of Sanshui District, Foshan City	New	Grant
657-10	Support for enterprises to participate in online key exhibitions, Foshan Municipal Bureau of Commerce	New	Grant
657-11	Support for green (product) certification in Foshan in 2023, Foshan Municipal Administration of Market Supervision	New	Grant
657-12	Subsidy for employment absorption	New	Grant
657-13	Funds for foreign trade and economic development from central government (opening up key markets)	New	Grant
657-14	Subsidy for pilot application of 2D CAD product projects	New	Grant
657-15	Tax handling fee refund	New	Grant
657-17	VAT Plus Deduction Tax Credit	New	Tax
657-18	Training subsidy for retaining employees	New	Grant
657-19	Unemployment and job stabilisation subsidies from the Social Security Fund Administration	New	Grant
657-22	Foshan City's vocational skills upgrading action	New	Grant
657-23	Employee award for "Foshan Enterprise Chief Technician".	New	Grant
657-30	Financial subsidies	New	Grant

Table 25: Additional subsidy programs received by Xingfa Aluminium in the inquiry period

7.7.2 Subsidy margin for Xingfa Aluminium

For the LTAR subsidy, the amount of benefit received by Xingfa Aluminium has been attributed to each unit of aluminium extrusions (per kg) using volume of sales of the goods by Xingfa Aluminium. The amount was then expressed as a percentage of the export price for Xingfa Aluminium.

For all other subsidies received, the subsidy margin for Xingfa Aluminium has been calculated using the amount of the unit benefit received under the countervailable subsidy received, expressed as a percentage of the export price for Xingfa Aluminium.

In response to the SEF, Xingfa submitted that the commission had incorrectly used the total value of exports to 'Australia and other countries' rather than 'total company turnover of all products' as the subsidy attribution for programs 657-2 and 657-4.¹⁶⁷ The commission has amended the subsidy calculation to reference the 'total company turnover of all products' for these 2 programs.

The subsidy margin for the goods exported to Australia by Xingfa Aluminium for the inquiry period is **0.6%**.

The commission's subsidy margin calculations are at **Confidential attachment 24: Xingfa Aluminium – Subsidy margin**.

7.8 Residual Exporters, Non-cooperative entities and All other exporters

7.8.1 PMI

The Commissioner determined PMI to be a non-cooperative entity for the purpose of the subsidy investigation. Therefore, the commission has assessed PMI's subsidies pursuant to sections 269TAACA(1)(c) and 269TAACA(1)(d).

Section 269TAACA(1)(c) and (d) states the Commissioner or the Minister, when determining whether a countervailable subsidy has been received in respect of the goods, or in determining an amount of countervailable subsidy in respect of the goods:

- (c) may act on the basis of all the facts available to the Commissioner or the Minister (as the case may be); and
- (d) may make such assumptions as the Commissioner or the Minister (as the case may be) considers reasonable.

PMI submitted relevant information regarding the subsidies it received in the inquiry period after the period specified by the Commissioner and subsequent to extensions provided by the Commissioner. PMI was notified of the Commissioner's determination in writing on 3 June 2025.

On the basis of all the facts available, and in accordance with section 269TAACA(c), the Commissioner considers that PMI's late subsidy response is relevant information in relation to PMI. However, the Commissioner has made certain assumptions, that the Commissioner considers reasonable, about the amount of countervailable subsidy received by PMI in accordance with section 269TAACA(1)(d). Noting that PMI submitted information about the subsidies it received in the inquiry period, and the commission considers that the information

¹⁶⁷ EPR 657, document 44

regarding countervailable subsidies submitted by PMI is reliable, the commission has not made any assumptions about the receipt of other possible subsidies.

For the LTAR subsidy, the amount of benefit received by PMI has been attributed to each unit of aluminium extrusions (per kg) using volume of sales of the goods by PMI. The amount was then expressed as a percentage of the export price for PMI.

For all other subsidies received, the subsidy margin for PMI has been calculated using the amount of the unit benefit received under the countervailable subsidy received, expressed as a percentage of the export price for PMI.

PMI submitted that the LTAR subsidy (Program 15) calculations for the SEF contained errors.¹⁶⁸ The errors identified focused on the application of the benchmark for raw material inputs (aluminium ingot, billet and scrap). As discussed in 7.4.3, due to changes made to the benchmark following the publication of the SEF, the LTAR subsidy rates for all exporters, including PMI, have been adjusted accordingly.

The subsidy margin for the goods exported to Australia by PMI for the inquiry period is **1.6%**.

The commission's subsidy margin calculations are at **Confidential attachment 25: PMI – Subsidy margin**.

7.8.2 Residual Exporters

The commission calculated the subsidy margin for residual exporters by using the weighted average subsidy margin for all cooperative exporters.

Based on the information available, the commission has calculated a subsidy margin (to one decimal place) for residual exporters **1.7%**.

The commission's subsidy margin calculations for residual exporters are at **Confidential attachment 41: All other – Subsidy margin**.

7.8.3 All other exporters and non-cooperative entities

The commission had regard to section 269TAACA with respect to all other exporters (including residual exporters) and non-cooperating entities.

The subsidy margin for these exporters has been determined on the basis of all facts available and having regard to reasonable assumptions pursuant to section 269TAACA. In determining the countervailable subsidies for those entities, the commission's usual approach is to base the subsidy margins on the assumption that those non-cooperative entities may have received the highest level of subsidisation received by the cooperating exporters under each of the countervailable programs. In this regard, the commission has included all national programs and programs that were received in the Guangdong province, to avoid the duplication of similar programs offered in other provinces in China.

The all other and non-cooperative entity subsidy margin is the total of the highest per unit subsidisation amount received by one of the selected cooperative exporters under each subsidy program category over the weighted average export price for the selected cooperative exporters

¹⁶⁸ EPR 657, document 57

PUBLIC RECORD

Based on the available information, the commission has calculated a subsidy margin of **5.7%** for all other exporters (including residual exporters) and non-cooperative entities.

The commission's subsidy margin calculations for non-cooperative and all other exporters are at **Confidential attachment 41: All other – Subsidy margin**.

8 LIKELIHOOD THAT DUMPING, SUBSIDISATION AND MATERIAL INJURY WILL CONTINUE OR RECUR

8.1 Finding

Based on the evidence obtained during this inquiry, the Commissioner is satisfied that the expiration of the measures applying to aluminium extrusions exported to Australia from China would lead, or would be likely to lead, to a continuation of, or recurrence of dumping and subsidisation and the material injury that the measures are intended to prevent. This finding is based on findings that:

- Chinese exporters will likely continue exporting the goods (chapter 8.6).
- Chinese exports will likely continue to be dumped and subsidised (chapter 8.7).
- the dumping and subsidisation are likely to lead to a continuation and/or recurrence of material injury that the measures are intended to prevent (chapter 8.8).

Specifically, after considering the commission's analysis and findings, the Commissioner is satisfied that if the measures expire:

- Exports from China will likely continue because:
 - exports have been observed throughout the life of the measures. Specifically, imports from China accounted for around 20% of all sales in the Australian market during the inquiry period.
 - exporters have maintained distribution links as well as forming new links.
 - new exporters and importers have entered the market since the measures were last continued.
 - exporters maintain excess production capacity sufficient to supply the entire Australian market.
 - trade measures in other jurisdictions make Australia an attractive export market.
- Those exports will likely be dumped because:
 - Xingfa, PMI and uncooperative exporters were found to have exported the goods at dumped prices during the inquiry period.
 - an analysis of export pricing after the inquiry period indicates that export prices have not increased in line with the increase in aluminium input costs, such that dumping has likely continued in relation to those exporters found to have been dumping during the inquiry period and recurred in relation to those not found to have been dumping during the inquiry period.
 - the category of "all other exporters" have exported at dumped prices during the inquiry period and are not competitive in the Australian market at undumped prices.
 - the commission observed a significant number of exporters in the "all other exporter" category with FOB export prices below those of the largest suppliers to the Australian market, such that in the absence of measures these exporters would have increased price competitiveness and would leverage these dumped prices to challenge the market share of the more established exporters, likely putting further downward pressure on export prices for all participants in the market.
 - trade measures in several other jurisdictions indicate that Chinese exporters have a propensity to export at dumped prices to capture market share in export markets.
- Those exports will be likely subsidised because:
 - exporters were identified as having received countervailable subsidies during the inquiry period.
 - countervailable subsidies have been observed throughout the life of the measures.

- throughout the life of the measures the GOC has influenced the price of aluminium such that the price for primary aluminium is lower than it would otherwise be, and the commission has no evidence that this practice is likely to change.
- The dumping and subsidisation will likely cause material injury to Australian industry because:
 - aluminium extrusions are a price sensitive commodity.
 - importers of aluminium extrusions from the subject exporters compete directly with Australian industry's customer base.
 - imports from China undercut Australian industry's prices during the inquiry period, particularly regarding the value-added segment¹⁶⁹ of the market, placing downward pressure on Australian industry's prices.
 - in the absence of measures, competition would intensify among the large cohort of Chinese exporters supplying the Australian market, leading to downward price pressure on all participants in the Australian market.
 - should Australian industry seek to compete on price against dumped and subsidised exports from China it will experience price suppression and/or price depression.
 - should Australian industry be unwilling or unable to compete on price, it will likely experience lost sales volumes and market share to dumped and subsidised exports from China.
 - while the economic condition of the Australian industry is likely also impacted by lower priced exports from other sources, the commission considers that should the measures be removed, dumped and subsidised exports from China will become the price leader. This is likely given:
 - the existing market penetration and market share held by Chinese exporters
 - the number of Chinese exporters already supplying the Australian market, and
 - excess Chinese production capacity.
 - lower Chinese export prices will depress prices for all participants including exporters not subject to measures, exporters from other countries, and Australian industry itself.

8.2 Legislative framework

Under section 269ZHF(2) the Commissioner must not recommend that the Minister take steps to secure the continuation of measures unless they are satisfied that the expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping and subsidisation and the material injury that the measure is intended to prevent.

The commission notes that its assessment of the likelihood of certain events occurring and their anticipated effect, as is required in a continuation inquiry, necessarily requires an assessment of a hypothetical situation. The commission must consider what will happen (or what would be likely to happen) in the future should a certain event, being the expiry of the measures, occur. However, the Commissioner must nevertheless base their conclusions and recommendations on facts.¹⁷⁰

¹⁶⁹ The value-added segment of the market relates to aluminium extrusions that had finishes applied, including powder coating and anodising.

¹⁷⁰ [ADRP Report No. 44](#) (Clear Float Glass)

8.3 The commission's approach

The commission considered a number of relevant factors to assess the likelihood that dumping and subsidisation and material injury will continue or recur, as outlined in the Manual.¹⁷¹ The commission's view is that the relevance of each factor varies depending on the nature of the goods and the market into which the goods are sold. In this instance, no one factor can provide decisive guidance. The following analysis therefore examines a range of factors that the commission considers relevant to this inquiry.

8.4 Australian industry claims

In its application, Capral made the following claims regarding the continuation or recurrence of injury in the absence of measures:

- given the substitutability of the domestic like goods and subject imports and price-based competition for aluminium extrusions in the Australian market, if the measures expire, a significant volume of the dumped goods from China would continue to undersell the domestic like goods to gain market share, which would depress and suppress domestic like goods prices to a significant degree.
- given the continued and accelerating presence of subject imports in the Australian market during the inquiry period, and the Chinese industry's substantial and expanding production capacity, the volume of subject goods from China would likely be significant, both in absolute terms and relative to Australian consumption
- should the discipline of the measures be removed, subject producers will likely export significantly higher volumes of the subject goods to the Australian market than is already the case. Those imports would likely take further sales from the Australian industry and depress and/or suppress Australian prices. These developments would then likely cause Australian industry's output, sales, market share, profits, productivity, return on investments, and capacity utilisation to further decline. They would also likely have significant further negative effects on other aspects of the industry's performance, such as employment, wages, growth, and investment.

The commission has considered Capral's claims in its analysis below.

8.5 Submissions about the continuation or recurrence of dumping and subsidisation

Submissions received which are relevant to assessing the continuation or recurrence of dumping, subsidisation or material injury are summarised below.¹⁷²

8.5.1 Submissions on continuation of measures

The Australian Aluminium Council (AAC)¹⁷³ made a submission on 11 November 2024 supporting Capral's application for the continuation of measures on the goods from China.¹⁷⁴ The AAC submitted that downstream sectors of the aluminium industry are particularly vulnerable to imports when they are priced below the cost of production. AAC also stated that it is critical for the Australian integrated aluminium industry to minimise dependency on imports so that the industry

¹⁷¹ [The Manual](#), pp. 137-138

¹⁷² Table 8 lists the submissions received prior to the publication of the SEF.

¹⁷³ The AAC is the industry association representing Australia's bauxite mining, alumina refining, aluminium smelting and downstream processing industries.

¹⁷⁴ EPR 657, document 4

can provide sovereign capability and product reliability, as well as provide employment to the economy.

The AAC in a further submission dated 11 June 2025 advised it had commissioned an independent review as to the current and emerging risks of dumping into the Australian aluminium extrusions market and the potential economic impact if the measures were not continued.¹⁷⁵ A copy of this review's report was provided to the commission. The ACC claimed that the review found strong evidence that in the absence of measures, or if the measures are circumvented, the Australian industry will likely face the risk of material injury. The AAC submitted that the results of the independent review and assessment supported the continuation of measures. An executive summary of the confidential report is available on the EPR.

Capral in a submission dated 24 November 2024 stated that continuing the measures in Australia was necessary. Citing information obtained from the WTO, Capral advised that there were currently 21 anti-dumping and countervailing measures imposed on Chinese aluminium extrusions by WTO member countries.¹⁷⁶ Capral claimed, given the measures applying in multiple jurisdictions, the expiration of the current measures would make Australia a more attractive and accessible market for exports from China.

Capral in a further submission dated 15 May 2025 referenced that Canada and Israel had recently determined that measures were required or required to be continued against dumped Chinese aluminium extrusions¹⁷⁷. Capral submitted that the commission should conclude that the same is required for the Australian market in this inquiry.

8.5.2 Submissions on US tariffs

Capral in its submission dated 27 March 2025 identified that the United States (US) had in February 2025 reinstated and expanded the s232¹⁷⁸ tariffs on aluminium and steel imports. Capral submitted that the Australian industry likely faced increased supply of dumped aluminium extrusions into Australia from China because of the reinstatement and expansion of the s232 tariffs. Capral further claimed that several other jurisdictions, including the European Union (EU), Canada and Japan, had initiated responses to counter the trade risks posed by the US s232 measures.¹⁷⁹

8.5.3 Submissions on redirection of global aluminium supply

In a further submission dated 28 March 2025, Capral reiterated that the responses to s232 tariffs by other jurisdictions, in addition to measures currently in place on aluminium extrusions in other jurisdictions, would act in combination to cause China to redirect sales of aluminium extrusions towards other markets, and therefore, create an oversupply in Australia.¹⁸⁰

Capral further claimed that a shift in aluminium trade flows was already underway. To support this claim, Capral submitted that it has experienced an increase in unsolicited correspondence from manufacturers and suppliers of aluminium extrusions from China and other Southeast Asian countries seeking to explore potential business opportunities with Capral. In another submission

¹⁷⁵ EPR 657, document 17

¹⁷⁶ EPR 657, document 3

¹⁷⁷ EPR 657, document 14

¹⁷⁸ Section 232 of the Trade Expansion Act of 1962 (USA)

¹⁷⁹ EPR 657, document 10, non-confidential attachment 7

¹⁸⁰ EPR 657, document 11

Capral provided further evidence of unsolicited offers of aluminium supply from China to the Australian market.¹⁸¹

The AAC in its submissions claimed that global trade disruptions due to the current volatility in the world trade environment was expected to give cause for China to look for alternative export markets. In the review the AAC commissioned, economic modelling of various scenarios incorporating the absence of measures, the implementation of US tariffs and international protection to constrain imports from China indicated that under all scenarios, imports of aluminium extrusions into Australia would increase and domestic production would decrease. These impacts were most notable when international trade barriers were considered.

The commission has considered these submissions in formulating the findings that follow.

8.6 Are exports likely to continue or recur?

The commission considers that, should the measures expire, exports from China are likely to continue.

This finding is based on the following significant factors:

- since the continuation of measures in 2020 there has been a year-on-year increase in the volume of imports from Chinese exporters subject to measures, such that during the inquiry period these imports account for just under half of all imports entering the Australian market.
- despite the operation of measures there has been an increase in the number of Chinese exporters exporting the goods to Australia since the measures were last continued.
- corresponding with the increase in the volume of imports and number of exporters, Chinese exporters have maintained distribution channels to the Australian market, as well as forging new distribution channels.
- the composition of exporters has changed, with the largest individual exporter of the goods from China during the inquiry period having emerged as a new exporter since measures were last continued.
- Chinese exporters that provided capacity utilisation data to the commission indicates excess capacity exists among these exporters that is larger than the entire volume of goods sold in the Australian market from all sources during the inquiry period.
- anti-dumping measures are in place against Chinese exporters in multiple jurisdictions. Since February 2025 Chinese exporters have also been subject to additional tariffs in relation to exports to the USA. These other trade measures, in the absence of the Australian anti-dumping measures, would likely make Australia a more attractive export destination for Chinese exporters.

In forming this view the commission has assessed Chinese import volumes, maintenance of distribution links, production capacity and trade measures imposed by other jurisdictions, as outlined in the sections below.

The commission's analysis is contained in **Confidential attachment 26: Will exports continue?**

¹⁸¹ EPR 657, document 14

8.6.1 Import volumes

The Manual provides that the commission may gather facts relevant to whether exports are likely to continue or resume, such as the volume of exports before and after measures were imposed.¹⁸²

The commission used ABF import data to assess the volume of exports from China from the year ended 30 September 2020, noting that the measures were last continued in 2020. The commission's findings are shown in 9 below.

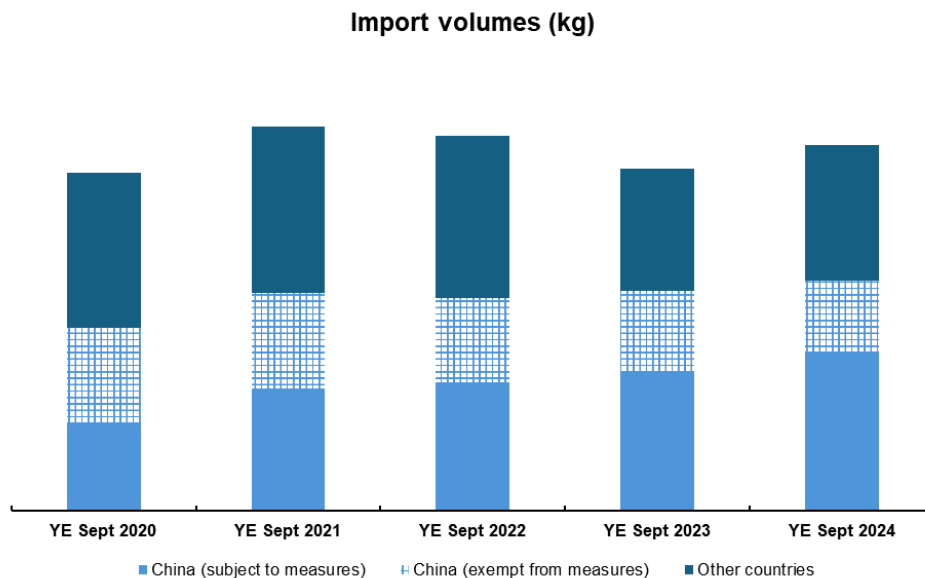


Figure 9: Imports into the Australian market

Figure 9 indicates that the volume of imports into the market over the last 5 years has fluctuated from year to year, however the volume of imports from China that are subject to measures has increased year on year. The proportion of imports entering the Australian market from China that are subject to measures has increased from around a quarter to just under a half of imports. This increase has come at the expense of both non-subject imports from China and imports from other countries. In the context of the Australian market in total, this has seen the market share of Chinese exporters subject to measures increase to around 20% of the Australian market during the inquiry period.

The commission also identified from the ABF import data that there has been an increase in the number of unique exporters of aluminium extrusions from China over this time. Prior to the measures being continued in 2020 the commission identified around 200 Chinese exporters. This had risen to around 220 during the inquiry period.

8.6.2 Maintenance of distribution links

The commission used ABF import data to analyse relationships between exporters of the goods from China and Australian importers. The commission observed that:

- many of the same distribution channels identified in 2020 remained in place during the inquiry period.

¹⁸² [The Manual](#), page 176 refers.

- some of the larger volume exporters have expanded their distribution networks - for example one exporter had expanded from 3 distribution channels in 2020 to 21 in 2024.
- some of the largest volume exporters have rapidly grown their export volumes, including the largest volume exporter during the inquiry period who had not been an identified exporter when measures were last continued.
- the emergence of new importers since the measures were last continued, sourcing significant import volumes from subject exporters from China.

In addition, the commission used ABF import data and sales listings provided by Australian industry and importers to assess the extent to which the imported goods compete with Australian industry. The commission observed that importers of the goods from China sell to a wide range of customers that also source the goods from Australian industry.

The commission considers that this analysis indicates that Chinese exporters maintain a strong and growing presence in the Australian market and indicates the ease with which a new participant can quickly establish distribution links and build market share.

8.6.3 Excess production capacity

Information provided in the cooperating exporters and residual exporters' REQs showed all except one exporter were operating with excess production capacity. For those exporters with excess production capacity the level of excess production capacity ranged up to 70% during the inquiry period. The weighted average excess production capacity for cooperating and residual exporters was 24%, which equated to around 700,000 tonnes. This pool of excess capacity is larger than the volume of sales in the Australian market during the inquiry period.

Given that all but one of the cooperating and residual exporters disclosed excess capacity, on the available information the commission considers it is reasonable to infer that this surplus capacity extends to other non-cooperating exporters in China.

Noting the number of Chinese exporters of the goods identified during the inquiry period the commission considers that the excess production capacity within China is significant.

8.6.4 Availability of other markets

As detailed in chapter 8.5, Capral and AAC have detailed in their respective submissions that Chinese exporters of aluminium extrusions are subject to anti-dumping measures on exports in a range of jurisdictions including Argentina, Canada, the EU, the United Kingdom, the USA and Vietnam.

Capral also noted in submissions the operation of additional tariffs imposed on Chinese exporters, such as the s232 tariffs. Since March 2025, Chinese exporters have been subject to additional tariffs on exports to the USA market.¹⁸³

Capral and AAC both assert that the implementation of US tariffs and international protection to constrain imports from China would likely result in an increase in the volume of imports into the Australian market from China.

The commission notes that there has been considerable volatility and uncertainty in relation to US trade policy and that the longer-term impact of these policies may take some time to unfold. Capral submitted that the commission should further elaborate on its views regarding the

¹⁸³ The tariff was increased to 50% effective 4 June 2025, applicable to all imports into the USA.

uncertainty of U.S. trade policy.¹⁸⁴ The commission notes that at the time of this report there continue to be developments in the implementation of US trade policy. The longer-term impact of these policies on markets, particularly insofar as they relate Australia, will become more evident over time.

Nevertheless, as detailed in chapters 8.6.1 and 8.6.3 above, Chinese exporters maintain significant excess production capacity and have exerted an increasing influence on the Australian market in terms of number of exporters and volume of exports since the measures were last continued.

Noting these factors, the commission considers that tariffs and anti-dumping measures applying in other jurisdictions may result in Chinese exporters seeking alternative export markets, or to increase their volume of sales into existing export markets, such that aluminium extrusions normally exported to the other markets may be diverted to Australia.

8.7 Will dumping and subsidisation continue or recur?

The commission considers that the expiry of the measures would be likely to lead to a continuation or recurrence of dumping and subsidisation of aluminium extrusions by subject Chinese exporters.

This finding is based on the following significant factors:

- Xingfa Aluminium, PMI and uncooperative exporters were found to have exported the goods at dumped prices during the inquiry period.
- an analysis of export pricing after the inquiry period indicates that export prices have not increased in line with the increase in aluminium input costs, such that dumping has likely continued in relation to those exporters found to have been dumping during the inquiry period and recurred in relation to those not found to have been dumping during the inquiry period.
- the commission identified over 200 unique exporters of the goods from China during the inquiry period, the vast majority of which are subject to the “all other exporters” rate of duty, being an effective rate of duty of 42.9%.
- these exporters are not competitive on price in the Australian market due to the operation of the anti-dumping measures applying to them, however 54 of these exporters were observed to have FOB export prices (exclusive of duty) below the lowest priced cooperating exporter.
- in the absence of measures the commission considers these exporters would be incentivised to export at dumped and subsidised prices to capture market share from other exporters from China and other countries, as well as Australian industry.
- this in turn would place pressure on cooperating exporters to reduce prices and to continue to export at dumped levels to remain price competitive.
- the commission found subsidy programs during the inquiry period and notes that countervailable subsidies have been observed throughout the life of the measures and will likely continue to be received by Chinese manufacturers.
- anti-dumping duties apply to aluminium extrusions exported from China in numerous other jurisdictions, indicating a propensity for Chinese exporters to export at dumped and subsidised prices to gain market share in export markets.

These factors are discussed in greater detail in the following sections.

¹⁸⁴ EPR 657, document 41

The commission's analysis is contained in **Confidential attachment 27: Will dumping continue or recur?**

8.7.1 Dumping margins analysis

The commission's review of the variable factors in Chapter 6 found that the goods exported to Australia by Xingfa Aluminium, PMI and uncooperative exporters were dumped in the inquiry period, while Goomax, Jinxiecheng and residual exporters were found to have a negative dumping margin.

For the purposes of the SEF, the commission compared the movements in the aluminium benchmark in the six months after the inquiry period against movements in FOB export prices to assess the likelihood that dumping had continued in relation to those exporters found to be dumping during the inquiry period and recurred in relation to Jinxiecheng.¹⁸⁵ This analysis was conducted on the basis that the aluminium benchmark represents a significant portion of the normal value for Chinese exporters, and relative movements between the aluminium benchmark and FOB export prices would be indicative of the likelihood of the continuation or recurrence of dumping.

In the SEF, the commission observed that the FOB export price for each of the exporters analysed did not increase to the same extent as the change in normal value that would have been anticipated based on the movement in aluminium benchmark. In each instance the exporter exhibited an increasing margin between the aluminium benchmark in the months after the inquiry period and the corresponding FOB export price.¹⁸⁶ The commission considered that this analysis indicated that dumping had likely continued in relation those exporters found to have been dumping in the SEF and had recurred in relation to Jinxiecheng.

The commission extended the comparison of aluminium inputs and FOB export prices until July 2025 for the purposes of this report. Consistent with the SEF, the commission compared the change in export prices in the months after the inquiry period for the 11 largest volume exporters in the Australian market during the inquiry period.¹⁸⁷ This encompassed subject exporters from China, exporters from China not subject to measures, and exporters from Indonesia, Malaysia, Thailand and Vietnam. The commission benchmarked the change in these exporters FOB export prices against the change in the aluminium benchmark used for the purposes of constructing normal values. The commission's findings are detailed in Table 26 below.

¹⁸⁵ As the data outlined in Appendix C was not available for the post-inquiry period the commission has updated the aluminium benchmark used in previous matters including REP 392, REP 482, REP 543, REP 609 and REP 633 for its post-inquiry period analysis. This benchmark includes the same components as that detailed in Appendix C however uses sources for the data consistent with those previous matters.

¹⁸⁶ Confidential attachment 27: Will dumping continue or recur?

¹⁸⁷ Confidential attachment 27: Will dumping continue or recur?

PUBLIC RECORD

Identifier	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25
Change in Aluminium inputs	100.0	105.8	108.1	112.1	115.5	117.0	115.6	105.8	105.6	107.1
Other country exporter 1	100.0	96.7	107.3	105.9	113.2	110.5	107.7	110.0	117.3	104.1
Other country exporter 2	100.0	99.1	108.8	112.0	114.6	110.6	112.2	113.2	110.8	103.6
China subject exporter 1	100.0	99.2	103.2	103.0	104.1	101.5	100.9	100.1	99.5	98.7
China subject exporter 2	100.0	102.7	103.1	103.4	105.5	108.0	111.0	108.1	106.5	106.5
China subject exporter 3	100.0	105.0	106.4	107.5	106.2	103.5	107.6	105.8	104.5	102.5
China subject exporter 4	100.0	100.8	103.2	107.9	112.5	106.3	106.1	104.8	103.3	102.1
China non-subject exporter 1	100.0	105.7	108.4	114.7	115.8	118.6	115.9	111.4	110.2	106.0
Other country exporter 3	100.0	101.3	102.1	109.1	105.5	98.8	99.4	88.9	90.5	91.5
Other country exporter 4	100.0	99.5	104.5	111.8	114.3	115.1	105.3	104.4	103.8	103.0
Other country exporter 5	100.0	95.8	103.8	107.1	105.5	107.4	109.4	108.5	105.8	103.4
China non-subject exporter 2	100.0	101.8	98.8	103.0	104.7	112.3	110.9	109.1	110.7	106.3

Table 26: Index of changes in FOB export pricing against aluminium inputs

Table 26 indicates that the cost of aluminium inputs increased month on month from October 2024, for a total increase over the period to the end of March of 17.0%.

This change in aluminium input costs was reflected in a change in FOB export pricing for each of the exporters assessed, which confirms the commission's understanding that export pricing reflects aluminium input costs. The commission notes however that of the 11 exporters assessed, the 4 demonstrating the least increase in export pricing were the 4 Chinese exporters subject to measures. Exporters from China that are exempt from measures, as well as the exporters from each of the other countries all increased FOB export pricing by more than 10% in response to the increased aluminium input costs, whereas the subject exporters price increases were between 0.7% and 8.2%. The Chinese exporters subject to measures increased export prices by less than half the increase in the costs of aluminium inputs, and less than their competitors.

The commission notes that in the period after April 2025 that aluminium inputs have reduced in cost, as have the FOB export prices observed for each exporter. In relation to the subject exporters, the reduction in the aluminium benchmark over this period has been more significant than the reduction in export prices, redressing to an extent the disparity that was evident until April 2025.

Based on the divergence between the aluminium benchmark and FOB export pricing, the commission considers that by April 2025 dumping had continued or recurred in relation to each of the subject exporters. While this divergence narrowed after April 2025, the commission considers its analysis is supportive of the fact that the subject exporters have not adjusted selling prices in response to upward movements in aluminium input costs, leading to a likelihood that dumping will continue or recur in the absence of measures.

8.7.2 Estimate of competitiveness of undumped prices in Australia

Noting that the Australian market is supplied by exports from numerous countries, the commission has undertaken a comparison of prices to inform its findings about the likelihood of dumping by Chinese exporters currently subject to measures should the measures expire.

The commission's sample included the 11 largest exporters by volume from all sources during the inquiry period discussed in chapter 8.7.1. Exports by these 11 entities accounted for around 75% of all exports to Australia during the inquiry period.

The commission compared the landed (duty inclusive) export prices for each of these entities across the inquiry period. For the purposes of assessing relative price competitiveness, the commission considers the landed export price the most appropriate price for comparison

purposes as that is the cost an importer will incur in having the goods delivered to the port in Australia regardless of the source.

The commission identified the exporter with the lowest landed price from each source and compared these prices. The commission observed that the landed prices for the lowest priced exporters from China (subject to measures), Indonesia, Vietnam and Thailand were clustered within a 5% price band. The commission considers this analysis confirms the commission's understanding that the Australian market is highly price competitive, and that importers have many sources of low-priced imports available to them.

The commission notes that the largest volume exporters from China were either exempt from measures during the inquiry period or were subject to a nominal level of duties (less than 2% of the value of the landed price). In this context the commission does not consider that the largest volume exporters from China have had their relative competitiveness materially diminished by the operation of the measures. The prices of these exporters are broadly competitive with the lowest priced exports from other countries supplying material volumes to the Australian market.

The commission notes however the significant number of exporters from China during the inquiry period that were subject to the "all other exporters" rate of duty. The commission compared the FOB prices of exporters subject to the "all other exporters" rate of duty against that of the largest volume exporters. The commission considers that comparing FOB prices is an appropriate method to test the relative competitiveness of Chinese exporters in the absence of measures (the landed price is inclusive of measures and therefore alters the competitive dynamic between exporters subject to materially different effective rates of duty whereas the FOB price is exclusive of duties).

The commission identified 54 exporters in the "all other exporters" category with FOB export prices below that of the lowest priced exporter not subject to the "all other exporters" rate.¹⁸⁸ These exporters had landed prices materially higher than exporters not subject to the "all other exporters" rate, indicating that these exporters are not competitive in the Australian market when exporting at undumped prices. This is reflected in the fact that the total volume of exports by these 54 exporters accounted for less than 1% of the volume of exports from China during the inquiry period, despite the low FOB export prices.

Noting the commission's findings in 8.6 above in relation to the numbers of exporters of the goods from China during the inquiry period, and excess production capacity, the commission considers that the removal of measures would incentivize this sizable cohort of exporters to reduce prices to more effectively compete with the established higher volume exporters. The commission has observed over the life of the measures on aluminium extrusions that new exporters have regularly emerged to disrupt the market. The commission notes that the exporter with the highest volume of exports into the Australian market during the inquiry period only emerged following the measures being continued in 2020. This history of new participants disrupting the market leads the commission to consider that there would likely be exporters currently subject to the "all other exporters" rate that would be able to leverage dumped prices to challenge established suppliers, likely leading to those exporters responding with lower priced dumped exports.

In conclusion, the commission considers it likely that in the absence of measures competition would be heightened among the more than 200 exporters of the goods in China, leading to a continuation and recurrence of dumping as exporters jostle for market share.

¹⁸⁸ Confidential attachment 27: Will dumping continue or recur?

8.7.3 Anti-dumping actions in other jurisdictions

As detailed in section 8.6.4 exporters of aluminium extrusions are subject to anti-dumping measures on exports into Argentina, Canada, the European Union, the United Kingdom, the USA and Vietnam.

The commission considers that the breadth of measures imposed on aluminium extrusions exported from China in other jurisdictions is indicative of the propensity of Chinese exporters to engage in dumping to secure sales volume and market share in export markets.

8.7.4 Subsidisation level

As detailed in chapter 7 aluminium extrusions manufacturers in China continue to receive subsidies from the GOC. The commission's inquiry found that all exporters were in receipt of countervailable subsidies during the inquiry period. In total the commission has found that there were countervailable programs during the inquiry period.

The commission also notes that various countervailable subsidies have been received by exporters since the measures were first imposed in 2010.

Noting the historical provision of countervailable subsidies by the GOC and Chinese exporters' prior behaviour in exporting goods at subsidised prices, and in the absence of evidence suggesting a change in the behaviour, the commission considers that subsidisation would be likely to continue if the anti-dumping measures expired.

8.8 Will material injury continue or recur?

The commission considers that the expiry of the measures would be likely to lead to a continuation of or a recurrence of material injury that the anti-dumping measures are intended to prevent.

In arriving at this conclusion, the commission has assessed the likely effects on price and sales volume in the absence of measures, as well as other potential causes of injury to the Australian industry.

The commission considers that:

- aluminium extrusions are a commodity product where price is a key determinant in the decision making of purchasers.
- since the measures were last continued exporters from China subject to measures have increased in number and have extended their market penetration and market share.
- during the inquiry period Australian industry's prices were undercut by Chinese exporters subject to the measures, particularly in relation to the value-added segment of the market.
- the category of "all other exporters" are not competitive in the Australian market due to the rate of duty applied to them, however absent the duty there are numerous exporters in this category with FOB export prices that undercut other participants in the market.
- the removal of measures would likely lead to aggressive price competition among the 200 plus exporters from China currently subject to measures, reducing prices for all participants in the Australian market, including exporters from other countries, exempt exporters and Australian industry.
- in the 6 months following the inquiry period subject exporters have not increased export prices in line with the increased cost of aluminium inputs, or with exporters not subject to measures or exporting from other countries, increasing the relative price competitiveness of these exporters.

- exports after the inquiry period have likely been dumped at higher rates, and in the absence of measures currently subject exporters would likely continue to engage in dumping to leverage market share in an increasingly competitive market.
- the Australian industry would likely experience price suppression and/or price depression due to the increased price advantage enjoyed by dumped exports from China.
- If Australian industry is unable or unwilling to reduce prices it will likely experience injury in the form of reduced sales volume and market share.

The commission's analysis is contained in **Confidential attachment 28: Will material injury continue or recur?**

8.8.1 Pricing analysis

As detailed in the commission's assessment of the Australian market at section 4 above, aluminium extrusions are a commodity product and as such price is a key determinant in the decision making of purchasers.

To inform its assessment of the likely effect on prices in the absence of measures, the commission has undertaken an analysis of:

- An undercutting analysis comparing the into store selling prices of Australian industry and exports subject to measures during the inquiry period.
- FOB and landed export prices from all sources during and after the inquiry period.

Price undercutting

The commission has compared the weighted average (AUD per kg) FIS prices of the Australian industry's sales of aluminium extrusions against the duty inclusive FIS weighted average prices of the goods sourced from Goomax, Jinxicheng and Xingfa Aluminium, the 3 largest suppliers of aluminium extrusions to the Australian market that are currently subject to measures.

The commission has undertaken this analysis on a quarterly basis for the highest volume MCC in each of the finish types (mill, anodised and powder coated). These 3 MCCs account for around 74% of the combined sales volumes of Capral and the three exporters considered.

In terms of FIS prices, where the sales terms for a selected exporter were not FIS or equivalent, the commission determined the weighted average FIS price of goods for each exporter as the sum of:

- verified FOB export prices
- post FOB costs including ocean freight, marine insurance, port charges, handling and delivery¹⁸⁹
- importer SG&A,¹⁹⁰ and
- importer profit.¹⁹¹

The commission observed that across each of the 3 MCCs analysed Australian industry was undercut by every exporter in every quarter.

¹⁸⁹ Calculated as the weighted average costs incurred by verified importers.

¹⁹⁰ Ibid.

¹⁹¹ Calculated with reference to the profit achieved by the verified importer recording a profit on sale of the imported goods.

The commission observed the following ranges of undercutting for the assessed MCC:

- mill finish between 5% and 20%
- anodised between 28% and 40%
- powder coated between 36% and 40%.

This analysis indicates that the level of price undercutting is most pronounced in respect of the valued added aluminium extrusions. This finding is supportive of Capral's assertion that while Australian industry is experiencing pricing pressure across the entire range of aluminium extrusions produced, the greatest pricing pressures are coming to bear in the value-added product segment.

The commission considers it reasonable to conclude that imports of the goods from China have affected the prices that Australian industry achieved during the inquiry period based on:

- the levels of price undercutting observed at an MCC level
- the extent of importer penetration into Capral's customer base¹⁹²
- imports subject to measures represented 20 per cent¹⁹³ of the total Australian aluminium extrusion market.

A downstream industry member submitted, referring to the A&L Window meeting file note, that pricing is not the sole driver in purchasing decisions.¹⁹⁴ In practice, factors such as lead time, reliability, and service often carry equal or greater weight for fabricators. Whilst, other factors may be relevant in purchasing decisions, the commission considers that price is still a key and material determinate in purchasing decisions. This is supported by the commission's pricing analysis, direct evidence assessed in this and prior inquiries concerning aluminium extrusions.

In the absence of measures, the commission considers that there would be heightened price competition among Chinese exporters which would likely lead to higher levels of price undercutting. This is discussed in greater detail in the following passages.

FOB and landed export prices

As detailed in section 8.7.2 the commission undertook an analysis of FOB and landed export prices for the 11 largest exporters supplying the Australian market during the inquiry period. This encompassed exports by subject and exempt exporters from China, as well as exports from Indonesia, Malaysia, Thailand and Vietnam.

The commission observed that the landed prices for the lowest priced exporters from China (subject to measures), Indonesia, Vietnam and Thailand were clustered within a 5% price band,¹⁹⁵ confirming the commission's view that the Australian market is highly price competitive, and that importers have many sources of low-priced imports available to them.

Given the nominal level of duties that applied to the largest exporters from China, the commission considered that the relative competitiveness of these exporters was not materially diminished by the operation of the measures. That is, the undumped prices of these exporters during the inquiry period were broadly competitive with the lowest priced exports from other countries supplying

¹⁹² Confidential attachment 26: Will exports continue? refers.

¹⁹³ Confidential attachment 1: Australian market refers.

¹⁹⁴ EPR 657, document 49

¹⁹⁵ Confidential attachment 27: Will dumping continue or recur? refers.

material volumes to the Australian market. In this context it could be argued that the removal of the measures would not have any impact on pricing in the Australian market.

The commission noted however the significant number of Chinese exporters subject to the “all other exporters” rate during the inquiry period. The commission considers that the level of duty applicable to these exporters has rendered them largely uncompetitive in the Australian market. The commission’s analysis found that landed prices for these exporters were higher than for those exporters with individual duty rates. The commission identified 54 exporters in the “all other exporters” category with FOB export prices below that of the lowest priced exporter not subject to the “all other exporters” rate. Noting the commission’s findings in 8.6 above in relation to the total numbers of exporters of the goods from China during the inquiry period and excess production capacity of Chinese exporters, the commission considers that the removal of measures would incentivize this sizable cohort of exporters to reduce prices to more effectively compete with the established higher volume exporters.

The commission has observed over the life of the measures on aluminium extrusions that new exporters have regularly emerged to disrupt the market. The commission notes that the exporter with the highest volume of exports into the Australian market during the inquiry period only emerged following the measures being continued in 2020. This history of new participants disrupting the market leads the commission to consider that in the absence of measures there would likely be exporters currently subject to the “all other exporters” rate that would be able to leverage dumped prices to challenge established suppliers, placing downward price pressure on all participants in the market, including Australian industry, noting the price undercutting findings detailed above.

Based on an analysis of price undercutting during the inquiry period, as well as FOB and landed export prices during the inquiry period and the months thereafter, the commission considers that, if the measures expired, injury suffered by Australian industry, in the form of price suppression and/or depression, would be likely to continue.

8.8.2 Sales analysis

In section 8.6, the commission made the following findings:

- aluminium extrusions subject to measures exported from China hold a significant share of the Australian market, accounting for around 20% per cent of the total Australian market and approximately 45 per cent of total imports of aluminium extrusions.¹⁹⁶
- despite the operation of measures there was an increase in the number of unique exporters exporting to Australia since the measures were last continued, totalling around 220 during the inquiry period.
- established exporters (those exporters who were exporting to Australia prior to the measures being continued in 2020) maintained distribution channels into the Australian market as well as establishing new channels since the measures were last continued.
- new exporters (those exporters that had not exported to Australia at the time the measures were last continued) entered the Australian market and were able to rapidly establish distribution links and export significant volumes.
- new importers had entered the Australian market since measures were last continued and were able to source significant volumes from established and/or new exporters from China.
- importers of the goods from China sell to a wide range of customers that also source the goods from Australian industry

¹⁹⁶ Ibid.

- the excess production capacity of the exporters that supplied capacity utilisation data to the commission for the inquiry period indicates that these exporters alone could supply the entire Australian market.

The commission considers that Chinese exporters have continued to expand their market penetration since the measures were last continued. The commission notes the number of Chinese exporters exporting to Australia that are currently subject to the “all other exporters” rate, the effect of which has been to reduce the price competitiveness of these exporters relative to other Chinese exporters subject to measures, as well as exempt exporters from China and exporters from other countries.

As detailed in section 8.8.1 above, the commission considers the removal of measures would likely lead to more intensive price competition among this sizable cohort of exporters, which in turn would necessitate other participants in the market reducing prices to remain competitive. If the Australian industry does not further depress or suppress its selling prices in response, the commission considers that it would be likely that Australian industry would suffer a recurrence of injury in the form of loss of sales volume and market share.

8.8.3 Other injury factors

As detailed in section 8.7.2, the commission observed the landed prices for the lowest priced high-volume exporters from China (subject to measures), Indonesia, Vietnam and Thailand were clustered within a 5% price band.

In this context the commission considers that exports from sources other than the subject exporters from China would also be impacting the economic condition of the Australian industry.

A downstream end user submitted that they had seen a shift of complex window sections (e.g., thermal break and hard to extrude profiles) to offshore suppliers.¹⁹⁷ It further claimed local industry is gradually losing the capacity to produce these more advanced profiles, which in turn forces downstream fabricators to look overseas to meet demand. Capral submitted that the significant undercutting and price depression attributable to dumped Chinese imports made the domestic production of complex profiles commercially unviable, leading Capral and others to concentrate on simpler products where competitive injury is slightly less acute.¹⁹⁸

The commission considers however, for the reasons detailed in the preceding analysis, that the removal of the measures would likely increase the price competition among the sizable cohort of Chinese exporters with consequent impact on all participants in the Australian market.

8.8.4 Other submissions from end users and other interested parties

The commission received multiple submissions from industry members, industry groups, end users and downstream customers concerning the continuation of the measures. Broadly, these have either been supportive of or opposed to the continuation of the measures. In summary, the claims made by these parties included:

- Claims by a downstream industry member that:
 - Australian industry were using their market dominance to extract excessive margins, unreasonable price increases. Their ‘monopolistic positions’ allow them to

¹⁹⁷ EPR 657, document 49

¹⁹⁸ EPR 657, document 60

- control supply chains, dictate loyalty, and ultimately restrict the business freedom of downstream participants.¹⁹⁹
- In recent years multiple local supply options in Victoria had reduced resulting in them only having one viable domestic source (being Capral). Also, many complex or low-productivity extrusions are no longer manufactured locally or charged at higher prices or have long lead times.²⁰⁰
 - The acquisition of Comsupply by Capral, an aluminium extrusion distributor, had tightened control of the supply chain.²⁰¹
 - The further continuation of measures exceeded international norms. The continuation of the measures this time may be more damaging, entrenching a structure where product development, cost control, and innovation are dictated by one player. Further extending these duties would place undue strain on downstream fabricators, who are already absorbing significant costs from local supply constraints and reduced flexibility.²⁰²
 - Comparative disadvantage, driven by structural inefficiencies and high overheads, is the core reason why local producers struggle to compete.²⁰³
 - Downstream window fabricators are being priced out of the market. Should the anti dumping measures be revoked, then local window makers would be competitive and on par with the imported windows.²⁰⁴
 - The SEF result does not serve the broader manufacturing community, nor the public interest.²⁰⁵
- Capral's and the AAC's submissions disputing the above claims made by the downstream industry member.²⁰⁶
 - AAC's submission affirming their support for the preliminary findings in SEF 657.²⁰⁷
 - PMI's submission in response to the AAC's submission submitting that the measures were not in the 'national (public) interest' PMI further submitted that the case for continuing the measures in the 'national (public) interest' was not made out by the AAC.²⁰⁸
 - The downstream window fabricator's submission in response to the AAC's submission claiming that the AAC's representation was heavily skewed towards Australian industry and there was a lack of balance/transparency in the AAC's submission. They also claimed there was a risk of regulatory capture by a dominant market player.²⁰⁹
 - Letters of support for the measures from multiple downstream industry members²¹⁰.
 - Capral's submission contesting PMI's claims regarding support for the continuation of measures. The submission also included multiple confidential letters supporting the continuation of the measures (in addition to those provided on the public record).²¹¹

¹⁹⁹ EPR 657, documents 30, 49, 50, 52 and 63

²⁰⁰ EPR 657, document 54

²⁰¹ EPR 657, document 52 and 53

²⁰² EPR 657, document 87 and 50

²⁰³ EPR 657, document 30, 54 and 50

²⁰⁴ EPR 657, document 30

²⁰⁵ EPR 657, document 50

²⁰⁶ EPR 657, document 59 and 58

²⁰⁷ EPR 657, document 40

²⁰⁸ EPR 657, document 56

²⁰⁹ EPR 657, document 55

²¹⁰ EPR 657, documents 62, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 78 and 79

²¹¹ EPR 657, document 75

Regarding the claims made concerning monopolistic supply, the commission considers that there is not monopolistic supply in the Australian market nor any single participant having dominant market control. The commission notes that there are a large and broad range of suppliers supplying the Australian market. These suppliers are either importing from a large range of countries or domestically producing the goods. Australia's largest producer reflects vastly less than a controlling proportion of the Australian market, with evidence of it having to respond to competitors, suppliers or customers actions in the market.

In relation to the claim that injury to Australian industry is a result of comparative disadvantages between Australian industry and manufacturers of the goods in China, the commission accepts that overseas manufacturers may enjoy a competitive advantage relative to the Australian industry due to a range of potential factors, including lower costs of labour, higher levels of productivity, greater levels of automation, more efficient business processes and/or the benefits of economies of scale. The commission notes however that anti-dumping measures do not seek to remove any such competitive advantages, rather they seek to address the injurious effects of dumping and/or subsidisation. Noting that overseas manufacturers may enjoy competitive advantages, the commissioner is nonetheless satisfied that the expiration of the measures would lead, or would be likely to lead, to a continuation of the material injury that they are intended to prevent.

As noted above, a downstream industry member raised concerns about the length of time that measures have been in place. The length of time that the measures have been in place is only one factor considered in the commission's overall assessment of the economic condition of the Australian industry. A measure (regardless of its form) cannot persist for longer than 5 years without being subject to a continuation inquiry. The measures the subject of this inquiry have been continued on 2 past occasions. The continuation of the measures on each of these prior occasions have been subject of a separate continuation inquiry which assessed the factors relevant at the time of each of these inquiries.

It is noted that multiple submissions raised whether it was in the public or national interest to continue the measures. PMI further submitted that the Minister possessed a statutory discretion which enables them to take into account the 'national (public) interest' and that, providing the statutory test for the continuation of the anti-dumping measures has been satisfied, the determination of whether this would be in the 'national (public) interest' is a relevant consideration.²¹² The commission notes that there is no express power in Australia's domestic legislation that authorises the Minister to take into account the national interest or otherwise conduct a public interest test before continuing measures. The Commissioner has considered the relevant legislative requirements in preparing this report and recommendations to the Minister. The Commissioner is not required to consider whether measures are in the national or public interest.

8.8.5 Conclusion

Taking the above analysis into account, the Commissioner is satisfied that there is sufficient evidence to support a finding that, in the absence of the anti-dumping measures, exports of aluminium extrusions from China:

- are likely to continue and be in greater volumes
- are likely to be at dumped and subsidised prices
- are likely to undercut Australian industry's selling prices, such that Australian industry would experience a recurrence of material injury in the form of price depression and or price suppression should Australian industry reduce prices to compete, and

²¹² EPR 657, document 56

PUBLIC RECORD

- should Australian industry be unwilling or unable to lower prices to compete with the increased volume of dumped and subsidised exports, Australian industry would likely experience a recurrence of material injury in the form of lost sales volume and market share.

As a result, the Commissioner is satisfied that the expiration of the measures would lead, or would be likely to lead, to a continuation or recurrence of the dumping, subsidisation, and material injury that the anti-dumping measures are intended to prevent.

9 MEASURES

9.1 Findings and recommendations

The Commissioner considers the IDD and ICD payable on aluminium extrusions exported from China should be worked out using the following methods:

- combination method for IDD and *ad valorem* method for ICD for exports of aluminium extrusions from China by PMI, Xingfa Aluminium, and uncooperative, non-cooperative and all other exporters
- floor price method for IDD and *ad valorem* method for ICD for exports of aluminium extrusions from China by Goomax and Jinxiecheng.

The Commissioner also recommends that, the Minister consider it is not desirable to specify a method of calculating IDD and/or fix the amount of ICD such that the sum of the export price of the goods as ascertained in this inquiry, the amount of IDD payable and the amount of ICD payable do not exceed the NIP.

The interim duty rates and method for working out the amount of IDD and ICD on exports are set out in Table 27 below:

Exporter	Measure method	Recommended new effective fixed rate of IDD and/or ICD	Current effective rate of duty
Goomax	Floor price IDD & <i>ad valorem</i> ICD	5.6%	0.7%
Jinxiecheng	Floor price IDD & <i>ad valorem</i> ICD	0.8%	0.0%
Xingfa Aluminium	Combination IDD & <i>ad valorem</i> ICD	4.5%	0.4%
PMI	Combination IDD & <i>ad valorem</i> ICD	18.1%	0.5%
Residual exporters	Floor price IDD & <i>ad valorem</i> ICD	1.7%	0.5%
Uncooperative, non-cooperative and all other	Combination IDD & <i>ad valorem</i> ICD	29.4%	42.9%

Table 27: Recommendation on form of measures and effective rates of duty

The commission's calculation of the effective measures is at **Confidential attachment 29: USP, NIP and effective measures**.

9.2 Legislative framework

9.2.1 Forms of dumping duty available

The *Customs Tariff (Anti-Dumping) Regulation 2013* prescribes the methods available to the Minister for working out IDD payable. The methods are:

- fixed duty method (AUD/kg)
- floor price duty method
- combination duty method
- *ad valorem* duty method (i.e. a percentage of the export price).

The various forms of dumping duty all have the purpose of removing the injurious effects of dumping. However, in achieving this purpose, certain forms of duty will better suit particular

circumstances than others. More detail on the nature and operation of the various forms of duty are contained in the *Guidelines on the Application of Forms of Dumping Duty November 2013*.

9.2.2 Forms of countervailing duty available

In relation to ICD, duty may be calculated:

- as a proportion of the export price of the goods ('ad valorem')
- by reference to a measure of the quantity of those particular goods
- by reference to a combination of the above two methods.

9.2.3 The lesser duty rule

Where the Minister is required to determine the IDD payable, section 8(5B) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act) applies. Where the Minister is required to determine the ICD payable, section 10(3C) of the Dumping Duty Act applies.

Under sections 8(5B) and 10(3C) of the Dumping Duty Act, where the NIP of the goods is less than the normal value of the goods, the Minister must have regard to the desirability of specifying a method such that the sum of the export price and the IDD and ICD payable does not exceed the NIP ('lesser duty rule').

However, the Minister is not required to have regard to the lesser duty rule to determine IDD payable if either or both of the conditions in section 8(5BAAA) of the Dumping Duty Act apply. These conditions are:

- the normal value of the goods was not ascertained under section 269TAC(1) because of the operation of section 269TAC(2)(a)(ii), or
- there is an Australian industry in respect of like goods that consists of at least 2 small-medium enterprises, whether or not that industry consists of other enterprises.

However, the Minister is not required to have regard to the lesser duty rule to determine ICD payable if one or more the conditions in section 10(3DA) of the Dumping Duty Act apply. These conditions are:

- the country in relation to which the countervailable subsidy has been provided has not complied with Article 25 of the Agreement on Subsidies and Countervailing Measures for the compliance period
- there is an Australian industry in respect of like goods that consists of at least 2 small - medium enterprises, whether or not that industry consists of other enterprises
- if the normal value of the goods was ascertained under Part XVB of that Act—the normal value of the goods was not ascertained under subsection 269TAC(1) of that Act because of the operation of section 269TAC(2)(a)(ii) of that Act.

Where any of the above exceptions apply, the Minister's consideration of the lesser duty rule is not mandatory, but the Minister may still wish to exercise their discretion to do so.

9.2.4 The non-injurious price

The NIP is defined in subsection 269TACA as the minimum price necessary to prevent the injury or a recurrence of the injury caused by the dumping. The NIP is a variable factor relevant to determining duty payable under the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act).

The legislation does not prescribe a calculation method for the NIP. The commission generally derives the NIP by:

- establishing an unsuppressed selling price (USP), being a price at which the Australian industry might reasonably sell its product in a market unaffected by dumping (see below), then
- deducting the costs incurred in getting the goods from the export FOB point (or another point if appropriate) to the relevant level of trade in Australia from the USP. The deductions normally include overseas freight, insurance, into store costs and amounts for importer expenses and profit.

9.2.5 The unsuppressed selling price

The Manual provides options for establishing a USP:²¹³

- the Australian industry's price or market approach in a period unaffected by dumping
- the constructed approach, using the Australian industry's CTMS data and a reasonable amount for profit
- the price or market approach for undumped imports.

9.3 Recommended form of measures and effective rates of duty

9.3.1 Recommended dumping and countervailing duty method

The Commissioner proposes to recommend to the Minister that the following duty methods apply to exporters of aluminium extrusions from China:

- combination method for IDD and *ad valorem* method for ICD for exports of aluminium extrusions from China by PMI, Xingfa Aluminium, and uncooperative, non-cooperative and all other exporters
- floor price method for IDD and *ad valorem* method for ICD for exports of aluminium extrusions by Jinxicheng, Goomax, and residual exporters.

The Commissioner's consideration of the appropriate duty methods is informed by the commission's *Guidelines on the application of forms of dumping duty* (the Dumping Duty Guidelines) and past cases.²¹⁴

The combination method of fixed and variable duty

For PMI, Xingfa Aluminium, uncooperative, non-cooperative and all other exporters, the combination method of fixed and variable duty applied is:

- fixed component is the *ad valorem* IDD and ICD
- variable component is set as a floor price, where the floor price is set equal to the ascertained export price (AEP) for each of the respective entities described above.

The Commissioner recommends that, in relation to these entities, the Minister calculate duties:

- in respect of any ICD that may become payable, as a proportion of the export price of the goods (*ad valorem* method)

²¹³ [The Manual](#), pages 106–109

²¹⁴ [The Dumping Duty Guidelines](#) The guidelines acknowledge that there are advantages and disadvantages to all duty methods.

- in respect of any IDD that may become payable, using the combination of fixed and variable (floor price) duty method.

For each of these exporters, the combined fixed rate of ICD and IDD will be the sum of:

- the subsidy rate calculated for all countervailable programs
- the dumping rate calculated, less an amount for the subsidy rate applying to Program 15 (where this has been received by the exporter or group of exporters).

The fixed method of duty for Jinxiecheng, Goomax and residual exporters

The commission also notes that for exporters with a negative dumping margin, as is the case for Jinxiecheng, Goomax, and residual exporters, an exporter may export goods at a price equal to the ascertained normal value (and therefore not be dumping) but be liable to pay IDD under the combination duty method.

This is because in this circumstance, the actual export price would be less than the ascertained export price (AEP) because the AEP has been found to be higher than the ANV (and hence, the negative dumping margin).

Accordingly, the commission considers it would not be appropriate to apply the combination method to Jinxiecheng, Goomax, and residual exporters because it did not dump the goods in this inquiry period.

In line with the commission's practice, the floor price duty method for IDD is appropriate for Jinxiecheng, Goomax, and residual exporters. For ICD, an *ad valorem* component is recommended.

Avoidance of 'double counting' the aluminium subsidy program in the dumping margin

The commission has found that several entities received countervailable subsidies under Program 15 – Aluminium provided at less than adequate remuneration (LTAR). **APPENDIX D** discusses this program in detail. When there is both an adjustment to raw material costs as part of constructing a normal value and a countervailable LTAR subsidy (such as Program 15), the commission will generally 'back out' the relevant subsidy from the dumping margin in order to avoid any double counting.

The Manual provides a further explanation:

The Commission may decide to construct normal value for the goods in question under section 269TAC(2)(c) in certain circumstances. In some of these circumstances, the cost of an input may not reasonably reflect competitive market costs and therefore an adjustment to that input cost is made in constructing normal value. Where that input was also the subject of a less than adequate remuneration.²¹⁵

Program 15 is in respect of primary aluminium provided at LTAR (in the subsidy margin calculation) and the commission has adjusted aluminium as a cost input in constructing the normal value for exporters, therefore the dumping margin calculation also addresses the impact of Program 15 on exporters' costs.

To avoid this double counting, it is necessary for the commission to 'back-out' the Program 15 subsidy from either the dumping margin or the subsidy margin for all exporters of the goods from

²¹⁵ [The Manual](#), p 93 refers.

China. The commission's usual practice to avoid a double count is to deduct the LTAR subsidy margin from the dumping margin, as outlined in the manual.

Table 28 below provides a summary of the resulting combined dumping and subsidy margins before and after adjusting to remove double count.

Exporter	Includes LTAR subsidy		LTAR subsidy	Avoidance of LTAR subsidy double-count	
	Dumping margin	Subsidy margin		Dumping margin	Subsidy margin
Gomax	<i>neg</i> 7.2%	5.6%	4.7%	<i>neg</i> 11.9%	5.6%
Jinxiecheng	<i>neg</i> 9.8%	0.8%	0.0%	<i>neg</i> 9.8%	0.8%
PMI ²¹⁶	17.7%	1.6%	1.2%	16.5%	1.6%
Xingfa Aluminium	4.0%	0.6%	0.1%	3.9%	0.6%
Residual exporters	<i>neg</i> 0.9%	1.7%	1.0%	<i>neg</i> 1.9%	1.7%
Uncooperative, non-cooperative and all other exporters	28.4%	5.7%	4.7%	23.7%	5.7%

Table 28: Effective rates of duty for all exporters from China

Gomax in its submission concerning the preliminary calculations, claimed that the commission had not accounted for the double count.²¹⁷ The commission notes that in the SEF and this Report adjustments have been made to ensure that any double count has been avoided.

The commission's calculation of the effective rates is at **Confidential attachment 29: USP, NIP and effective measures**.

9.3.2 The discretion to consider the lesser duty rule arises in this inquiry

For cooperating selected exporters from China the commission notes that in accordance with sections 8(5BAAA) and 10(3DA), the Minister is not required to consider the application of the lesser duty rule in relation to the exports of the goods by selected cooperating exporters because the commission did not ascertain these exporter's normal values under section 269TAC(1) due to the operation of section 269TAC(2)(a)(ii).²¹⁸

For residual and uncooperative exporters and non-cooperative entities from China subject to the anti-dumping measures, the commission notes that none of the exceptions in sections 8(5BAAA) and 10(3DA) of the Dumping Duty Act apply.

The Minister is therefore required to consider the desirability of applying a lesser amount of duty in accordance with sections 8(5BA) and 10(3D) of the Dumping Duty Act and retains the discretion on the application of a lesser amount of duty.

The Commissioner considers that the Minister should exercise their discretion **to not apply a lesser amount of duty**. The Commissioner considers that it is reasonable for residual and other

²¹⁶ PMI is a non-cooperative entity for the subsidy investigation and is subject to the non-cooperative and all other subsidy rate.

²¹⁷ EPR 657, document 21

²¹⁸ Chapter 6 of this report refers.

exporters to receive the same outcome as selected cooperating exporters in the circumstances of this case. This is because although the normal value for residual exporters, uncooperative exporter and non-cooperative entities was ascertained under sections 269TACAB(2) and 269TAC(6) respectively, the normal value was based on the constructed normal values established for selected cooperating exporters, calculated under section 269TAC(2)(c) because of the operation of section 269TAC(2)(a)(ii).

The Commissioner recommends that in relation to all exporters from China, the Minister consider it is not desirable to specify a method of calculating IDD and/or fix the amount of ICD such that the sum of the export price of the goods as ascertained in this inquiry, the amount of IDD payable and the amount of ICD payable do not exceed the NIP as last ascertained by the Minister.

Despite the Commissioner's recommendation to the Minister to not apply a lesser amount of IDD and ICD payable by all exporters of aluminium extrusions from China, the Commissioner notes that, notwithstanding this recommendation, the Minister may still decide to apply a lesser amount of duty. If so, the commission has calculated a NIP in this inquiry.

9.3.3 Calculation method for the non-injurious price

The USP

The commission has chosen the constructed approach for the USP calculation, using the Australian industry's CTMS data and a reasonable amount for profit. This is the same approach adopted in REP 543 and REP 609.

Anti-dumping measures have been in place for the goods since 2010 and as set out in this report, the commission has determined that dumping and subsidisation has continued or recurred in the inquiry period. Therefore, the constructed approach for the USP calculation is preferable because the commission considers:

- the Australian industry's prices from 2010 are too dated to be an accurate representation of unsuppressed Australian industry prices in the inquiry period
- the Australian market was affected by dumping and subsidisation in the inquiry period.

For these reasons the commission has established a USP using the constructed approach, having regard to:

- the weighted average CTMS for the Australian industry in the inquiry period (comprising data submitted by Capral and G James)
- a reasonable amount for profit, using the weighted average target profit for different distribution sectors and customer types set by Capral for the inquiry period.

The USP calculation resulted in a price (AUD/kg), including delivery to the Australian customer.

The NIP

The NIP calculation considers the costs incurred to import the goods from China at FOB terms. The NIP (at FOB terms) was calculated by deducting the cost to import and sell (CTIS) submitted by the most efficient importer at a similar level of trade as the Australian industry. The following costs were deducted from the USP:

- delivery from the Australian warehouse to the Australian customer
- an amount for SG&A and profit
- importation costs at the Australian port of arrival, including port and handling, inland freight from port to warehouse and IDD and ICD payable
- ocean freight and marine insurance.

PUBLIC RECORD

The NIP calculation resulted in a price (AUD/kg) at FOB terms. This price was converted to RMB/kg at FOB terms using the average exchange rate for the inquiry period.

The commission's calculation of the USP and NIP is at **Confidential attachment 29: USP, NIP and effective measures**.

10 RECOMMENDATIONS

10.1 Findings and Recommendations

10.1.1 Section 269ZHF(2) recommendation

This section details the relevant section 269ZHF(2) recommendation made by the Commissioner, as well as findings made in support of that recommendation.

In accordance with section 269ZHF(2), the Commissioner is satisfied that the expiration of the anti-dumping and countervailing measures applicable to certain aluminium extrusions exported to Australia from China would lead, or would be likely to lead, to a continuation or recurrence of the dumping and subsidisation and the material injury the anti-dumping measures are intended to prevent.

The Commissioner recommends that, apart from Hopergy,²¹⁹ the measures apply to exporters generally as if different variable factors had been ascertained. The following rates of IDD and ICD would apply from 29 October 2025.

Exporter	Effective fixed rate of IDD and/or ICD ²²⁰	Duty method
Selected exporters		
Guangdong Jinxicheng Al Manufacturing Co., Ltd	0.8%	Floor price IDD & <i>ad valorem</i> ICD
Goomax Metal Co., Ltd	5.6%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Xingfa Aluminium Co., Ltd	4.5%	Combination IDD & <i>ad valorem</i> ICD
Press Metal International Ltd. ²²¹	18.1%	Combination IDD & <i>ad valorem</i> ICD
Residual exporters		
Antai Technology Co., Ltd.	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Fenan Aluminum Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan City Nanhai Yongfeng Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan JMA Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan Sanshui Fenglu Aluminium Company Limited	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan Sanshui Yongya Aluminum Produce Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Foshan Yatai PVC & Alu Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Fujian Minfa Aluminium Inc.	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Golden Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Haomei New Materials Co., Ltd.	1.7%	Floor price IDD & <i>ad valorem</i> ICD

²¹⁹ Section 269ZHF(1)(a)(iii) and 269ZHF(1)(a)(i)

²²⁰ The effective rate removes the double-count of subsidy Program 15: Aluminium provided at less than adequate remuneration. This is discussed further at chapter 9.3.1.

²²¹ Press Metal International Limited is a cooperative exporter for the purpose of the dumping investigation and a non-cooperative entity for the purpose of the subsidy investigation.

PUBLIC RECORD

Exporter	Effective fixed rate of IDD and/or ICD ²²⁰	Duty method
Guangdong Huachang Group Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong JMA Aluminium Profile Factory (Group) Co., Ltd.	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Weiye Aluminium Factory Group Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guangdong Xingqiu Aluminium Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Guang Ya Aluminium Industries Co., Ltd.	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Luoxiang Aluminium Co., Ltd.	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Qingyuan XinYueYa Aluminium Industry Co., Ltd.	1.7%	Floor price IDD & <i>ad valorem</i> ICD
PanAsia Enterprises (Nanyang) Company Limited	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Tai Shan City Kam Kiu Aluminium Extrusions Co., Ltd	1.7%	Floor price IDD & <i>ad valorem</i> ICD
Uncooperative, non-cooperative and all other exporters		
Uncooperative exporters and non-cooperative entities	29.4%	Combination IDD & <i>ad valorem</i> ICD
Other		
Xiamen Hopergy Photovoltaic Technology Co., Ltd. ²²²	0.2%	Floor price IDD & <i>ad valorem</i> ICD

Table 29: Recommended measures resulting from this inquiry

10.1.2 Findings

The commission notes that the Minister is provided with a schedule to this report which outlines the Minister's relevant powers with respect to making a declaration, and determinations, being satisfied and having regard to certain findings of fact, consistent with the following declarations and determinations.

The Commissioner considers that the Minister ought to **declare**:

- in accordance with section 269ZHG(1)(b) that they have decided to secure the continuation of the measures from China.

The Commissioner considers that the Minister ought to **determine**:

Xiamen Hopergy Photovoltaic Technology Co., Ltd (Hopergy)

- In accordance with subsection 269ZHG(4)(a)(i), that the notice continues in force after the specified expiry day as it relates to Hopergy.

Goomax Metal Co., Ltd (Goomax)

- In accordance with subsection 269ZHG(4)(a)(iii), the dumping and countervailing duty notices continue in force after 28 October 2025 but that, after 28 October 2025, the notices

²²² See Accelerated Review 672. Public record documents and other information on concerning this matter available on [EPR 672](#).

PUBLIC RECORD

have effect in relation to Goomax, an exporter from China, as if different variable factors, as set out in Table 29, had been fixed relevant to the determination of duty.

- In accordance with 269TAB(1)(a), that the export price of goods exported to Australia from China by Goomax, is the price at which the goods were paid by the importer to the exporter, other than transport or other costs arising after exportation, as set out in chapter 6.3.2 and Confidential Attachment 3.
- In accordance with subsection 269TAC(2)(c), that the normal value of aluminium extrusions exported from China by Goomax is the sum of:
 - the cost of production or manufacture of aluminium extrusions in China using Goomax's cost records, with its primary aluminium costs adjusted by reference to a benchmark as set out in chapter 6.3.3 and Confidential Attachment 5, and
 - on the assumption that aluminium extrusions, instead of being exported, had been sold for home consumption in the ordinary course of trade in China, the administrative, selling and general costs associated with the sale, and the profit on that sale as set out in chapter 6.3.3 and Confidential Attachment 6,
 - as adjusted in accordance with subsection 269TAC(9), as set out in chapter 6.3.4, to ensure that the normal value of the goods so ascertained is properly comparable to with the export price of the goods.
- Having applied subsections 269TACAA and 269TACB(2)(a), and in accordance with subsections 269TACB(1) and (4), that aluminium extrusions exported to Australia from China are taken to have been dumped, and the dumping margin for Goomax in respect of those goods is the difference between the weighted average export prices of aluminium extrusions over 1 October 2023 and 30 September 2024, and the weighted average of corresponding normal values over that period as set out in chapter 6.3.5 and Confidential Attachment 7.
- Having had regard to subsections 269TAAC(2) and (3), and in accordance with subsections 269TAAC(4) and (5), that the subsidies listed in Appendix D are specific.
- In accordance with subsection 269TACC(1), that, having regard to all relevant information and subsections 269TACC(2) and (3), that the financial contributions provided under the countervailable subsidies defined in chapter 7.5 confers a benefit.
- The amount of countervailable subsidy received in respect of aluminium extrusions exported to Australia from China by Goomax, as the amount set out in Confidential Attachment 22, which when expressed as a percentage of its weighted average export price, is 5.6%.

Guangdong Jinxicheng Al. Manufacturing Co., Ltd (Jinxicheng)

- In accordance with subsection 269ZHG(4)(a)(iii), the dumping and countervailing duty notices continue in force after 28 October 2025 but that, after 28 October 2025, the notices have effect in relation to Jinxicheng, an exporter from China, as if different variable factors, as set out in Table 29, had been fixed relevant to the determination of duty.
- In accordance with 269TAB(1)(a), that the export price of goods exported to Australia from China by Jinxicheng is the price at which the goods were paid by the importer to the exporter, other than transport or other costs arising after exportation, as set out in chapter 6.4.2 and Confidential Attachment 8.

PUBLIC RECORD

- In accordance with subsection 269TAC(2)(c), that the normal value of aluminium extrusions exported from China by Jinxiecheng is the sum of:
 - the cost of production or manufacture of aluminium extrusions in China using Jinxiecheng's cost records, with its primary aluminium costs adjusted by reference to a benchmark as set out in chapter 6.4.3 and Confidential Attachment 9, and
 - on the assumption that aluminium extrusions, instead of being exported, had been sold for home consumption in the ordinary course of trade in China, the administrative, selling and general costs associated with the sale and the profit on that sale as set out in chapter 6.4.3 and Confidential Attachment 10,
 - as adjusted in accordance with subsection 269TAC(9), as set out in chapter 6.4.4, to ensure that the normal value of the goods so ascertained is properly comparable to with the export price of the goods.
- Having applied subsections 269TACAA and 269TACB(2)(a), and in accordance with subsections 269TACB(1) and (4), that aluminium extrusions exported to Australia from China are taken to have been dumped, and the dumping margin for Jinxiecheng in respect of those goods is the difference between the weighted average export prices of aluminium extrusions over 1 October 2023 and 30 September 2024, and the weighted average of corresponding normal values over that period as set out in chapter 6.4.5 and Confidential Attachment 11.
- Having had regard to subsections 269TAAC(2) and (3), and in accordance with subsections 269TAAC(4) and (5), that the subsidies listed in Appendix D are specific.
- In accordance with subsection 269TACC(1), that, having regard to all relevant information and subsections 269TACC(2) and (3), that the financial contributions provided under the countervailable subsidies defined in chapter 7.6 confers a benefit.
- The amount of countervailable subsidy received in respect of aluminium extrusions exported to Australia from China by Jinxiecheng, as the amount set out in Confidential Attachment 23, which when expressed as a percentage of its weighted average export price, is 0.8%.

Press Metal International Ltd (PMI)

- In accordance with subsection 269ZHG(4)(a)(iii), the dumping and countervailing duty notices continue in force after 28 October 2025 but that, after 28 October 2025, the notices have effect in relation to PMI, an exporter from China, as if different variable factors, as set out in Table 29, had been fixed relevant to the determination of duty.
- In accordance with 269TAB(1)(a), that the export price of goods exported to Australia from China by PMI is the price at which the goods were paid by the importer to the exporter, other than transport or other costs arising after exportation, as set out in chapter 6.5.2 and Confidential Attachment 12.
- In accordance with subsection 269TAC(2)(c), that the normal value of aluminium extrusions exported from China by PMI is the sum of:
 - the cost of production or manufacture of aluminium extrusions in China using PMI's cost records, with its primary aluminium costs adjusted by reference to a benchmark as set out in chapter 6.5.3 and Confidential Attachment 13, and

PUBLIC RECORD

- on the assumption that aluminium extrusions, instead of being exported, had been sold for home consumption in the ordinary course of trade in China, the administrative, selling and general costs associated with the sale and the profit on that sale as set out in chapter 6.5.3 and Confidential Attachment 14,
 - as adjusted in accordance with subsection 269TAC(9), as set out in chapter 6.5.4, to ensure that the normal value of the goods so ascertained is properly comparable to with the export price of the goods.
- Having applied subsections 269TACAA and 269TACB(2)(a), and in accordance with subsections 269TACB(1) and (4), that aluminium extrusions exported to Australia from China are taken to have been dumped, and the dumping margin for PMI in respect of those goods is the difference between the weighted average export prices of aluminium extrusions over 1 October 2023 and 30 September 2024, and the weighted average of corresponding normal values over that period as set out in chapter 6.3.5 and Confidential Attachment 7.
- Having had regard to subsections 269TAAC(2) and (3), and in accordance with subsections 269TAAC(4) and (5), that the subsidies listed in Appendix D are specific.
- In accordance with subsection 269TACC(1), that, having regard to all relevant information and subsections 269TACC(2) and (3), that the financial contributions provided under the countervailable subsidies defined in chapter 7.6 confers a benefit.
- After having regard to all the facts available and having made reasonable assumptions, in accordance with subsections 269TAACA(1)(c) and 269TAACA(1)(d), the amount of countervailable subsidy received in respect of aluminium extrusions exported to Australia from China by PMI, as the amount set out in Confidential Attachment 25, which when expressed as a percentage of its weighted average export price, is 1.6%.

Guangdong Xingfa Aluminium Co., Ltd (Xingfa Aluminium)

- In accordance with subsection 269ZH(4)(a)(iii), the dumping and countervailing duty notices continue in force after 28 October 2025 but that, after 28 October 2025, the notices have effect in relation to Xingfa Aluminium, an exporter from China, as if different variable factors, as set out in Table 29, had been fixed relevant to the determination of duty.
- In accordance with 269TAB(1)(a), that the export price of goods exported to Australia from China by Xingfa Aluminium is the price at which the goods were paid by the importer to the exporter, other than transport or other costs arising after exportation, as set out in chapter 6.6.1 and Confidential Attachment 16.
- In accordance with subsection 269TAC(2)(c), that the normal value of aluminium extrusions exported from China by Xingfa Aluminium is the sum of:
 - the cost of production or manufacture of aluminium extrusions in China using Xingfa Aluminium's cost records, with its primary aluminium costs adjusted by reference to a benchmark as set out in chapter 6.6.2 and Confidential Attachment 18, and
 - on the assumption that aluminium extrusions, instead of being exported, had been sold for home consumption in the ordinary course of trade in China, the administrative, selling and general costs associated with the sale and the profit on that sale as set out in chapter 6.6.2 and Confidential Attachment 19,

PUBLIC RECORD

- as adjusted in accordance with subsection 269TAC(9), as set out in chapter 6.6.3, to ensure that the normal value of the goods so ascertained is properly comparable to with the export price of the goods.
- Having applied subsections 269TACAA and 269TACB(2)(a), and in accordance with subsections 269TACB(1) and (4), that aluminium extrusions exported to Australia from China are taken to have been dumped, and the dumping margin for Xingfa Aluminium in respect of those goods is the difference between the weighted average export prices of aluminium extrusions over 1 October 2023 and 30 September 2024, and the weighted average of corresponding normal values over that period as set out in chapter 6.6.4 and Confidential Attachment 20.
- Having had regard to subsections 269TAAC(2) and (3), and in accordance with subsections 269TAAC(4) and (5), that the subsidies listed in Appendix D are specific.
- In accordance with subsection 269TACC(1), that, having regard to all relevant information and subsections 269TACC(2) and (3), that the financial contributions provided under the countervailable subsidies defined in chapter 7.7 confers a benefit.
- The amount of countervailable subsidy received in respect of aluminium extrusions exported to Australia from China by Xingfa Aluminium, as the amount set out in Confidential Attachment 24, which when expressed as a percentage of its weighted average export price, is 0.6%.

Residual exporters

- In accordance with subsection 269ZHG(4)(a)(iii), the dumping and countervailing duty notices continue in force after 28 October 2025 but that, after 28 October 2025, the notices have effect in relation to exporters from China categorised as 'residual exporters', as if different variable factors, as set out in Table 29, had been fixed relevant to the determination of duty.
- The export price of the goods exported to Australia from China by exporters categorised as 'residual exporters,' being a price not less than the weighted average export price for like goods of selected cooperative exporters from China, as set out in chapter 6.7.1 and Confidential attachment 21.
- The normal value of the goods exported to Australia from China by exporters categorised as 'residual exporters,' being a price not exceeding the weighted average normal value for like goods of selected cooperative exporters from China, as set out in chapter 6.7.2 and Confidential Attachment 21.
- Having applied subsection 269TACAB(2)(c) and (d), that aluminium extrusions exported to Australia from China are taken to have been dumped, and the dumping margins for 'residual exporters' in respect of those goods is the difference between the weighted average export prices of aluminium extrusions over 1 October 2023 and 30 September 2024, and the weighted average of corresponding normal values over that period as set out in chapter 6.7.3 and Confidential Attachment 21.
- Having had regard to subsections 269TAAC(2) and (3), and in accordance with subsections 269TAAC(4) and (5), that the subsidies listed in Appendix D are specific.
- The amount of countervailable subsidy received in respect of aluminium extrusions exported to Australia from China by exporters categorised as 'residual exporters,' as the

amount set out in Confidential Attachment 41 is the weighted average subsidy margin for all cooperative exporters, is 1.7%.

Uncooperative, non-cooperative and all other exporters

- In accordance with subsection 269ZHG(4)(a)(iii), the dumping and countervailing duty notices continue in force after 28 October 2025 but that, after 28 October 2025, the notices have effect in relation to exporters from China categorised as ‘uncooperative and all other’, as if different variable factors, as set out in Table 29, had been fixed relevant to the determination of duty.
- In accordance with subsection 269TAB(3), having regard to all relevant information, that the export price for ‘uncooperative and all other’ exporters is as set out in chapter 6.8.1 and Confidential Attachment 21.
- In accordance with subsection 269TAC(6), having regard to all relevant information, that the normal value for ‘uncooperative and all other’ exporters is as set out in chapter 6.8.2 and Confidential Attachment 21.
- Having applied subsection 269TACB(2)(a) and in accordance with subsections 269TACB(1) and (4), that aluminium extrusions exported to Australia from China are taken to have been dumped, and the dumping margins for ‘uncooperative and all other exporters’ in respect of those goods is the difference between the weighted average export prices of aluminium extrusions over 1 October 2023 and 30 September 2024, and the weighted average of corresponding normal values over that period as set out in section 6.8.3 and Confidential Attachment 21.
- Having had regard to subsections 269TAAC(2) and (3), and in accordance with subsections 269TAAC(4) and (5), that the subsidies listed in Appendix D are specific.
- After having regard to all the facts available and having made reasonable assumptions, that countervailable subsidies have been received in respect of the goods exported to Australia by exporters categorised as ‘non-cooperative entity’ from China for the subsidy investigation, as the amount set out in Confidential Attachment 41 which when expressed as a percentage of the weighted average export price of the selected cooperative exporters, is 5.7%

The Commissioner considers that the Minister ought to be **satisfied**:

- In accordance with subsection 269TAB(3), sufficient information is not available to enable the export price of aluminium extrusions exported to Australia from China by ‘uncooperative and all other exporters’ to be ascertained under subsection 269TAB(1).
- The normal value of the goods exported to Australia from China by Goomax, Jinxiacheng, PMI and Xingfa Aluminium cannot be ascertained under section 269TAC(1) because the situation in the market of China is such that sales in that market are not suitable for use in determining a price under section 269TAC(1).
- In accordance with subsection 269TAC(6), sufficient information is not available to enable the normal value of aluminium extrusions exported to Australia from China by ‘uncooperative and all other’ exporters to be ascertained under the preceding subsections of section 269TAC (other than subsection 269TAC(5D)).
- Countervailable subsidies have been received in respect of aluminium extrusions exported to Australia from China by all exporters as set out in Chapter 7 and Appendix D.

PUBLIC RECORD

The Commissioner considers that the Minister ought **not have regard to**:

- In accordance with subsection 8(5BAA) of the *Customs Tariff (Anti-Dumping) Act 1975* (Cth), in relation to aluminium extrusions exported to Australia from China, the matter in subsection 8(5B), being the desirability of specifying a method such that the sum of the amounts outlined in subsections 8(5BA)(c), (d) and (e) do not exceed the non-injurious price, because the normal value of the goods was not ascertained under subsection 269TAC(1) of that Act because of the operation of subparagraph 269TAC(2)(a)(ii) of that Act.

11 APPENDICES AND ATTACHMENTS

Confidential attachment 1: Australian market

Confidential attachment 2: Economic condition of the industry

Confidential attachment 3: Goomax – Export price

Confidential attachment 4: Goomax – Profitability of importer

Confidential attachment 5: Goomax – CTMS

Confidential attachment 6: Goomax – Normal value

Confidential attachment 7: Goomax – Dumping margin

Confidential attachment 8: Jinxiecheng – Export price

Confidential attachment 9: Jinxiecheng – CTMS

Confidential attachment 10: Jinxiecheng - Normal value

Confidential attachment 11: Jinxiecheng - Dumping margin

Confidential attachment 12: PMI – Export price

Confidential attachment 13: PMI – CTMS

Confidential attachment 14: PMI – Normal value

Confidential attachment 15: PMI – Dumping margin

Confidential attachment 16: Xingfa Aluminium – Export price

Confidential attachment 17: Xingfa Aluminium – Profitability of importer

Confidential attachment 18: Xingfa Aluminium – CTMS

Confidential attachment 19: Xingfa Aluminium – Normal value

Confidential attachment 20: Xingfa Aluminium – Dumping margin

Confidential attachment 21: Residual, Uncooperative & All other – Dumping margin

Confidential attachment 22: Goomax – Subsidy margin

Confidential attachment 23: Jinxiecheng – Subsidy margin

PUBLIC RECORD

Confidential attachment 24: Xingfa Aluminium – Subsidy margin
Confidential attachment 25: PMI – Subsidy margin
Confidential attachment 26: Will exports continue?
Confidential attachment 27: Will dumping continue or recur?
Confidential attachment 28: Will material injury continue or recur?
Confidential attachment 29: USP, NIP and effective measures
Confidential attachment 30: Chinese aluminium market
Confidential attachment 31: Chinese extrusion market
Confidential attachment 32: Goomax – Proper comparison
Confidential attachment 33: Jinxiecheng – Proper comparison
Confidential attachment 34: PMI – Proper comparison
Confidential attachment 35: Xingfa Aluminium – Proper comparison
Confidential attachment 36: Aluminium benchmark
Confidential attachment 37: Goomax – Cost records
Confidential attachment 38: Jinxiecheng – Cost records
Confidential attachment 39: PMI – Cost records
Confidential attachment 40: Xingfa Aluminium – Cost records
Confidential attachment 41: All other – Subsidy margin
Confidential attachment 42: Residual, Uncooperative & All other - Dumping and Subsidy rates
Confidential attachment 43: PMI MCC analysis
Confidential attachment 44: PMI arms length assessment of raw material purchases from related suppliers
Non-confidential attachment 1: Effect of recommendations
Non-confidential attachment 2: Combined effect of dumping and subsidy margins

APPENDIX A PARTICULAR MARKET SITUATION ASSESSMENT

A1 Findings

The Commissioner finds that the GOC's actions, policies and practices have distorted conditions in the Chinese primary and secondary aluminium market over the inquiry period, and that these distortions created a particular market situation in respect of the domestic market for aluminium extrusions in China for the inquiry period.

The rationale and evidence that underpins this finding is based on information currently before the commission and is explained below.

A2 Introduction

In assessing whether a particular market situation exists in relation to the Chinese aluminium extrusions market during the inquiry period, the commission has relied on:

- contemporary evidence available, as referenced in this report
- questionnaire responses received
- submissions made to the inquiry prior to SEF 657
- submissions received in response to the preliminary findings in SEF 657
- the findings of previous relevant cases conducted by the commission.

After considering all the available information, the Commissioner's finding is that a particular market situation existed in respect of the domestic market for aluminium extrusions in China during the inquiry period. This appendix sets out the evidence for this finding.

A2.1 Questionnaire sent to the Government of China

The commission sent a questionnaire to the GOC requesting information on the aluminium extrusions market in China. The GOC did not provide a response to this request for information.

The following information, inter alia, was requested:

- identity of the names of government departments, bureaus or agencies responsible for the administration of any GOC measures concerning the aluminium industry
- details of all manufactures/traders of aluminium extrusions in China, including location, whether they are a State-Invested Enterprises (SIEs) or State-Owned Enterprises (SOEs), production quantity and whether there is GOC representation in the business
- a detailed description of the domestic Chinese aluminium extrusions industry and the relevant upstream industries
- quarterly import and export data (volume and value)
- details about the operation of the *Price Law of the People's Republic of China*²²³ and
- identification of any GOC initiatives and/or policies that affect the aluminium extrusions industry, including raw materials used in its manufacture.

²²³ 《中华人民共和国价格法》 [*Price Law of the People's Republic of China*] National People's Congress, Order no 92, 1 May 1998, https://www.industry.gov.au/sites/default/files/adc/public-record/exhibit_d7_-_price_law.pdf.

A2.2 Price-setting questionnaire sent to exporters

The commission sent a price-setting questionnaire (PSQ) to exporters to understand how raw material (aluminium ingot, scrap and billet/rod) and aluminium extrusion prices were set in the inquiry period.

The PSQ sought information about:

- the market price indices used by the exporter to purchase raw materials and to set the price of aluminium extrusions sold domestically and to Australia
- the index price component and the amount of ingot and billet premiums included in the price of raw materials
- the index price component and the amount of processing cost agreed in the aluminium extrusion price with domestic and Australian customers
- production supplied to or by other Chinese aluminium extrusion manufacturers and how the price for the goods and/or service was constructed using market price indices in China and any premiums or processing costs
- contract and invoice evidence for sampled raw material purchases, domestic and Australian sales, and outsourcing or tolling arrangements with other Chinese aluminium extrusion manufacturers
- other exporter-specific clarifying questions

The commission sent the PSQ to:

- Goomax
- Jinxiecheng
- Xingfa Aluminium.

A PSQ was not sent to PMI as PMI's REQ contained sufficient information about the matters described above.

The information provided by Goomax, Jinxiecheng and Xingfa Aluminium in response to the PSQ has been used to inform the commission's assessment of:

- whether a particular market situation existed in the Chinese aluminium extrusion market in the inquiry period
- whether domestic aluminium extrusion price can be properly compared with Australian aluminium extrusion price
- the costs assessments under Regulation 43(2) and section 269TAC(2)(c)(i).

A3 Submissions concerning the Particular Market Situation assessment in SEF 657

Submissions were received from PMI, Capral and Xingfa regarding the commission's preliminary PMS evaluation in SEF 657.

Capral submitted that the cross-jurisdictional consistency of findings regarding the Chinese aluminium extrusions market being significantly influenced and distorted by state intervention supported the commission's findings.²²⁴ Capral claimed that the submissions of Xingfa and PMI did not displace the weight of evidence on the record, nor did they undermine the commission's assessment.

²²⁴ EPR 657, document 60

PMI's submissions concerning the PMS findings are considered in the relevant sections of this appendix. Noting that Xingfa Aluminium's submission primarily focused on the commission's proper comparison assessment, its submission is addressed in Appendix B.

A4 Australian legislation, policy and practice

A4.1 Legislation

Normal values are determined in accordance with section 269TAC. Section 269TAC(1) provides that the normal value of any goods exported to Australia is the price paid or payable for like goods sold in the OCOT for home consumption in the country of export in sales that are arms length transactions by the exporter, or, if like goods are not so sold by the exporter, by other sellers of like goods.

Section 269TAC(2)(a)(ii) applies in the situation where the normal value cannot be ascertained under section 269TAC(1) because the situation in the market of the country of export is such that the sales are not suitable for determining a price under section 269TAC(1).

Section 269TAC(2)(a)(ii) implements, in part, Article 2.2 of the ADA:

When there are no sales of the like product in the ordinary course of trade in the domestic market of the exporting country or when, because of the particular market situation or the low volume of the sales in the domestic market of the exporting country [footnote omitted], such sales do not permit a proper comparison, the margin of dumping shall be determined by comparison with a comparable price of the like product when exported to an appropriate third country, provided that this price is representative, or with the cost of production in the country of origin plus a reasonable amount for administrative, selling and general costs and for profits.

Pursuant to section 269TAC(2)(a)(ii), in addition to considering whether a particular market situation exists in the domestic market of the exporting country, the commission must consider whether, because of that situation, sales in that market are unsuitable for determining a price under section 269TAC(1). As part of this assessment, and in accordance with the findings of the WTO Panel in DS529, *Australia – Anti-Dumping Measures on A4 Copy Paper from Indonesia*, the commission has assessed whether, because of that particular market situation, domestic sales can be properly compared with the export prices. **APPENDIX B** sets out the commission's consideration of whether sales in the Chinese domestic market are suitable to permit a proper comparison.

Where the commission determines that because of the particular market situation, domestic sales are unsuitable for determining a price under section 269TAC(1), normal values may instead be constructed under section 269TAC(2)(c) or determined by reference to prices from a third country under section 269TAC(2)(d).

A5 Assessing the particular market situation in this inquiry

The Commissioner finds that the GOC's policies and practices have distorted conditions in the Chinese primary and secondary aluminium market over the entire inquiry period, and that these distortions created a particular market situation in respect of the domestic market for aluminium extrusions in China for the inquiry period.

The Commissioner has considered all available information currently before the commission and is satisfied of the relevant findings of fact regarding the particular market situation during the inquiry period. The Commissioner's conclusions are based on positive evidence, that is explained below.

A5.1 Policy and practice

The Act does not define or prescribe what is required to reach a finding of a particular market situation. However, a particular market situation may arise where sales that would otherwise be relevant for determination of normal value may be unsuitable because the price does not reflect a fair price in normal market conditions. When considering whether a particular market situation renders sales unsuitable for use in determining a normal value under section 269TAC(1), the commission may consider factors such as:

- government intervention in the industry and/or market of the exporting country that results in prices that are lower or not substantially the same than they would otherwise be
- other conditions in the market that render sales in that market unsuitable for use in determining prices under section 269TAC(1).

The Manual provides further guidance on the circumstances that underpin the commission's particular market situation findings.²²⁵ In particular, the price of inputs in the manufacture of the like goods is a relevant consideration. On this, the Manual states:

Prices may also be artificially low or lower than they would otherwise be in a competitive market due to government influence and distortion of the costs of inputs. The mere existence of any government influence on the cost of inputs would not be enough to make sales unsuitable. The commission looks at the effect of this influence on market conditions and the extent to which domestic prices can no longer be said to prevail in a normal competitive market.²²⁶

A5.2 Evidence and information before the commission

The commission's assessment of a particular market situation in the domestic Chinese aluminium extrusion market, concerns an assessment of whether the government involvement in the Chinese domestic market for aluminium extrusions has distorted market conditions in a manner that is not insignificant. If government influence has distorted market conditions in a manner that is not insignificant, then domestic prices may be lower or not substantially the same as they would be in a market free of, or not significantly affected by the government intervention.

Prices for aluminium extrusions may also be lower or not substantially the same as they would otherwise be due to the influence of the particular market situation on the costs of inputs. The commission has assessed the effect of any such influence on market conditions and the extent to which domestic prices prevail (or not) in a competitive market, that is, a market unaffected by the particular market situation.

As part of this assessment, the commission has also considered the conditions and prices in the primary and secondary aluminium markets. The Chinese primary aluminium market is relevant because the cost of ingot and rod/billet is a significant component of each exporter's CTM for aluminium extrusions. The commission also identified the use of aluminium ingot made from recycled aluminium and billet made from scrap (secondary aluminium) in the production of aluminium extrusions. The commission has calculated that aluminium raw materials comprise between **82% to 90% of aluminium extrusion cost** in the inquiry period.

The commission's assessment of raw material cost as a portion of CTM is at the relevant confidential attachment of each exporter's cost records.²²⁷ This assessment is consistent with

²²⁵ [The Manual](#), p 36.

²²⁶ [The Manual](#), p 29.

²²⁷ Confidential attachment 37 to Confidential attachment 40.

findings made in REP 543, REP 609 and REP 633 where the cost of primary aluminium accounts for approximately 80% of the total CTM for aluminium extrusions for exporters in China.²²⁸

The particular market situation assessment for this inquiry, considers the following information sources:

- stated policies and plans of the GOC
- exporter REQs (Goomax, Jinxiecheng, PMI and Xingfa Aluminium)
- exporter PSQs (Goomax, Jinxiecheng and Xingfa Aluminium)
- information obtained from the Department of Industry, Science and Resources (DISR)
- information from third party information providers
- Organisation for Economic Co-operation and Development (OECD) Trade Policy Paper, *Measuring distortions in international markets: Below-market finance*²²⁹
- the European Commission's *Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations* (the EC 2017 Report)²³⁰
- the European Commission's *Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations* (the EC 2024 Report)²³¹
- the US International Trade Administration's memorandum on *China's Status as a Non-Market Economy*²³²
- other desktop research
- particular market situation assessments, and the underlying evidence, in relation to recent cases in relation to aluminium extrusions from China, such as:
 - Continuation inquiry no 543²³³
 - Review no 609²³⁴
 - Review no 633.²³⁵

As noted at section A2 above, the commission did not receive a response to the government questionnaire from the GOC for this inquiry.

A6 Conditions in the Chinese primary and secondary aluminium market

Factors considered by the commission when assessing conditions within the Chinese primary and secondary aluminium market during the inquiry period include the following:

- level of, and trends in, aluminium production and production capacity, and

²²⁸ REP 609, p 109.

²²⁹ OECD Trade Policy Paper, *Measuring distortions in international markets: Below-market finance* (May 2021).

²³⁰ European Commission, *Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations* (20 December 2017) SWD(2017) 483/F2 (EC 2017 Report).

²³¹ European Commission, *Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations* (10 April 2024) SWD(2024) 91 final (EC 2024 Report).
[https://ec.europa.eu/transparency/documents-register/detail?ref=SWD\(2024\)91&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=SWD(2024)91&lang=en)

²³² International Trade Administration, United States Department of Commerce, *China's Status as a Non-Market Economy* (26 October 2017) E&C VI: MJH/TB.

²³³ EPR 543, document 61 – REP 543 refers.

²³⁴ EPR 609, document 41 – REP 609 refers.

²³⁵ EPR 633, document 27 – REP 633 refers.

- aluminium consumption, pricing, and the influence of the GOC over these variables.

The commission's assessment of the Chinese aluminium market is at **Confidential attachment 30: Chinese aluminium market**.

A.6.1 Primary aluminium production and capacity in China

In 2024, China produced approximately 43 million tonnes of primary aluminium,²³⁶ representing approximately 60% of global production and maintaining its status as the world's largest producer of primary aluminium. Figure 10 below shows the commission's assessment of world primary aluminium production.

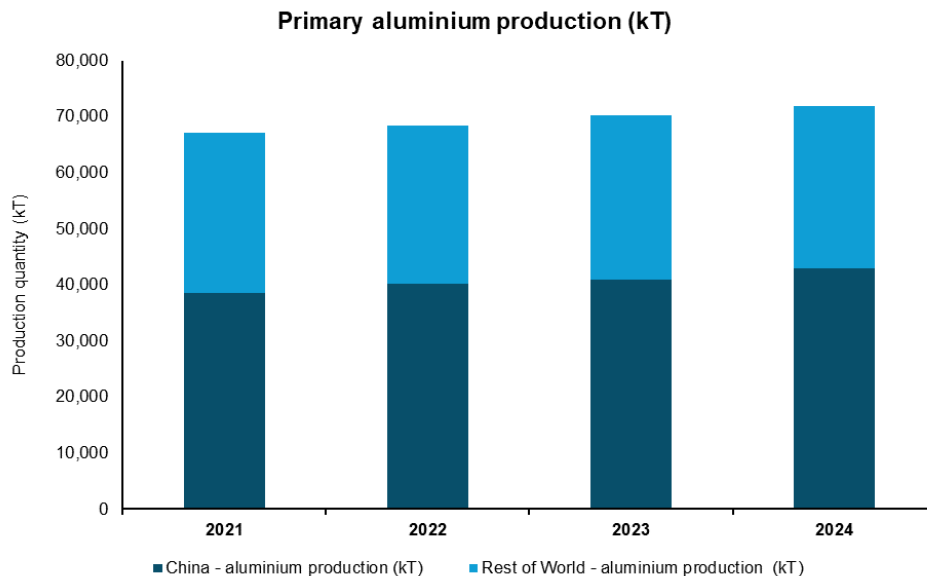


Figure 10: World primary aluminium production²³⁷

Chinese primary aluminium production increased by 4.1% from 2023, and exceeded previous forecasts,²³⁸ with increasing demand coming from the renewable energy sector that offset weak demand in China's construction industry²³⁹.

The increase in 2024 production approached the GOC's aluminium production capacity cap of 45 million tonnes. The "aluminium cap" was originally set in 2017 by the Ministry of Industry and information Technology (MIIT) to address production overcapacity and environmental concerns. The aluminium cap was reaffirmed by the MIIT in the *Action Plan for the High-Quality Development of the Aluminium Industry (2025-2027)*.²⁴⁰

²³⁶ Office of the Chief Economist, DISR - *Resources and Energy Quarterly*, March 2025, p.88
<https://www.industry.gov.au/sites/default/files/2025-03/resources-and-energy-quarterly-march-2025.pdf>

²³⁷ The commission's analysis uses historical data from <https://www.industry.gov.au/publications/resources-and-energy-quarterly-march-2025> and can be found at **Confidential attachment 30: Chinese aluminium market**.

²³⁸ EPR 633 – [document no 27](#). REP 633, p.40, cited Office of the Chief Economist, DISR, *Resources and Energy Quarterly June 2024* forecast that China would produce nearly 42 million tonnes in 2024 and would reach 43 million tonnes by 2026.

²³⁹ *Op cit* (160).

²⁴⁰ Shanghai Metal Market (SMM) news article, *China Unveils 2025–2027 Aluminium Industry Action Plan*, 28 March 2025, <https://www.metal.com/en/newscontent/103253226>

A.6.2 Secondary aluminium production and capacity in China

The commission observes that secondary aluminium production and capacity is of growing importance to China. In efforts to address environmental concerns and support the development of circular economies, the use of aluminium scrap to produce recycled aluminium ingot is of growing interest. The LME is exploring pricing mechanisms for sustainable metals²⁴¹ and the GOC has launched a new SOE to manage recycling and reusing resources.²⁴²

The China Resources Recycling Group Co. Ltd. (CRRG) was launched in October 2024. Among other things, the mandate of the CRRG is to "...build a national and functional resource recycling and reuse platform..."²⁴³ that will "integrate state-owned assets and businesses.... to become a comprehensive provider of recycling solutions, including storage, processing, distribution, trade-in services and standard setting."²⁴⁴

The CRRG is centrally managed under the State-owned Assets and Administration Commission (SASAC) as 20% equity holder, along with other SOEs such as China Baowu Steel Group Corporation Limited, China Petrochemical Corporation, and China Resources (Holdings) Co., Ltd. – each having 20% equity. The Aluminium Corporation of China (Chalco) and China Minmetals Corporation each have a 10% equity stake in CRRG.²⁴⁵

This means that the largest steel and aluminium producers in the world will own, operate and set market trading in China for recycled steel and aluminium.

The commission was unable to obtain data in relation to China's capacity to produce recycled aluminium ingot. However, a recent submission from the Australian Aluminium Council (AAC) to the Australian Productivity Commission cited that China already produces approximately 40% of globally recycled aluminium ingots.²⁴⁶ Figure 11 refers.

²⁴¹ <https://www.lme.com/en/news/press-releases/2025/lme-explores-establishing-price-premia-for-sustainable-metals>

²⁴² SMM news article, *Key highlights from the global aluminium industry*, October 2024, 18 November 2024, <https://news.metal.com/newscontent/103044438/key-highlights-from-the-global-aluminium-industry-october-2024>

²⁴³ https://www.resolartech.com/en/news/hangyixinwen/china_resources_circular_economy_group.html

²⁴⁴ <https://www.iea.org/policies/25207-establishment-of-the-china-resources-recycling-group>

²⁴⁵ <https://english.news.cn/20241018/8001d003fa7a450bbea344fc6975da7d/c.html>

²⁴⁶ https://www.pc.gov.au/data/assets/pdf_file/0003/387462/sub086-circular-economy.pdf

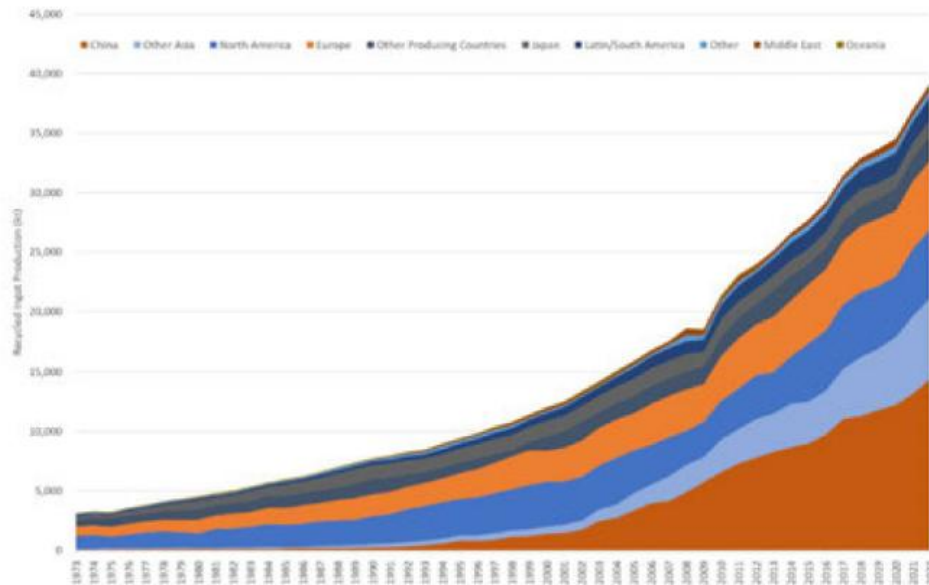


Figure 11: AAC – Global recycled ingot production 1973-2022²⁴⁷

A.6.3 Primary and secondary aluminium market price and indices

The commission identified several market price indices used in China to buy primary aluminium (ingot, and billet/rod)²⁴⁸. The use of these price indices in the inquiry period was confirmed by the selected exporters Goomax, Jinxi Cheng, PMI and Xingfa Aluminium. The commission also sought (via Capral) independent research from a third-party commodity analysis provider.²⁴⁹ This research, along with the commission's research²⁵⁰ is included in the explanation of the various price sources of primary aluminium in China.

The price indices used by suppliers of primary aluminium in the inquiry period were:

1. London Metal Exchange (LME) – used for import price of ingot and billet from Malaysia. These prices use the Major Japanese Ports (MJP) premium.
2. Guangdong Non-ferrous Metals Market (Nanchu) – part of the Nanchu Warehouse Management Group and owned by the Guangdong Provincial Government. It is a key benchmark for spot aluminium transactions in South China, particularly in the Guangdong Province. Nanchu's spot price is typically quoted as Shanghai Futures Exchange (SHFE) aluminium price (monthly/active contract) plus regional premium/discount.
3. Nanhai Non-ferrous Metals Market (Lingtong) – research indicates association with the GOC²⁵¹ and is one of the most influential aluminium spot price benchmarks in South China, widely adopted in Guangdong's aluminium extrusion hubs. The Nanhai price is based on actual trading prices for aluminium ingots, and it aggregates daily quotes from major

²⁴⁷ https://www.pc.gov.au/_data/assets/pdf_file/0003/387462/sub086-circular-economy.pdf - data supplied by the International Aluminium Institute at <https://international-aluminium.org/>

²⁴⁸ The China Aluminium Network, <http://www.alu.com.cn>

²⁴⁹ The commission is not permitted to identify the third-party provider; however, the commission can confirm that the provider is a well-known and reputable source of commodity data, research and analysis.

²⁵⁰ Confidential attachment 30: Chinese aluminium market.

²⁵¹ <https://www.pailian-aluminium.com/info/what-is-the-nanhai-lingtong-aluminum-ingot-pri-72768384.html>

aluminium traders in South China. It references the SHFE aluminium price with adjustments of regional premiums/discounts in South China.

4. Yangtze River/Changjiang Non-ferrous Metals Spot Market - serves as a benchmark for spot contracts and smelter pricing in China. Downstream industries also use it as a reference for procurement. Its pricing mechanism was widely used by traders, smelters, and downstream manufacturers.
5. Shanghai Metals Market (SMM) - reflects supply-demand dynamics in eastern China, and particularly the Shanghai market. It also uses SHFE prices and adds local premiums according to logistics costs and other costs.
6. Guangdong South Reserve – this index was not identified by the commission but is used by an exporter to procure primary aluminium. Research indicates that it is a reserve of aluminium in Guangdong and is a wholly owned SOE under the China's National Food and Strategic Reserves Administration (NFSRA).

The commission identified other price indices that are used in China but were not identified as a price index specifically used by exporters in the inquiry period. These are:

7. Aluminium Corporation of China Limited (Chalco) – Eastern China, Southern China, Southwest China - Chalco follows a pricing mechanism for its eastern region aluminium products that is largely influenced by market dynamics, including the SHFE aluminium prices, regional premiums, and internal cost factors. SHFE aluminium cash price is the benchmark of Chalco prices. Then, the premiums in different regions (Eastern, Southern and Southwest China) depend on transportation costs, supply-demand dynamics (if local demand is high, premiums may rise), and the import arbitrage which is influenced by LME aluminium prices and tariffs. Last, Chalco usually has internal adjustments which depend on long-term contracts or spot contracts
8. Shanghai Futures Exchange (SHFE) - the Shanghai Futures Exchange (SHFE) is one of China's most important commodity futures exchanges, and its pricing mechanism plays a decisive role in domestic markets for non-ferrous metals, ferrous metals, and other bulk commodities.

The various price indices reflect primary aluminium trading activity in different regions of China, as well as broader trading and market activity, including primary aluminium import prices. This regional and inter-regional market and trading activity results in similar prices for Chinese primary aluminium, regardless of index.

Figure 12 below shows that the various pricing indices (premium/discount inclusive) follow the same price trend in the inquiry period and have a trading range of -1.3% - 2.1% to the SHFE price. In contrast, the LME + MJP import price in China does not follow the same price trend from May 2024 and was more expensive than the Chinese prices in the second half of the inquiry period with a trading range of -2.7 % to 8% of the SHFE price.

Ingot market price in China (RMB/MT) - delivered, excl. VAT

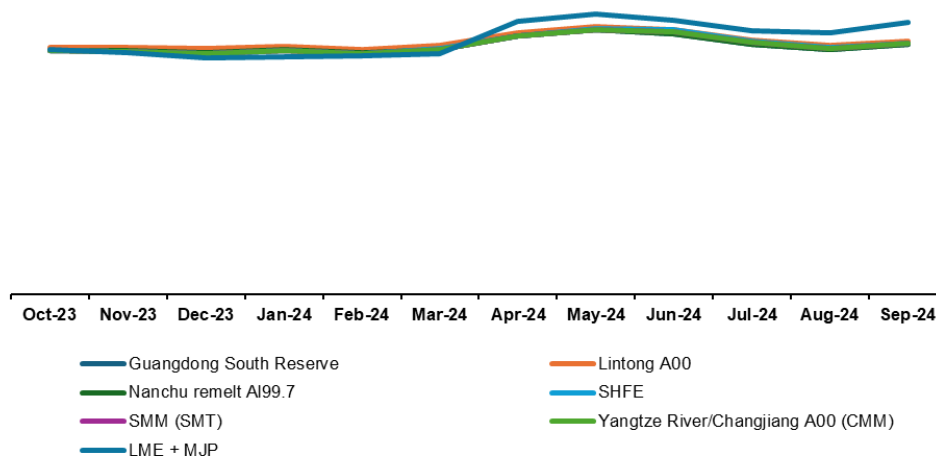


Figure 12: Primary aluminium price in China – inquiry period

The commission observes that all Chinese market price indices follow the SHFE primary aluminium prices during the inquiry period (and each other). The SHFE operates in a similar manner to the LME, in that it identifies the commodity contract prices already being traded by buyers and sellers. In other words, commodity trade must take place first for the SHFE to identify and publish a price. This is relevant because long-term primary aluminium contracts are set for extended periods (annually or longer) between the Chinese smelters and their customers.²⁵² And whilst a published market price such as the SHFE/SMM is used to reference market activity, the revised or new long-term contract also references the new trade between the Chinese smelter and its customers, and this sets the tone locally for price and trade activity for the year ahead.

PMI, in response to the SEF, submitted that aluminium prices in China as quoted on the SHFE are often above LME aluminium prices.²⁵³ PMI stated that a chart provided with Capral's application for Review 609 identified that LME and SHFE aluminium prices constantly vary, with one being higher and/or lower than the other, as well as generally rising and falling in parallel with one another reflecting prevailing market conditions internationally. PMI submitted that for there to be a disconnect between prices in aluminium in China and prices elsewhere due to Government of China intervention, then it would be reasonable to expect a disconnect between prices in China and those elsewhere. The commission notes that the referenced chart from Capral's application for Review 609 only includes the period up to May 2022, which is before the inquiry period. It is further noted that Review 609 ultimately found that aluminium prices paid by the four exporters examined were 9% lower than the benchmark price.²⁵⁴ The commission further considers that the pricing information considered in this inquiry is more contemporaneous with the inquiry period and therefore more accurate for use in the commission's assessment. This analysis, summarised in section A8.3, identified an increasing divergence in raw material prices to the benchmark price during the second half of the inquiry period.

The commission also assessed the Chalco prices with reference to the SHFE and noted a narrower trading range of -1.3% - 0.6%. The narrower trading range of Chalco with the SHFE is

²⁵² <https://www.metal.com/en/newscontent/103108223>. Certain exporters, such as Xingfa Aluminium, confirmed in their PSQ, that annual contracts are used for the purchase of ingot and billet.

²⁵³ EPR 657, document 47

²⁵⁴ EPR 609, Document 41, p 115.

relevant as it indicates the magnitude of Chalco's price-setting capability to influence the SHFE (see further discussion below).

The Aluminium Corporation of China Limited (ACCL) is one of the world's largest vertically integrated alumina and aluminium producers. It operates multiple smelters across China (commonly known as Chalco), and it is a wholly state-owned enterprise (SOE). Notably, Chalco prices are independently published alongside the SHFE, the SMM and the LME (see above). The commission is unaware of other Chinese smelters having such importance as a published reference for primary aluminium price-setting and trading in China²⁵⁵. As discussed above (at section), ACCL also has 10% equity in the newly formed CRRG.

The commission also found evidence that ACCL and Chalco set primary aluminium prices by reference to an annual price ceiling.²⁵⁶ The ACCL recently published a supplementary circular *Adjustments to existing annual caps of expenditure transactions contemplated under the General Agreement on Mutual Provision of Production Supplies and Ancillary Services for 2024 and 2025* (ACCL cap agreement). The agreement provides, among other things the volume and value of additional procurement of primary aluminium by Chalco International Trading Group Co., Ltd (Chalco International Trading) to sell to the external market, from Yunnan Aluminium Co., Ltd (Chalco Yunnan) and Inner Mongolia Huayun New Materials Co., Ltd (Chalco IMH).

Using the information in the ACCL cap agreement, the commission calculated the adjusted cap price and the allowable increase to deal with market sentiment and price fluctuations for primary aluminium in 2024 and 2025. These prices are demonstrated in Table 30 and the commission's calculations are at Confidential Attachment 30.

	2024	2025
Annual cap (RMB/MT)	17,843	17,910
Allowable increase (RMB/MT)	20,980	21,940

Table 30: ALLC and Chalco primary aluminium price cap

The commission also examined (at Figure 13) the Chalco regional prices sourced from the Chinese Aluminium Network and the annual cap prices for 2024 (see Figure 17).²⁵⁷

²⁵⁵ The commission searched the second largest smelter group in China, privately-owned China Hongqiao Group Limited and did not identify published primary aluminium prices to use as a reference when negotiating contracts or spot prices in China.

²⁵⁶ ALLC and Chalco, *Adjustments to existing annual caps of expenditure transactions contemplated under the General Agreement on Mutual Provision of Production Supplies and Ancillary Services for 2024 and 2025* (September 2023 and November 2024), <https://www.chalco.com.cn/en/tzzqxn/tzggen/202411/P020241101848049672601.pdf>

²⁵⁷ *Op cit* (248) alu.com.cn

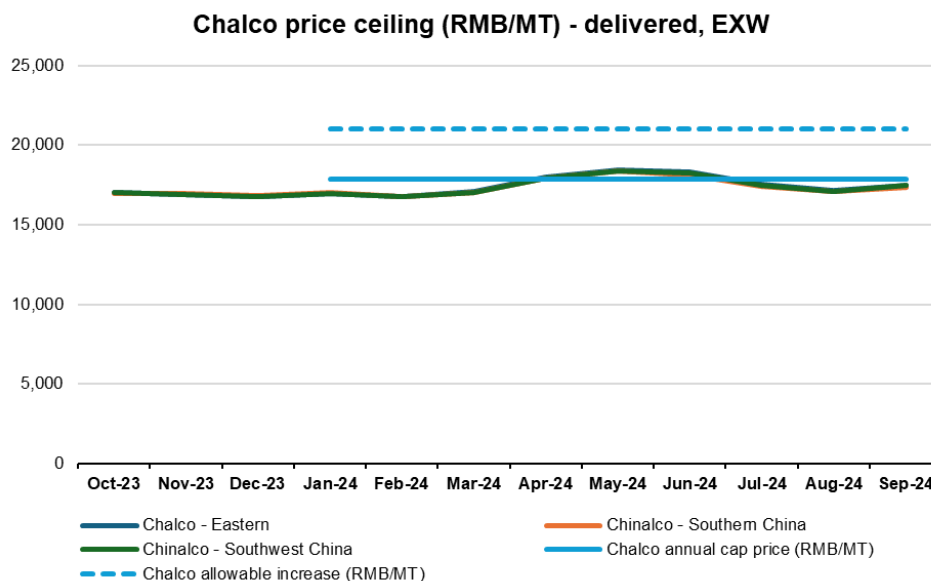


Figure 13: Chalco market price (alu.com.cn) and annual cap for 2024

The commission observes from Figure 13, that Chalco's primary aluminium price traded around the cap in 2024 and exceeded the cap by approximately 3% (into the allowable price increase range) for 3 months in the inquiry period. This price increase occurred at a time when the alumina²⁵⁸ price increased by 27%²⁵⁹ (see Figure 14 and Figure 15 below).

The Chalco price then returned to previous trading levels even when the price of alumina in China continued to increase (see Figure 14) at the end of the inquiry period.

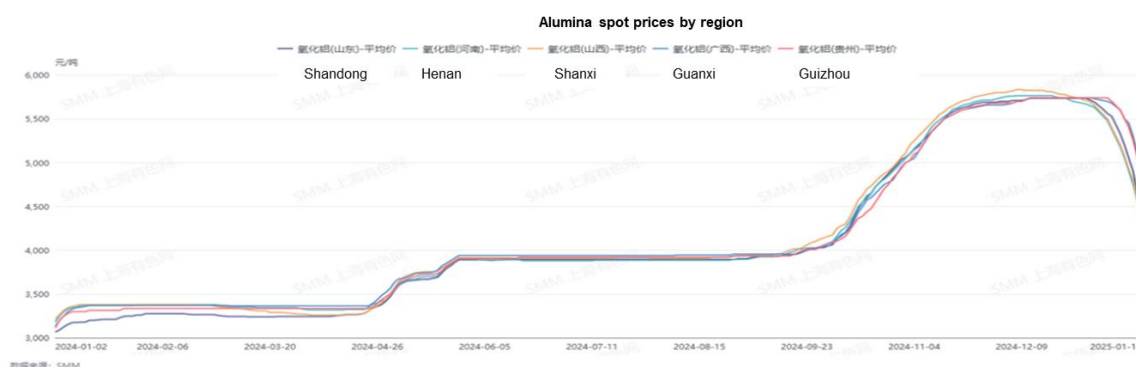


Figure 14: SMM analysis²⁶⁰ – regional alumina price in China

The commission also graphed (at Figure 15) relative price trends of primary aluminium and alumina in China in the inquiry period. The analysis shows that the Chinese import LME + MJP ingot price increased by approximately 7% (September 2024 to October 2024 price)²⁶¹ and in contrast, the Chinese market price indices rose by 2%-3% in the inquiry period.

²⁵⁸ Alumina is the intermediate raw material used to produce primary aluminium.

²⁵⁹ The increase in alumina price occurred because of supply disruptions, see <https://www.metal.com/en/newscontent/103144568>

²⁶⁰ <https://www.metal.com/en/newscontent/103144568>

²⁶¹ EPR 633 – [document no 27](#). REP 633, p.40, cited Office of the Chief Economist, DISR, *Resources and Energy Quarterly September 2024* (p.88) forecast that the LME price would increase by 6.2%.

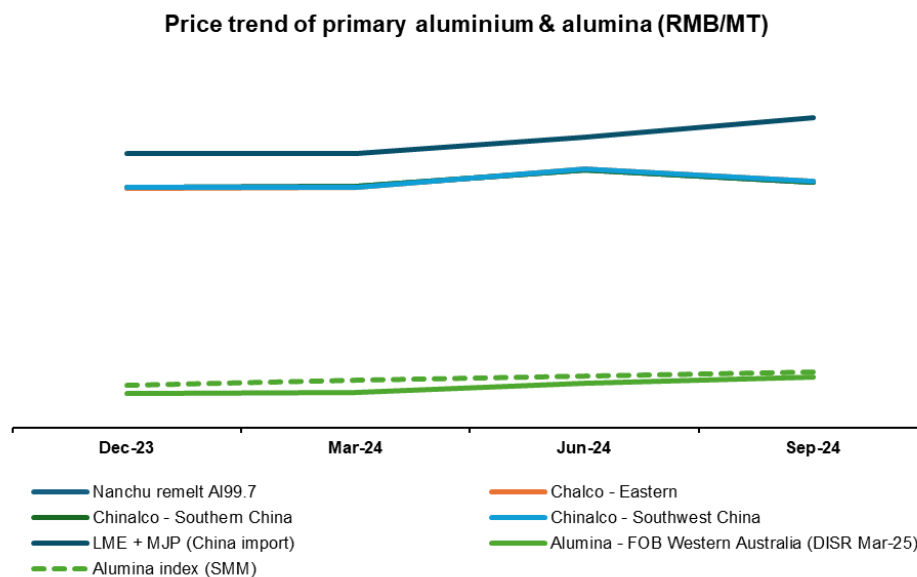


Figure 15: Aluminium ingot and alumina price - inquiry period

A.6.4 Production and consumption of aluminium in China

Imports and exports of primary and secondary aluminium

Exports of aluminium from China have historically been discouraged by significant differentials in the value added tax (VAT) rebate and export tariff rates applicable to primary aluminium as opposed to value-added aluminium products, such as aluminium extrusions. In 2019, the VAT rate for semi-fabricated aluminium exports was reduced and aligned with the VAT rebate rate, meaning there is now no non-refundable VAT on exports. This may serve to increase the attractiveness of exporting extrusions.

PMI submitted that commission's analysis failed to take into account the substantial quantities of aluminium imported into China at LME prices.²⁶² PMI claimed that imports in significant quantities would affect market conditions in China, including prices for aluminium and aluminium extrusions. PMI stated that China was the world's largest importer of aluminium and that there were no restrictions on companies, like PMI, importing aluminium into China.

The commission notes that, whilst China imports aluminium billets and ingots, the overall proportion of import volume is not substantial when compared to the amount of aluminium produced in China. For the years 2023 and 2024, the commission compared reported Chinese domestic production quantities and import volumes ²⁶³. This analysis indicated that import

²⁶² EPR 657 – document number 47

²⁶³ As noted in section A7, the GOC did not provide a response to the government questionnaire. To assess the proportion of imports, the commission relied on the following information sources:

- Reuters, China 2023 aluminium output hits record high but growth rate slows, 17 January 2024. <https://www.reuters.com/markets/commodities/china-2023-aluminium-output-hits-record-high-growth-rate-slows-2024-01-17/> (last accessed 2 September 2025)
- Reuters, As China nears peak aluminium production, what next?, 25 April 2025. <https://www.reuters.com/markets/commodities/china-nears-peak-aluminium-production-what-next-andy-home-2025-04-24/> (last accessed 2 September 2025).
- SMM Information & Technology Co., Ltd, Import and export data in aluminium industry chain in 2023, 29 January 2024. <https://news.metal.com/newscontent/102602560/Import-and-export-data-in-aluminium-industry-chain-in-2023> (last accessed 2 September 2025)

volumes reflected 3.2% and 4.7% of the primary aluminium market in China for 2023 and 2024 respectively. Whilst these imports may have some influence on the domestic market, this influence is not likely to be as substantial as claimed by PMI given their small share of the market.

The commission further notes that, whilst there may be no import restrictions on aluminium imported into China, primary aluminium incurs a 17% VAT whereas imports of secondary (recycled) aluminium and domestically produced primary aluminium generally incur a 13% VAT. In the commission's view, this makes imports of primary aluminium less attractive in China, which has the effect of limiting such imports of primary aluminium.

Consequently, the Commissioner is satisfied that import penetration in the Chinese aluminium extrusion market was low in the inquiry period and that the influence on domestic prices would not be as substantial as claimed by PMI.

Stockpiling

Research undertaken by the commission in REP 543 indicated global inventories totalled approximately 2.78 million tonnes and there was likely up to 9 million tonnes of unreported stock.²⁶⁴

The commission understands that China's National Food and Strategic Reserves Administration (NFSRA) operates a significant stockpile of primary aluminium. In the European Commission's (EC) *Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations* (the EC 2024 Report),²⁶⁵ the EC noted that in 2021, NFSRA announced that it would release storage three times in June, July and August 2021, and put a total of 80,000 tonnes of copper, 210,000 tonnes of aluminium, and 130,000 tonnes of zinc into the market to curb the rise in non-ferrous metal prices in the hope to curb inflation.²⁶⁶ The NFSRA is a state agency under the National Development and Reform Commission (NDRC), established on 4 April 2018 to replace its predecessor, the States Reserve Bureau (SRB).²⁶⁷ The EC report further noted that the stockpiling activities of the NFSRA can have a considerable impact on the prices as well as availability of certain materials in China and worldwide.²⁶⁸

The commission notes that the GOC does not publish the prices or quantities of aluminium it has stockpiled, however market analysts such as Citigroup estimated that in 2021, China's reserves of aluminium is approximately 800,000 tonnes.²⁶⁹ The commission considers that the GOC's stockpiling of aluminium at this volume is likely to have distorted domestic official consumption statistics.

-
- SMM Information & Technology Co., Ltd, Net imports of primary aluminum for the full year 2024 are up 44.8% YoY, while the import window remains closed [SMM Analysis], 21 January 2025. <https://www.metal.com/en/newscontent/103147191>. (last accessed 2 September 2025)

²⁶⁴ Tim Threadgold, *Aluminum Surplus Worsens, Signalling a Price Fall and Plant Closures in the New Year* (3 December 2019), *Forbes* <https://www.forbes.com/sites/timtreadgold/2019/12/03/aluminum-surplus-worsens-signalling-a-price-fall-and-plant-closures-in-the-new-year/>

²⁶⁵ EC 2024 Report.

²⁶⁶ Ibid (182265), p 452.

²⁶⁷ *Op cit* (265), p 346.

²⁶⁸ *Op cit* (265), p 348.

²⁶⁹ Reuters, *China to release copper, aluminum and zinc reserves to stabilize prices* (16 June 2021), <https://www.cnbc.com/2021/06/16/china-to-release-copper-aluminum-and-zinc-reserves-to-stabilize-prices.html>.

As noted earlier in this report, the commission sent the GOC a government questionnaire for completion. Because the GOC did not respond to the commission's government questionnaire, this has restricted the commission's ability to assess the significance of these stockpiles, and their impact on the true balance between domestic production and consumption.

Excess capacity

The commission notes that excess capacity for primary aluminium exists in China, in the form of the gap between the 43 million tonnes of primary aluminium produced in the inquiry period and the 45 million tonne production cap (described above).²⁷⁰ Along with the implementation of the CRRG and the secondary aluminium market, the potential for the imbalance between excess capacity in primary aluminium production and over supply of aluminium ingot and billet (primary and secondary) is a relevant observation.

Whilst PMI submitted²⁷¹ that the evidence of imports pointed to a shortfall in domestic production capacity to meet domestic demand, the commission notes that domestic production was below the GOC production cap during the inquiry period. This indicates that there is still available production capacity within the cap and there was no shortfall in domestic production impacting prices.

In assessing the above factors impacting the Chinese aluminium market during the inquiry period, the commission recognises the GOC continues its policy to restructure and reorganise the domestic aluminium industry to manage the level of excess production capacity and oversupply. This analysis supports the Commissioner's finding there are significant distortions in the domestic Chinese market. The Commissioner considers, based on the information available, that these directives and programs have had a limited impact in terms of resolving the underlying causes of market distortions, principally excess production capacity.

PMI submitted that China, as a major producer of aluminium, enjoys significant economies of scale not available to smaller producers elsewhere.²⁷² No evidence was provided by PMI to establish the claimed advantage. The commission notes that whilst economies of scale would be available to larger producers in China, any claimed economies of scale would be in addition to the influence of the policies, directives and programs of the GOC which have distorted the supply of primary aluminium in the domestic Chinese market

A7 GOC influence in the Chinese aluminium market

The Commissioner finds that in the inquiry period, the policies, directives and programs of the GOC have materially distorted the supply of primary aluminium in the domestic Chinese market. The Commissioner further finds that this has influenced the domestic price for Chinese primary aluminium in the inquiry period to a significant degree.

These findings are made, after considering the following supply-side mechanisms which have influenced supply:

- industry planning directives and associated programs
- taxation and tariff policies

²⁷⁰ The commission previously found in REP 543, idle production capacity in the Chinese market resulted in low-capacity utilisation. This potential excess capacity was estimated to be in the vicinity of 14% to 20% of annual global aluminium supply (reported in AME Group, *Aluminium Strategic Market Study 2018 Q2*; Office of the Chief Economist, DISR, Resources and Energy Quarterly Report March 2018).

²⁷¹ EPR 657, document 47

²⁷² *ibid*

- distortion of electricity production costs and pricing
- aluminium stockpiling programs
- provision of financial support to loss making aluminium smelters.

The extent of the GOC's direct involvement within the Chinese aluminium industry is also reflected in the extent of production capacity accounted for by Chinese SOEs and SIEs. In REP 248, the commission noted that based on evidence provided by the GOC and available to it at the time, the commission estimated that SOEs and SIEs accounted for a combined 60% of the total national volume of primary aluminium produced in China in 2013 and approximately 55% in the six months commencing 2014. The commission also found that this was consistent with the original investigation (REP 148) which found that almost half of the production volume was sourced from SOEs and SIEs.²⁷³ In this current inquiry, the commission requested information regarding this issue in the government questionnaire, to which the GOC did not provide a response. The commission also did not receive responses from GOC in REP 543 and REP 609.

In the EC 2024 report, the EC examined the interventions of the Chinese government in SOEs and concluded that "overall, SOEs have a significant presence in the Chinese aluminium market, especially in the primary aluminium segment".²⁷⁴ It further stated that "in addition to intervening into the aluminium state-owned producers, the State is also present in the private aluminium enterprises, not least given the ever-tighter Government control over the private sector"²⁷⁵ and "...the strict goals concerning production, capacity, modernisation, relocations and reorganisations of individual enterprises etc., mean that all aluminium producers in China are operating under strong State influence".²⁷⁶

The commission does not consider that the presence of SIEs and SOEs alone automatically means that a market is distorted. However, the presence of these entities, and their share of the market, does mean that there is a higher likelihood that GOC plans and directives will be adhered to.²⁷⁷ The commission also considers that this state-owned status enables these entities to obtain preferential treatment from Chinese financial institutions, both in terms of their access to, and the cost of, financing.

The significance of SOEs and SIEs to the broader Chinese economy, including the primary aluminium and related industries, is also reflected in the 2016 State Council of China *General Office of the State Council on Promoting Central Enterprises: Guidance on Structural Adjustment and Restructuring*.²⁷⁸

In introducing this guidance, the State Council notes the important role of 'central enterprises' in actively promoting structural adjustment, optimisation of structural layout and quality improvement within the Chinese economy. The commentary also notes that many structural problems are still

²⁷³ REP 248, p 79.

²⁷⁴ EC 2024 Report, p 442.

²⁷⁵ Ibid.

²⁷⁶ Ibid.

²⁷⁷ Terence Bell, *The Biggest Aluminum Producers of 2018* (1 April 2020) ThoughtCo <https://www.thoughtco.com/the-10-biggest-aluminum-producers-2339724>.

²⁷⁸ 《国务院办公厅关于推动中央企业结构调整与重组的指导意见》 [General Office of the State Council on Promoting Central Enterprises: Guidance on Structural Adjustment and Restructuring] State Council on Promoting Central Enterprises (China), Notice no 56, 26 July 2016 http://www.gov.cn/zhengce/content/2016-07/26/content_5095050.htm. For an English-language summary, see also 'State Council Issues Guideline on Reorganization of SOEs' (State Council (China), 26 July 2016) http://english.gov.cn/policies/latest_releases/2016/07/26/content_281475402145108.htm. Based on information available, the commission could not find any evidence to indicate that this information has changed for this review.

prominent, that efficiency of resource allocation needs to be improved, and that innovation capacity needs to be enhanced. In response to these issues, the guidance indicates that the Party Central Committee and State Council will deepen reform of SOE policies and arrangements to optimise state owned capacity allocation, promote transformation and upgrading. Details concerning the promotion of central enterprises restructuring and reorganisation are subsequently detailed. These include, under the 'safeguard measures' theme, the strengthening of the organisation and leadership of SOEs, strengthening of industry guidance, increased policy support and improved support measures.

A7.1 GOC directives — relevance and enforceability

The Commissioner considers that the extent of the GOC's influence within the Chinese primary aluminium industry is reflected in the major themes and objectives of its plans and directives. The commission has assessed the relevance of these plans and formed the view that the national five-year plans provide the overarching framework for the industry and province specific plans and other directives, such as those noted above.

In regard to these plans and directives, the commission acknowledges that the GOC considers these to be for guidance, rather than enforceable directives. However, the Commissioner's finding is that the five-year plans also have a significant impact on how identified industries are supported and regulated by government planning bodies and other institutions. Examples of the channels through which identified industries are influenced includes:

- the presence of SOEs and SIEs
- the wording of plans and directives
- the consistency of the themes and objectives throughout different plans and directives
- the central role of the NDRC in the development of directives, and the provision of project approvals, and
- enforcement mechanisms.

While the commission notes that GOC ownership, through SOEs and SIEs, does not automatically translate into GOC control of these entities, it is the commission's view that these entities are more likely to be responsive to the directives of the broader GOC. The level of influence and broader role of SOEs and SIEs within the Chinese primary aluminium industry is relevant to this assessment. In relation to the language and consistency of themes and objectives between different plans, the commission notes that these documents, and specifically the *Notice of the State Council on Further Strengthening the Elimination of Backward Production Capabilities and Guidelines* (the GOC Guidelines),²⁷⁹ are written in a style that emphasises their importance and binding nature. Examples of these consistent themes include:

- the elimination of backwards capacity
- control of production levels
- encouraging mergers, restructuring and relocation
- promoting technological and product quality improvement
- implementing and encouraging environmental measures.²⁸⁰

In relation to the role of the NDRC, the commission notes that it is the key body responsible for both developing these directives and providing overarching approval of large-scale investment projects within China. It is the commission's view that directives from the NDRC, as the GOC's central planning authority, would thus be central to both industry specific five-year plans and the

²⁷⁹ 《国务院关于进一步加强淘汰落后产能工作的通知》 [Notice of the State Council on Further Strengthening the Elimination of Backward Production Capacities] State Council (China), Notice no 7, 6 April 2010 ('GOC Guidelines').

²⁸⁰ See [REP 263](#) p 85.

planning decisions of all levels of government more generally. More explicit enforcement mechanisms are reflected in the GOC Guidelines. Mechanisms to address non-compliance include:

- revoking of pollutant discharge permits
- restrictions on financial institutions providing new credit support
- restrictions on examination and approval of new investment projects
- restrictions on approval of new land for use by the enterprise
- restrictions on issuing of new, and cancelling of existing, production licenses.

The GOC Guidelines state that enterprises that do not conform to the industrial policy shall not be provided financial support by financial departments.²⁸¹ More implicit enforcement mechanisms are reflected by the regulatory powers of bodies, such as the Ministry of Industry and Information Technology. It is the commission's understanding that such bodies maintain lists of companies that are deemed to be either compliant or non-compliant with national standards on production, environmental protection, energy efficiency and safety. Those deemed non-compliant are to be closed.²⁸²

The Commissioner finds that the effectiveness of the above stated mechanisms are reflected in the responsiveness of industry groups and major companies to the GOC's various directives.

A7.2 GOC directives relevant to the primary aluminium industry

The major GOC plans and directives in relation to the Chinese primary aluminium industry, including key themes emphasised throughout them are listed below:

1. 14th Five-Year Plan of China (2021–2025)²⁸³
 - prioritising the quality of growth rather than the quantity of growth
 - building China into a self-reliant technological and manufacturing powerhouse
 - accelerating the drive towards a low-carbon economy to help achieve the 2030/2060 climate goals
 - achieving 'common prosperity' through new rural revitalisation and urbanisation strategies
 - moving ahead with gradual liberalisation of the business environment
 - elevating China's leadership role in regional and global economic governance
 - managing great-power rivalry with the United States.
2. 13th Five-Year Plan of China (2016–2020):²⁸⁴
 - promoting innovation in science and technology²⁸⁵
 - support regional development and the development of special regions²⁸⁶

²⁸¹ *ibid.*

²⁸² Office of the Chief Economist, DISR, *Resources and Energy Quarterly* (December 2015), p 47.

²⁸³ Asian Development Bank, Observations and Suggestions, *The 14th Five-Year Plan of the People's Republic of China —Fostering High-Quality Development* <https://www.adb.org/sites/default/files/publication/705886/14th-five-year-plan-high-quality-development-prc.pdf>.

²⁸⁴ 《中华人民共和国国民经济和社会发展第十三个五年规划纲要》 [National Economic and Social Development of the People's Republic of China: Outline of the 13th Five-Year Plan] State Council (China), as reported by Xinhua News Agency (17 March 2016) http://www.gov.cn/xinwen/2016-03/17/content_5054992.htm.

²⁸⁵ 《中华人民共和国国民经济和社会发展第十三个五年规划纲要》 [National Economic and Social Development of the People's Republic of China: Outline of the 13th Five-Year Plan] State Council (China), as reported by Xinhua News Agency (17 March 2016) http://www.gov.cn/xinwen/2016-03/17/content_5054992.htm ch 6.

²⁸⁶ *ibid.*, chs 37, 40.

- promoting economical and intensive resource use.²⁸⁷
- 3. 12th Five-Year Plan of China (2011–2015):²⁸⁸
 - promoting the restructuring of key industries²⁸⁹
 - promoting the orderly relocation of urban enterprises for non-ferrous metals²⁹⁰
 - planning of mergers and reorganisation of enterprises²⁹¹
 - promoting the development of small and medium enterprises.²⁹²
- 4. The GOC Guidelines:
 - objectives for structural adjustment within the Chinese primary aluminium industry²⁹³
 - measures to accelerate structural adjustment of the primary aluminium industry.²⁹⁴
- 5. *Non-Ferrous Metal Industry Adjustment and Revitalisation Plan*:²⁹⁵
 - stabilisation and expansion of the domestic market
 - control of volume and eliminate backward production capacity
 - strengthening of technological innovation
 - promoting of industry and enterprise restructuring
 - promotion of non-ferrous metals industrial restructuring and upgrading.
- 6. *Chinese Non-Ferrous Metal Industry Development Plan (2016–2020)*:²⁹⁶
 - growth targets
 - coordinating fiscal, taxation, financial, and trade policies
 - promoting bank-enterprise cooperation
 - increasing financing support to backbone enterprises and major international cooperation projects
 - adequately utilising existing government funds
 - encouraging local governments and social funds to increase input
 - implementing preferential tax policies for mines, M&A, and restructurings
 - establishing insurance compensation system for new materials development.
- 7. *Normalisation Criteria on the Aluminium Industry*:²⁹⁷
 - speed up the structural reform of primary aluminium industry
 - regulate behaviour

²⁸⁷ *ibid.*, ch 43.

²⁸⁸ 《中华人民共和国国民经济和社会发展第十二个五年规划纲要》 [*National Economic and Social Development of the People's Republic of China: Outline of the 12th Five-Year Plan*] State Council, as reported by Xinhua News Agency (16 March 2011) http://www.gov.cn/2011lh/content_1825838.htm.

²⁸⁹ *ibid.*, ch 9.

²⁹⁰ *ibid.*, ch 9.

²⁹¹ *ibid.*, ch 9.

²⁹² *ibid.*, ch 9.

²⁹³ GOC Guidelines ch 2.

²⁹⁴ *ibid.*, ch 3.

²⁹⁵ 《有色金属产业调整和振兴规划》 [*Non-Ferrous Metal Industry Adjustment and Revitalisation Plan*] State Council (China), 11 May 2009 http://www.gov.cn/zwqk/2009-05/11/content_1310436.htm.

²⁹⁶ 《有色金属工业发展规划(2016-2020年)》 [*Chinese Non-Ferrous Metal Industry Development Plan (2016–2020)*] Ministry of Industry and Information Technology (China), 28 September 2016.

²⁹⁷ 铝行业规范条件 [*Normalisation Criteria on the Aluminium Industry*] Ministry of Industry and Information Technology (China), Notice no 36, 18 July 2013.

- requirements targeting the layout, location, and production scale of new bauxite, alumina, electrolytic and secondary aluminium enterprises
 - requirements that new electrolytic aluminium projects have surety over their alumina and electricity supply, transport and other external requirements
 - requirements that new aluminium enterprises meet the relevant national standards concerning quality, capacity, energy efficiency and national environmental standards
 - requirements for monitoring and administration by the Ministry of Industry and Information Technology (China).
8. *General Office of the State Council on Promoting Central Enterprises: Guidance on Structural Adjustment and Restructuring*.²⁹⁸
- SOEs restructuring and reorganisation should serve national strategies, respect market rules, combine with reforms, follow laws and regulations, and stick to a coordinated approach
 - state-owned capital should support SOEs, whose core businesses are involved in national and economic security and major national programs, to strengthen their operations, and allow non-state-owned capital to play a role, while ensuring the state-owned capital's leading position
 - related departments and industries requested to steadily promote restructuring of enterprises in fields such as equipment manufacturing, construction engineering, electric power, steel and iron, nonferrous metal, shipping, construction materials, tourism, and aviation services, to efficiently cut excessive overcapacity and encourage restructuring of SOEs.
9. *Guidelines for Accelerating the Restructuring of the Aluminium Industry* (2006)²⁹⁹
10. *Industrial Structure Adjustment Guidance Catalogue* (2011), amended 2013.³⁰⁰ The commission notes this catalogue has been replaced by a new version effective 1 January 2020.³⁰¹

²⁹⁸ 国务院办公厅关于推动中央企业结构调整与重组的指导意见》[*General Office of the State Council on Promoting Central Enterprises: Guidance on Structural Adjustment and Restructuring*] State Council on Promoting Central Enterprises (China), Notice no 56, 26 July 2016 http://www.gov.cn/zhengce/content/2016-07/26/content_5095050.htm.

²⁹⁹ 《关于加快铝工业结构调整指导意见的通知》[*Guidelines for Accelerating the Restructuring of the Aluminium Industry*] Development and Reform Commission, Notice no 589, 11 April 2006 http://www.gov.cn/zwqk/2006-04/28/content_268675.htm.

³⁰⁰ 《产业结构调整指导目录（2011年本）》[*Industrial Structure Adjustment Guidance Catalogue (2011 Edition)*] National Development and Reform Commission, Order no 9, 27 March 2011, http://www.gov.cn/jfjg/2011-04/26/content_1852729.htm; 《产业结构调整指导目录（2011年本）（2013修正）》[*Industrial Structure Adjustment Guidance Catalogue (2011 Edition) (2013 Amendments)*] National Development and Reform Commission (China), Order no 21, 16 February 2013 http://www.zhenxing.gov.cn/zxqzf/zf_ztzt/qyfw/qyzcfb/864520173205128.html.

³⁰¹ 《产业结构调整指导目录（2019年本）》[*Industrial Structure Adjustment Guidance Catalogue (2019 Edition)*] National Development and Reform Commission (China), Order no 29, 30 October 2019 http://www.gov.cn/xinwen/2019-11/06/content_5449193.htm.

Other GOC directives, which are likely to have influenced or impacted conditions in the Chinese aluminium industry and markets include:³⁰²

11. *Notice on Several Opinions to Guide the Healthy Development of Industry: Curbing Overcapacity and Redundant Construction in Certain Industries* (2009).³⁰³

12. *Guiding Opinions on Accelerating the Merger and Acquisition and Reorganisation in Key Industries* (2013).³⁰⁴

The central role of the GOC in the Chinese aluminium industry is reflected through these planning documents and directives in relation to the structure and composition of the Chinese aluminium industry. The existence of SOEs in both the primary and secondary aluminium industry supports the GOC's central role in the industry. The Commissioner is satisfied that the GOC has maintained a central role in the development of the Chinese aluminium industry and has materially contributed to its rapid expansion and oversupply during the inquiry period.

Evidence as to how these plans and directives relate to conditions within the Chinese primary aluminium industry are discussed throughout this appendix.

A7.3 GOC involvement in energy sector

Primary aluminium production is a known energy intensive industry and electricity is a significant cost for aluminium smelters and downstream producers. Therefore, low electricity prices provide a significant advantage to aluminium producers and downstream users of primary aluminium.³⁰⁵ As a significant component of aluminium production costs, electricity pricing has a major impact on the price of primary aluminium, and the profitability of aluminium producers.³⁰⁶

The electricity market in China is characterised by strong involvement of SOEs in various stages of the supply chain.³⁰⁷ It is worth noting that the strong state presence does not only concern the electricity market but extends to the entire energy sector. The energy market is greatly controlled by both centrally and provincially owned energy SOEs, hence both the national and provincial governments influence the energy market. Out of 96 centrally owned SOEs currently being overseen by SASAC,³⁰⁸ 18 are in the energy sector.³⁰⁹ In the EC 2017 report, the EC also found that Chinese SOEs have strong involvement in the electricity market in various stages of the supply chain, with around 50% of the generation capacity state owned. The entire transmission grid is owned and maintained by two SOEs: State Grid Corporation of China and China Southern

³⁰² Some directives sourced from market situation assessments in *Anti-Dumping Commission Report No 300* (relating to steel reinforcing bar) and *Anti-Dumping Commission Report no 301* (relating to rod in coil).

³⁰³ 《关于抑制部分行业产能过剩和重复建设引导产业健康发展若干意见的通知》[Notice on Several Opinions to Guide the Healthy Development of Industry: Curbing Overcapacity and Redundant Construction in Certain Industries] Development and Reform Commission and Other Departments Approved by the State Council (China), Notice no 38, 29 September 2009 http://www.gov.cn/zwqk/2009-09/29/content_1430087.htm.

³⁰⁴ 《关于加快推进重点行业企业兼并重组的指导意见》[Guiding Opinions on Accelerating the Merger and Acquisition and Reorganisation in Key Industries] Ministry of Industry and Information Technology (China), Notice no 16, 22 January 2013 http://www.gov.cn/zwqk/2013-01/22/content_2317600.htm.

³⁰⁵ EC 2024 Report, p 452.

³⁰⁶ Electricity was reported to represent at least 40% of the CTM for primary aluminium. See [REP 263](#) p 109.

³⁰⁷ EC 2024 Report, p 265.

³⁰⁸ State-owned Assets Supervision and Administration Commission (SASAC) was created in 2003 through the merger of functions from several Chinese government organisations to improve the management and regulations of SOEs.

³⁰⁹ EC 2024 Report, p 265.

Power Grid.³¹⁰ The commission notes that the 2017 European Commission report highlights the central government's and local authorities' involvement in the energy sector, with some local governments in China giving additional energy subsidies to aluminium smelters to help them stay in production and remain competitive against new capacity in northwest regions.³¹¹

Based on both information submitted in previous investigations and contemporary positive evidence, the Commissioner is satisfied that the GOC continues to provide support to Chinese aluminium producers through discounted electricity.

One example of support provided by the GOC is through central and provincial electricity pricing to China's aluminium smelting industry, using the GOC's initiatives and policies to lower fossil fuel energy consumption rates. The significant drive in China for efficient use of electricity and renewable sources, such as hydropower, has seen a push to reduce unit energy consumption through the development of integrated power and aluminium projects coupled with bringing online more energy-efficient, high amperage (kA) smelters, especially in the Eastern regions.³¹²

For example, the EC 2024 report cites the NDRC Notice of Tiered Electricity Price Policy (NDRC 2021/1239). This energy policy set a threshold for energy consumption (prior to 2023) at 13,650 kWh per tonne of primary aluminium produced, with a surcharge of RMB 0.01 per kWh for smelters that exceed the consumption threshold³¹³.

Analysis from the International Aluminium Institute (IAI) at Figure 16 demonstrates the pre-2023 energy caps cited in the EC 2024 report, along with a lower energy threshold of 13,450 kWh from 2023³¹⁴.

Kilowatt hours (kWh) per tonne of aluminium for 2018 to 2023

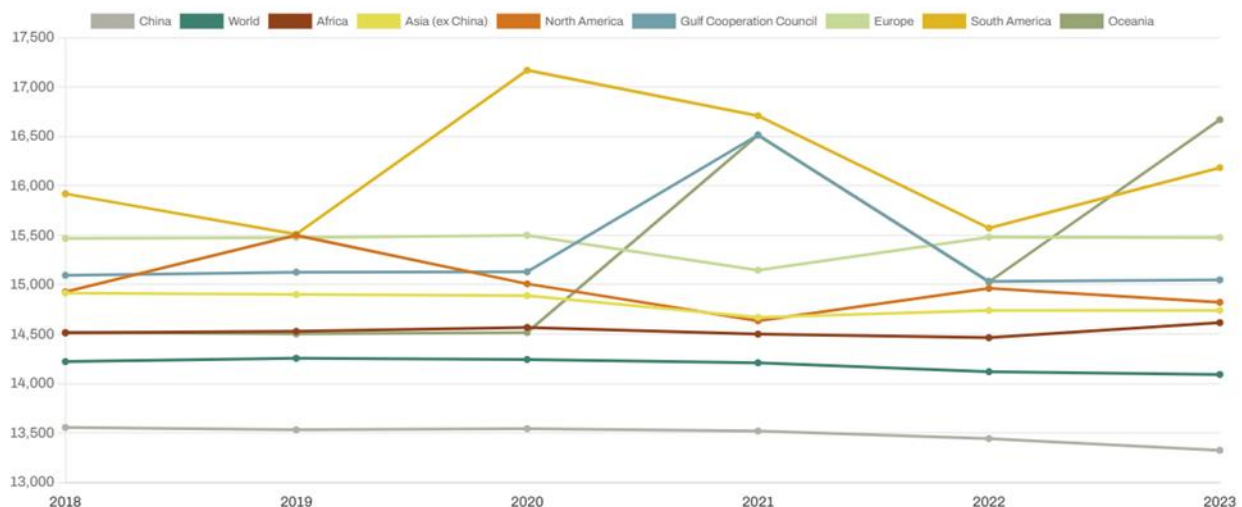


Figure 16: Primary aluminium (per MT) energy cost 2018-2023³¹⁵

³¹⁰ EC 2017 Report p 218.

³¹¹ EC 2017 Report p 390.

³¹² AME Group, Aluminium Strategic Market Study 2018 Q2, ch 3.

³¹³ EC report p.272

³¹⁴ Ibid (313). The EC 2024 report also stated that the energy threshold will reduce further in 2025 to 13,300kWh.

³¹⁵ International Aluminium Institute, *Primary Aluminium Smelting Energy Intensity*, (2024) <https://international-aluminium.org/statistics/primary-aluminium-smelting-energy-intensity/?publication=primary-aluminium-smelting-energy->

The commission considers that such energy policies (energy consumption cap) are more favourable to large SOE primary aluminium producers who have the capital and state resources to transition to efficient and renewable energy. This means that these SOE's can therefore meet the energy consumption cap if part of the operation uses a mix of fossil fuels and renewable energy to receive the preferential energy tariff.

For example, Baotou Aluminium (part of the Aluminium Corporation of China Limited) has started building its 1,200MW source grid load storage project³¹⁶, along with the Baotou Aluminium green power supply project³¹⁷. Both projects will account for more than 40% of Baotou's electricity consumption for primary aluminium production. This means that 40% of Baotou's energy consumption is not subject to the energy consumption cap.

Other GOC involvement in the energy sector in China include:

- Energy and other non-financial subsidies provided by the GOC over 2013–17 to two main aluminium producers (57% of total Chinese electricity subsidies): China Hongqiao and Qinghai Provincial Investment Group.³¹⁸
- Sales by the GOC of intermediate inputs to industrial producers at below-market prices including state-owned power plants selling electricity to local firms at below-market rates or below-cost-recovery rates.³¹⁹

A7.4 GOC below market finance policies

Below-market finance can take the form of either below-market borrowings (BMB) where a government provides support through debt financing, or below-market equity where a government provides equity finance on terms that are inconsistent with market principles. BMB enables companies to obtain debt financing on terms that are more favourable than available on the market (e.g., preferential interest rates and government loan guarantees) or below-market equity (e.g., government equity infusions and below-market equity returns).³²⁰ In both cases, below-market finance serves to lower companies' cost of capital. A 2021 OECD paper highlighted a series of below-market finance policies implemented by the GOC for the Chinese aluminium market:

- among the sectors analyzed, support is more prevalent in industries subject to excess capacity such as aluminium³²¹
- below-market finance has found to play a key role in favoring certain aluminium and semiconductor producers³²²

[intensity&filter=%7B%22row%22%3A3%2C%22group%22%3A%22multiGroup%22%3A%5B%5D%2C%22dateRange%22%3A%22annually%22%2C%22monthFrom%22%3A%22monthTo%22%3A%22quarterFrom%22%3A1%2C%22quarterTo%22%3A4%2C%22yearFrom%22%3A2018%2C%22yearTo%22%3A2023%2C%22multiRow%22%3A%5B3%2C4%5D%2C%22columns%22%3A%5B23%2C24%2C26%2C25%2C27%2C28%2C29%2C30%2C31%5D%2C%22activeChartIndex%22%3A0%2C%22activeChartType%22%3A%22line%22%7D](#)

³¹⁶ Chalco announcement p.34

³¹⁷ Baotou China, *Baotou Aluminium's new energy project progresses steadily*, 12 August 2024, http://www.goinnermongolia.com.cn/baotou/2024-08/12/c_1013122.htm

³¹⁸ OECD, *Measuring Distortions in International Markets: The Aluminium Value Chain* (OECD Trade Policy Paper 218, published 2019).

³¹⁹ OECD, *Measuring distortions in international markets: Below-market finance* (OECD Trade Policy Paper, May 2021) p 66.

³²⁰ *ibid.*, p 5.

³²¹ OECD, *Measuring distortions in international markets: Below-market finance* (OECD Trade Policy Paper, May 2021) p 4.

³²² *ibid.*, p 5.

- studies conducted by the OECD Trade Committee have found that below-market loans and below-market equity account for a large share of all government support identified in the aluminium and semiconductor value chains³²³
- below-market energy inputs improved the profitability of certain aluminium smelters³²⁴
- the geographical split also shows that China-based companies are much more likely to benefit from BMB based on the calculated benchmark rates³²⁵
- China accounts for the vast majority all net additions to global aluminium-smelting capacity, as well as for the bulk of all below-market borrowings that benefitted aluminium smelters over the period.³²⁶

A7.5 GOC taxation and tariff policies

In previous cases the Commissioner determined the GOC tariff and tax rates applicable to the Chinese aluminium industry value chain serve to discourage the exportation of primary and alloyed aluminium, while encouraging the exportation of downstream aluminium products such as aluminium extrusions and aluminium road wheels.

The commission understands that in 2019 the export VAT rate for aluminium extrusions dropped from 16% to 13%, aligning it with the VAT rebate. As such, there was no differentiation in the VAT rate in respect of exported aluminium extrusions, other than any export VAT rebates applied and modified from time to time. Such a policies can create uncertainty and can represent a further incentive to encourage or discourage the export of downstream products because it broadens the relative tax burden between upstream and downstream products.

From 1 December 2024, the GOC cancelled the 13% export VAT rebate on downstream aluminium products, including aluminium extrusions. This makes exports of aluminium extrusions less attractive as the exporters will pass on the 13% additional cost, or make export markets less viable, if exporters need to absorb the additional 13% cost incurred.

The commission also notes that the GOC has a tiered import VAT tax applied to imports of secondary and primary aluminium. Primary aluminium incurs a 17% VAT and imports of secondary (recycled)aluminium incurs a 13% VAT. In this commission's view, this makes imports of primary aluminium less attractive in China, which has the effect of limiting such imports.

Consistent with findings made in REP 543, the Commissioner is satisfied that these arrangements are part of the broader GOC strategy to control the domestic market for primary and alloyed aluminium within China. These intentions are to ensure there is adequate supply for downstream industries such as aluminium extrusions and sponsor value added production rather than primary exports.

This conclusion is not only based on differences in the VAT rebates available to exports of aluminium extrusions and primary or alloyed aluminium, but also on the GOC's active involvement in the domestic market through stockpiling policies as discussed in the following section.

A7.6 GOC stockpiling policies

Prior cases undertaken by the commission into aluminium related products exported to Australia from China identified the role of the China State Reserve Bureau, now known as the NFSRA, in

³²³ *ibid.*, p 9.

³²⁴ *ibid.*, p 32.

³²⁵ *ibid.*, p 40.

³²⁶ *ibid.*, p 49.

using aluminium stockpiles to manage price fluctuations in the domestic Chinese market.³²⁷ An example of the NSFRA's market interventions includes the purchase and sale of aluminium from its stockpile to support the domestic market, as discussed in section A4 of this report.

The commission considers that the NSFRA's stockpiles continue to exist³²⁸ and are operated with the intention of managing aluminium price volatility within the domestic Chinese market.³²⁹ It is the commission's view the ongoing operation of the NSFRA's stockpiling not only reflects the desire of the GOC to influence and control conditions within the domestic primary aluminium market, but also the distortion of market forces and therefore the degree to which conditions within these markets reflect normal market conditions.

A8 The Chinese aluminium extrusion market

A8.1 Conditions in the Chinese aluminium extrusion market

The Commissioner finds that the impact of distorted aluminium pricing, along with the receipt of numerous subsidies both within and prior to the inquiry period, is likely to have distorted conditions within this market. It is also the Commissioner's finding (consistent with the findings in REP 543), that the GOC has actively sought to encourage the export of valued added aluminium products, such as aluminium extrusions, over primary aluminium, through differences in VAT rebates and export tariffs applied to these goods (see appendix A6.5).

A8.2 GOC subsidy programs to Chinese aluminium extrusion producers

GOC support is also provided to China's aluminium related industries through the provision of subsidies. At an aluminium trade group consortium conducted in January 2022 involving the G7 countries including Canada, France, Germany, Italy, Japan, the United Kingdom, and the United States, data from the OECD indicated that China's share of the aluminium production market has grown from a tenth at the turn of the century to almost 60%. Chinese companies receive between 4% and 7% of their annual revenues via state subsidies compared to the global average for major aluminium firms of 0.2%.³³⁰

Previous commission cases into aluminium extrusions exported to Australia from China have identified several subsidy programs received by Chinese exporters. Chapter 7 discusses these subsidies.

A9 Assessment of particular market situation in the Chinese aluminium extrusions market

A8.1 Assessment of conditions in the Chinese aluminium market

As explained in the preceding sections, the Commissioner considers that based on the positive evidence available, there continued to be significant GOC induced distortions within the Chinese primary and secondary aluminium market during the inquiry period. This section further assesses

³²⁷ The NFSRA is situated in the NDRC.

³²⁸ One exporter in the inquiry period purchased primary aluminium from the Guangdong State Reserve in China which is managed by the NFSRA.

³²⁹ Gregory D. Wisher, "China shows how Western governments should stockpile minerals" (6 March 2024), The Strategist <https://www.aspistrategist.org.au/china-shows-how-western-governments-should-stockpile-minerals/>

³³⁰ Global Aluminium Trade Groups Call On G7 To Rein In Chinese Subsidies (6 February 2022) Aluminium Insider <https://aluminiuminsider.com/global-aluminium-trade-groups-call-on-g7-to-rein-in-chinese-subsidies/>

the effect of that influence on primary aluminium prices in China and therefore on the cost of the primary input in the manufacture of the goods by Chinese producers.

A8.2 Flow through to aluminium extrusions sector

As explained in section A3.2, one of the factors in assessing the existence of a particular market situation relates to whether input costs correspond to market conditions. Primary aluminium is a key cost component in aluminium extrusions. Accordingly, the commission considers that primary aluminium prices impact both the production costs and selling prices of aluminium extrusions. During the inquiry period, secondary aluminium was also a cost component and affected the cost and price of aluminium extrusions. The quantity used was much smaller than primary aluminium and therefore the degree of impact was lower than for primary aluminium.

In addition, the Commissioner considers subsidies provided to the aluminium and aluminium extrusions sectors would likely impact the costs of production associated with aluminium extrusions through:

- improving the technology used by aluminium extrusion manufacturers, reducing the cost of production, affecting the supply and therefore the price of aluminium producing enterprises (and upstream industries that are also likely to have received subsidies)
- reducing the cost of inputs of aluminium and aluminium extrusions through the strengthened structural adjustment of aluminium and upstream industry entities
- directly reducing input prices of products at each stage of production when the subsidies are passed on by the recipient enterprises.

A8.3 Comparison of raw material prices

As considered in section A5, the Commissioner considers there were significant GOC-induced distortions within the primary aluminium market during the inquiry period.

The commission undertook further inquiry to corroborate its findings regarding the impact of GOC influence on aluminium prices in China. Noting that the GOC did not provide a response to the questionnaire, the commission undertook this inquiry using the information provided by the selected exporters, independent research obtained from a third-party commodity analyst³³¹ and the commission's desktop research.

The commission compared the recorded Chinese aluminium costs of Goomax, Jinxicheng, PMI and Xingfa Aluminium to an equivalent LME + MJP import price (benchmark price) that was consistent with contracted import prices to China that were unaffected by the particular market situation (**APPENDIX C** provides further detail on the background and origins of this benchmark).³³²

The ingot price is inclusive of premiums/discounts and the billet price includes a billet premium.

Figures 17 and 18 below demonstrate the monthly price paid for primary aluminium billet and ingot over the inquiry period for all exporters and the benchmark price.

³³¹ *Op cit* (249). The name of the commodity analyst is confidential information.

³³² While the benchmark is used in Appendix C for different assessments than the assessment in Appendix A, the background and origins of the benchmark discussed in Appendix C are relevant to Appendix A. The specific parts of Appendix C relevant to the identification of the benchmark for Appendix A are in section C4.1.1].

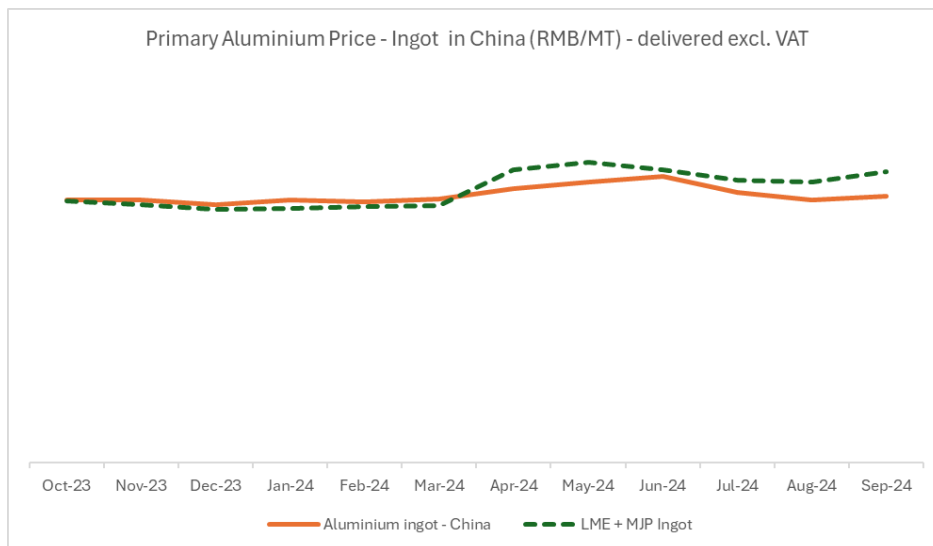


Figure 17: Monthly primary aluminium prices ingot ³³³

Figure 17 illustrates that weighted average Chinese prices paid for ingot by the selected exporters were above the LME + MJP price for the first six months of the enquiry period. Chinese prices paid were between 0.5% and 3.3% higher during that period. In the second six months of the POI the average weighted Chinese prices paid for ingot by selected exporters were below the LME + MJP price, with Chinese prices being between 2.5% and 8.6% lower.

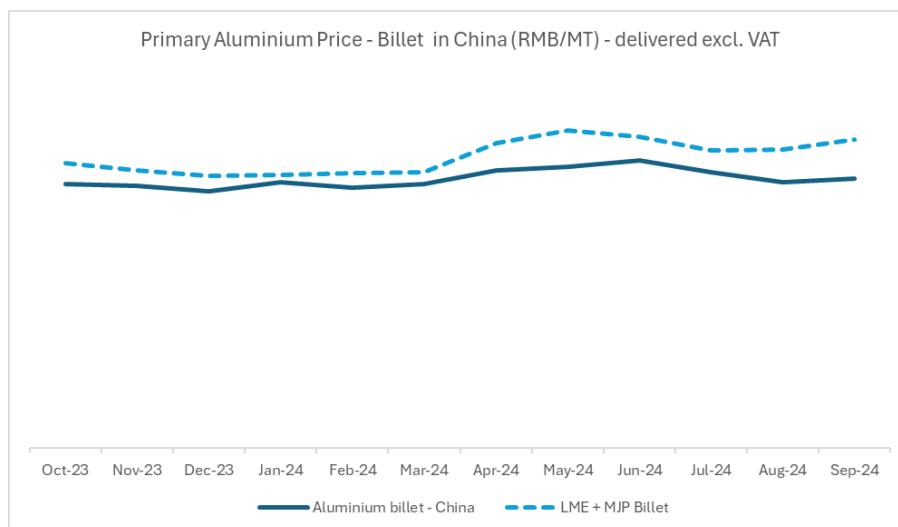


Figure 18: Monthly primary aluminium prices Billet

Figure 18 illustrates that weighted average Chinese prices paid for billet by the exporters were below the LME + MJP price for the whole POI. The Chinese prices paid for billet by the exporters were below the LME + MJP price by between 2% and 13%.

Billet comprised approximately 80% of the primary aluminium consumed by the selected exporters during the inquiry period.

³³³Confidential attachment 30: Confidential attachment 30: Chinese aluminium market refers.

Imported primary ingots and billet (using a contracted LME + MJP import price) accounted for approximately 2.5 % of the purchasers by the sampled exporters.

Primary aluminium ingot

The commission found that for primary ingot purchases, the price paid by the exporter closely followed the market price index published by the Chinese Aluminium Network. Whilst there was some deviation, the degree was immaterial. For example, the exporters purchased 76% (by volume, Chinese and import) of primary aluminium ingot using the Nanchu price index. For the inquiry period, the difference between the Nanchu index and the ingot price paid by the exporters was 0.1%.

Similar trends were observed for primary ingot purchases using Lingtong and the Guangdong South Reserve price which is the same as the Nanchu price. Purchases of primary ingot using these 2 market price indices were approximately 13% by volume of all ingot purchases (Chinese and import) in the inquiry period.

Imported primary ingots (using the contract LME + MJP import price) accounted for approximately 11% of primary ingot purchased by the sampled exporters.

Primary aluminium billet

For the exporters who purchased primary billet, the billet price was inconsistent with the ingot market index that the billet price was set against and did not follow the same trends. This indicated to the commission, that for the most part, the cost components that made up the billet price (ingot, ingot premium, billet premium, other manufacturer costs and expenses and profit) were not fully passed through to the exporter in the price of the billet.

This is significant, as primary billet (from both China and Malaysia) comprised 80% of all primary aluminium purchases in the inquiry period. Imported primary aluminium ingots accounted for approximately 0.3 % of primary aluminium billet purchased by the sampled exporters.

A8.3.1 Goomax

Goomax purchased primary aluminium from China in the inquiry period. Figure 19 demonstrates that Goomax's ingot purchases were below the benchmark price for 6 months of the inquiry period. Goomax's billet purchases were below the benchmark price for the whole inquiry period. (Appendix C).

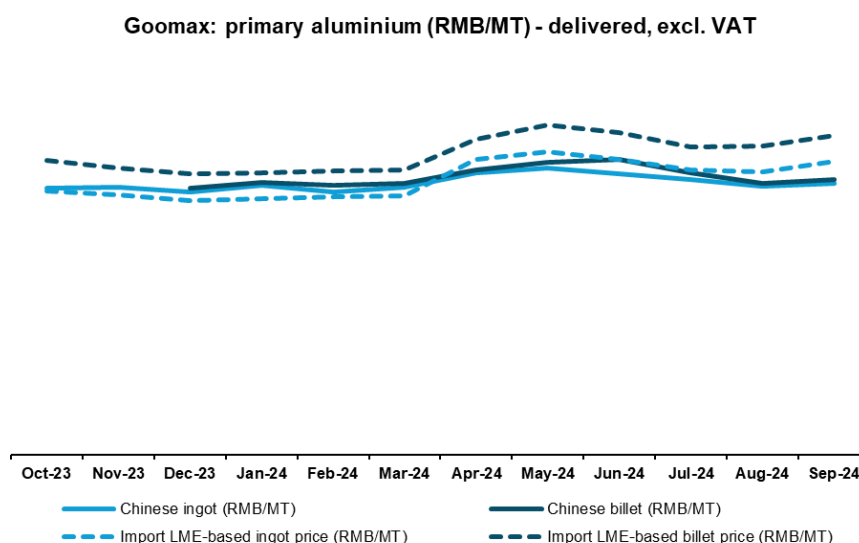


Figure 19: Goomax – comparison of primary aluminium purchases

Goomax's ingot price followed the market price index used to set prices; however, its billet prices were not substantially higher than the price of ingot.

A8.3.2 Jinxiecheng

Jinxiecheng purchased primary aluminium from China and a small quantity of secondary aluminium in the form of scrap in the inquiry period. Figure 20 demonstrates that Jinxiecheng's purchases of:

- Ingot were broadly in line with the benchmark for the first six months of the inquiry period. In the second half of 2024 Chinese ingot prices were below the benchmark price.
- Billet were below the benchmark price for the whole inquiry period, showing a greater discrepancy after March 2024. **(APPENDIX C)**.

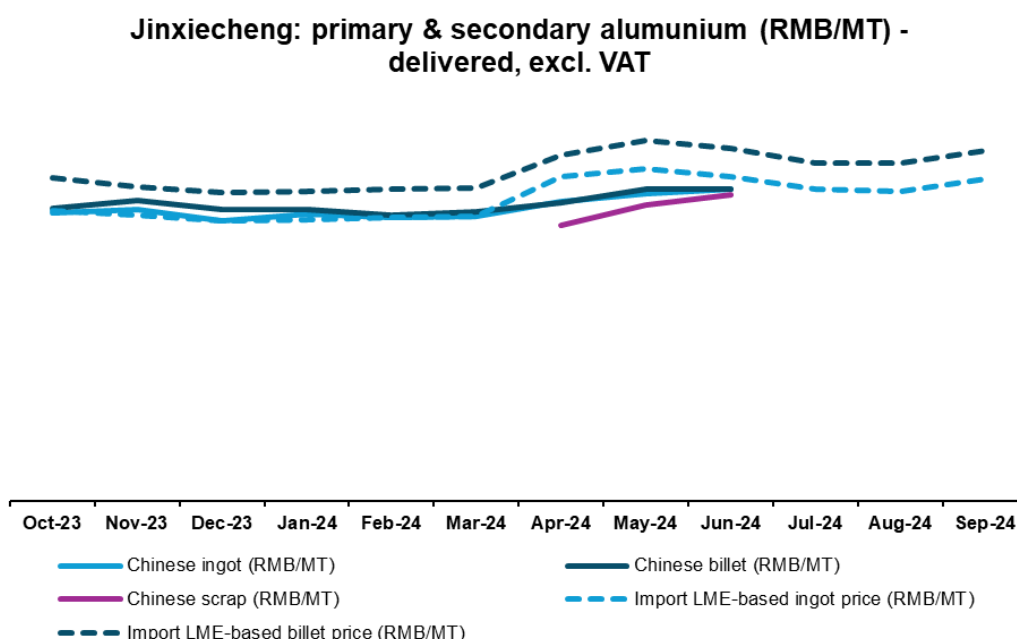


Figure 20: Jinxiecheng – comparison of primary & secondary aluminium purchases

Jinxiecheng's ingot price followed the market price index used to set prices; however, its billet prices were not substantially higher than the price of ingot.

Jinxiecheng's secondary aluminium purchase used the same market price index as its primary aluminium purchases.

Whilst the scrap price was lower than ingot for 2 months (of 3) when Jinxiecheng purchased scrap, the price increased and was approximately the same as the ingot price. The information presented is insufficient to suggest that the Chinese secondary aluminium market operated differently than the primary aluminium market (the same market price index is used, and price was similar).

A8.3.3 PMI

PMI purchased primary and secondary aluminium from both China and Malaysia in the inquiry period. Figure 21 demonstrates that PMI's Chinese purchases of:

- ingot were above the ingot benchmark price for six months of the inquiry period and below the benchmark for the second six months

- billet were either consistent or above the billet benchmark price for the first six months of the inquiry period. In the second half of the inquiry period, prices were consistent or above the benchmark for 2 months, but below the benchmark in 2 other months³³⁴.
- scrap were below the ingot benchmark price for ingot in 10 months of the POI.
(APPENDIX C).

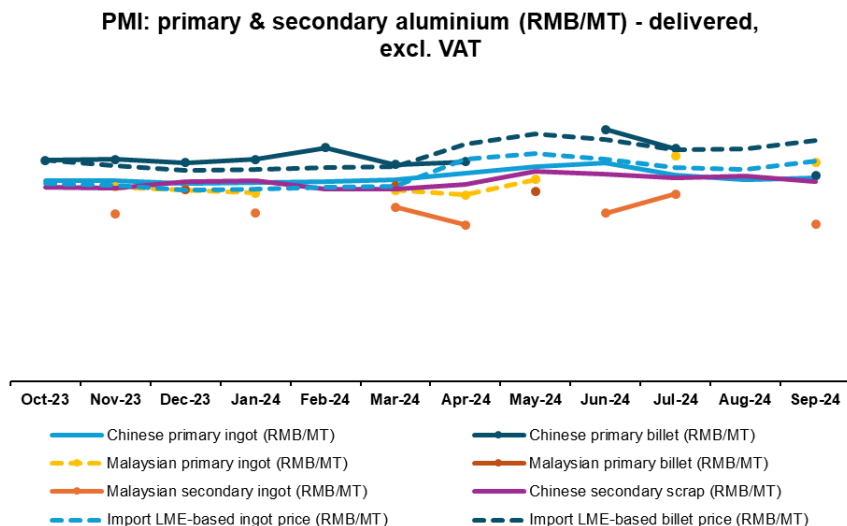


Figure 21: PMI – comparison of primary & secondary aluminium purchases

PMI purchased Chinese primary ingot and billet from unrelated suppliers in China. PMI also purchased scrap (secondary aluminium) from unrelated supplier in China. PMI's purchases of primary aluminium ingot and scrap followed the Chinese market price index used to set prices.

Additionally, PMI's purchases of primary aluminium from China also followed the relevant market price index used to set prices, and the amount of billet premium paid by PMI appears to have passed through into the price. In other words, the Chinese billet that PMI purchased appears to include the costs and profit associated with the production and sale of primary billet in China.

PMI also purchased primary ingot and billet as well as recycled ingot (secondary aluminium) from related entities in Malaysia. The commission found that the contract price of primary and secondary aluminium was set by reference to the LME + MJP + Malaysian billet premium and PMI submitted this monthly price information in its REQ.

PMI submitted that the LME aluminium prices of PMI's imports, which are benchmark prices for the region, are below the prices PMI was paying for aluminium ingot and billet sourced in China.³³⁵ Consequently, an upward adjustment to PMI's costs was not appropriate.

As noted earlier in this section, the commission's analysis identified that PMI's Chinese sourced prices were above and below the benchmark price indicating that PMI's prices were not consistently above import prices as claimed by PMI. The commission's analysis identified that PMI's Malaysian import prices were consistent with the benchmark, after considering the terms specified in the contracts, the date of the quoted LME price in the contract and the delivery terms of those contracts.

³³⁴ PMI purchased Chinese billet in only 4 months of the second half of the POI

³³⁵ EPR 657 – document 47

A8.3.4 Xingfa Aluminium

Xingfa Aluminium purchased primary aluminium from China in the inquiry period. Figure 22 demonstrates that Xingfa Aluminium's purchases of:

- ingot were above the benchmark for the first six months of the POI and below the benchmark in the second six months.
- billet were below the benchmark price for 11 months of the POI. (**APPENDIX C**).

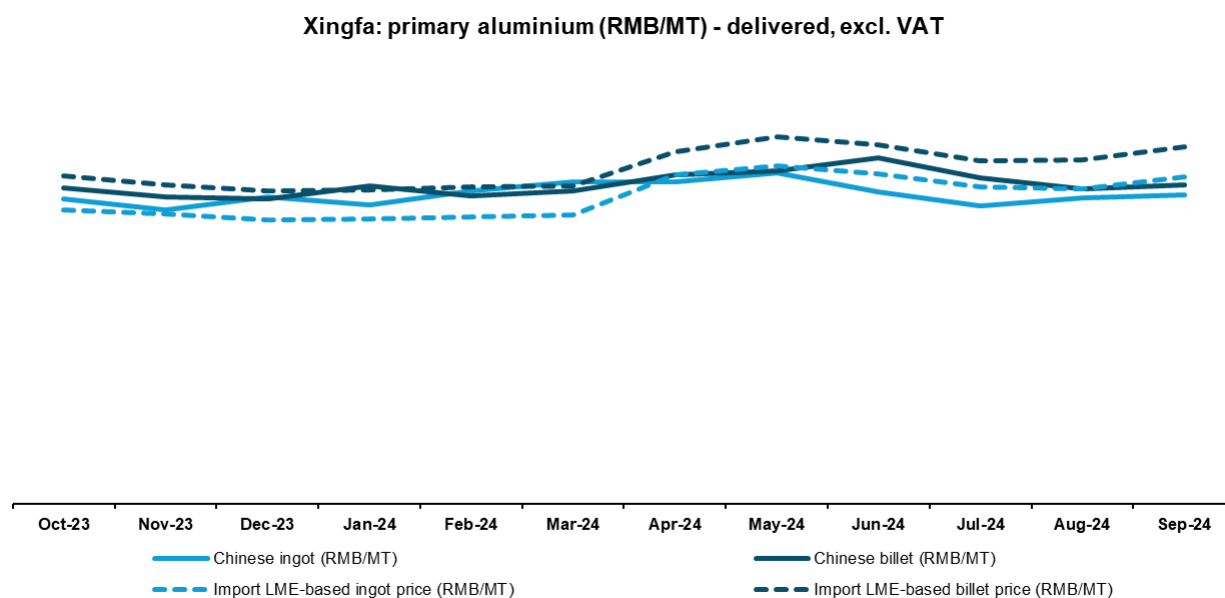


Figure 22: Xingfa – comparison of primary aluminium purchases

Xingfa Aluminium's ingot price followed the market price index used to set prices; however, its billet prices fluctuated in the inquiry period – sometimes the billet was at, or below the ingot price and sometimes exceeded the ingot price, in line with the commission's understanding of how billet should be priced.

A.4 Conclusion

Having considered all the information before it, the Commissioner finds that there is a particular market situation that existed in respect of the domestic market for aluminium extrusions in China for the inquiry period, which results in domestic sales in China being found not suitable for determining a normal value for cooperating exporters under section 269TAC(1).

In particular, the Commissioner is satisfied that the presence of a particular market situation affects the Chinese market for aluminium extrusions, primarily through the distortion of primary aluminium prices as a key cost component of the goods.

The commission recognises the impact of these GOC influences on supply are extensive, complex, and multifarious, and their impact on the price of aluminium extrusions is difficult to quantify. However, based on the commission's extensive analysis of the available information before it, the Commissioner is satisfied that the GOC's influence on the market for like goods in this inquiry is not insignificant.

Whether the particular market situation in respect of the domestic market for aluminium extrusions in China has resulted in Chinese domestic sales being not suitable for determining normal value under section 269TAC(1) is discussed in **APPENDIX B**.

APPENDIX B PROPER COMPARISON OF DOMESTIC AND EXPORT PRICES

B1 Finding

The Commissioner finds that that sales in the domestic Chinese market for the select exporters are not suitable for determining a normal value, pursuant to section 269TAC(1) because they do not permit a proper comparison with the export price of the goods exported to Australia.

B2 Introduction

For section 269TAC(2)(a)(i) to apply, the Commissioner must be satisfied not just that there is a particular market situation in the country of export, but that because of that situation the sale in that market are not suitable for use in determining a price under section 269TAC(1). The Commissioner has found at **APPENDIX A** that a particular market situation exists in respect of the domestic market for aluminium extrusions in China for the inquiry period. In this Appendix the commission has examined whether goods in that market are suitable for determining the normal value of the cooperating Chinese exporters under section 269TAC(1).

B3 Submissions on Proper comparison in response to SEF 657

Submissions were received from PMI and Xingfa regarding the commission's evaluation of whether domestic sales in China permitted a proper comparison with the export price of the goods exported to Australia. PMI and Xingfa Aluminium's submissions concerning proper comparison are considered in the relevant sections of this appendix.

B4 Proper comparison of domestic and export price

The commission's assessment of whether sales are 'suitable' for the purposes of section 269TAC(1), considers the relative effect of the particular market situation on both the domestic sales and export sales. If domestic sales and export sales are not equally affected by the particular market situation, such a finding may render domestic sales not "suitable" for the purposes of section 269TAC(1).

The relative effect of the particular market situation on domestic and export prices, requires an assessment of the relationship between price and cost of aluminium extrusions sold to the domestic and Australian export market. In relation to the domestic sales price, the relevant market is the domestic market of the exporting country (i.e. China); for the export price, the relevant market is that in the country into which the goods are being sold (i.e. Australia). In assessing the existing relationship between price and cost within each market, it is important to note that those relationships are defined by the prevailing conditions of competition in each market. It is also important that the relevant factual circumstances of each price, including its relationship with cost, is considered within the proper context of the relevant market.

PMI submitted that it was incorrect to specify that the relevant market for the proper comparison assessment was the domestic market in the importing country³³⁶. PMI claimed that export prices are the prices for the sale and purchase of goods for export to Australia and the relevant market is the export market to Australia and to other countries. PMI further claimed that changing market conditions in the domestic markets of importing countries can and do affect the quantities and prices of goods being supplied not only to the importing country in question but also to other

³³⁶ EPR 657, document 47

countries. PMI claimed that this had not been taken into account in determining whether a proper comparison was permissible.

In undertaking this assessment of the effect of the particular market situation on the respective price and cost of aluminium extrusions domestically and in Australia, the commission has considered the prevailing conditions of competition in the domestic and export market for aluminium extrusions, as well as the existing relationship between price and cost in determining whether domestic and export prices can be properly compared. In making the assessment concerning the Australian market the commission has assessed the market in the context that the goods are supplied into the market by both domestic sources and import sources.

Prevailing conditions of competition in China and Australia

In assessing the prevailing conditions of competition in China and Australia, the commission considered a variety of sources of information provided by the Australian industry, exporters and importers, in addition to relevant findings from previous cases conducted by the commission and other sources which have been referenced throughout this section. In making the relevant findings in this section, the Commissioner has considered the structure of each market, market conditions in respect of primary aluminium, the level of import penetration in each market and the nature of any competitive advantage arising from the particular market situation.

B4.1 Market structure

The Commissioner finds that in comparison to the Chinese market, the Australian market does not have this same level of diversity of market segments.

B4.1.1 Australia

Domestic aluminium producers, including Capral, other Australian aluminium extrusion manufacturers supply the Australian market for aluminium extrusions, along with aluminium extrusion producers from other countries (see chapter 4 of this report).

Imported aluminium extrusions in the Australian market are sourced from several countries and during the inquiry period, the highest volumes originated from China, Indonesia, Malaysia and Vietnam.³³⁷

In the current inquiry, the commission has relied on the evidence gathered during this inquiry and previous cases on aluminium extrusions.

Capral explained³³⁸ the three major market segments for aluminium extrusions in Australia included:

- residential — including products such as windows and doors, and fencing.
- commercial — including commercial window and doors, internal and external fit out, and curtain walls.
- industrial — including automotive, truck and trailer, rail, electrical, signage, marine, portable buildings, and large industrial infrastructure.

Of these sectors, the residential and commercial building sectors are the largest and are the most important drivers of demand in the Australian market.

³³⁷ Chapter 4.7 refers.

³³⁸ The Australian industry questionnaire and application

A comparison of Australian industry sales data and the Australian Border Force (ABF) import data indicated that the same or similar customers use the imported goods and domestically produced goods. This is because, domestically produced and imported aluminium extrusions are substitutable.³³⁹

B4.1.2 China

The exporters stated in their respective REQs that residential and commercial construction sectors are a key source of demand for aluminium extrusions in the domestic Chinese. This is consistent with questionnaire responses submitted for REP 543 and REP 609 which indicated that the Chinese market is similarly segmented to the Australian market, with the residential, commercial, and industrial sectors representing the key areas of consumption of aluminium extrusions.

Demand from the residential construction sector in China weakened in 2024 but was offset demand for the renewable power industry.³⁴⁰ Additionally, significant volumes of aluminium extrusions are sold within China's electronics sector and the automotive sector.³⁴¹ Demand increased from passenger vehicle sales, with nearly 12 million units sold in China in the first half of 2024, up 6.3% year-on-year.³⁴² Demand is also strong within the clean energy sectors. China's wind and solar capacity has surpassed the target of 1,200 gigawatts almost six years earlier than planned.

B4.2 Market conditions – primary and secondary aluminium

The Commissioner finds that the Australian industry does not procure the same aluminium inputs available to Chinese manufacturers at the lower cost identified in the Chinese market.

B4.2.1 Australia

The major raw material used in the production of aluminium extrusions in Australia is primary aluminium billet. The Australian industry purchase the aluminium billet from a combination of Australian and international (non-China) suppliers. The aluminium billet price offered to the Australian industry is based on a combination of cost components including the Monthly LME Aluminium Official Cash Price, the MJP regional ingot premium, as well as alloy and billet premiums.

Given the uniform basis for pricing, a further important consideration in the choice of supplier is the cost of delivery, billet diameter and alloy content, such that international suppliers may be more competitive for supply to certain locations, while domestic suppliers will be more competitive for other locations.

B4.2.2 China

The major raw materials used in the production of aluminium extrusions in China are primary aluminium ingot and aluminium billet. A small amount of secondary aluminium in the form of recycled aluminium ingots and scrap aluminium is also procured.

³³⁹ Chapter 4.6 refers.

³⁴⁰ Office of the Chief Economist, DISR - *Resources and Energy Quarterly*, March 2025, p.88
<https://www.industry.gov.au/sites/default/files/2025-03/resources-and-energy-quarterly-march-2025.pdf>

³⁴¹ *ibid.*

³⁴² Office of the Chief Economist, DISR - *Resources and Energy Quarterly*, September 2024, p.85
https://www.industry.gov.au/sites/default/files/2024-09/resource_and_energy_quarterly_september_2024.pdf

The commission conducted an examination of the exporter's monthly primary aluminium purchases during the inquiry period and compared these monthly costs with the contract LME + MJP import price for ingot and billet (see chapter A8). When comparing the exporter's aluminium purchases from domestic suppliers to the contract LME + MJP import price, the commission noted that each exporter paid less than the contract LME + MJP import price in the inquiry period.³⁴³

Consistent with findings made in REP 543, REP 609 and REP 633, the Commissioner finds that Chinese manufacturers, including those examined in this inquiry, have access to cheaper aluminium inputs than the Australian industry due to the distortions in the Chinese primary aluminium market.

B4.3 Import penetration

B4.3.1 Australia

The commission examined the ABF import database to identify exporters and importers of aluminium extrusions during the inquiry period. The commission observed that during the inquiry period, the number of exporters of aluminium extrusions increased since the last continuation inquiry.³⁴⁴ Additionally, there were over 500 importers of aluminium extrusions in the inquiry period, importing from several countries, with imports from Chinese exporters that are subject to measures comprising approximately 20% of all imports.

Based on this analysis, the commission considers the Australian market is composed of a small number of Australian industry participants competing against a significant number of exporters and substantial import volumes. The Australian aluminium extrusions market can therefore be characterised as having a high level of import penetration.

B4.3.2 China

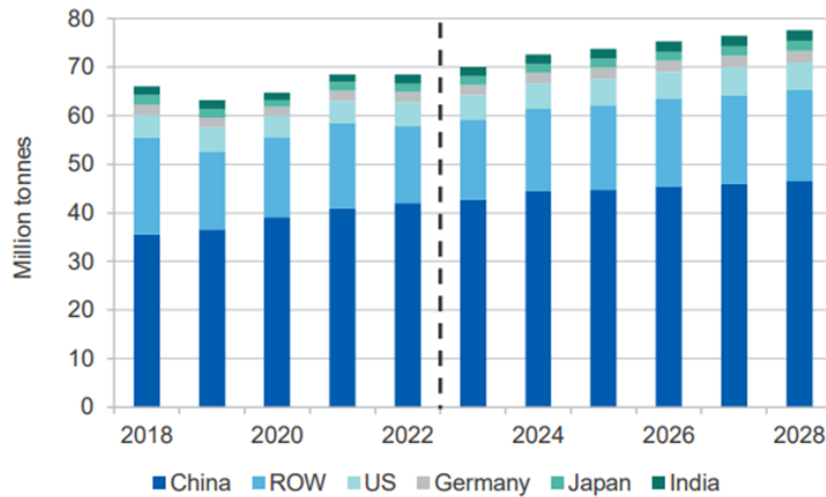
The exporters did not provide information about the overall degree of import penetration into the Chinese market, including the number of exporters or importers active in the Chinese domestic market.

None of the exporters identified barriers to entry for importers of goods into China, aside from the general requirement to comply with Chinese laws and environmental regulations.

Because the GOC did not provide a response to the government questionnaire, the commission did not have access to information to determine the level of import penetration in the Chinese market. Nevertheless, based on the evidence currently before the commission, the Commissioner is satisfied that import penetration in the Chinese aluminium extrusion market was low in the inquiry period, relative to the Australian aluminium extrusion market. This evidence is discussed below.

³⁴³ Chapters A8 and C4 of this report refers.

³⁴⁴ Chapter 8.6 of this report refers.



Notes: ROW: Rest of the world

Source: World Bureau of Metals Statistics (2023); Wood Mackenzie (2023); Macquarie Bank (2023); Department of Industry, Science and Resources (2023)

Figure 23: Global consumption primary aluminium³⁴⁵

The commission further notes that as stated above, of the total aluminium extrusions exported to Australia during the inquiry period, 74% were Chinese. Given the relative size of Australia's aluminium consumption to China's, the commission considers the number of Chinese manufacturers supplying the Australian market would represent only a small portion of all Chinese manufacturers.

The commission also noted that each of the exporters had excess capacity during the inquiry period. The commission similarly found in REP 609 based on information provided by the selected cooperating exporters, that each of those exporters maintained significant excess production capacity.

During the inquiry period, the commission also noted differences in import tax (VAT) for primary and secondary aluminium. For example, imports of primary aluminium incurred a 17% VAT import tax, whereas imports of secondary aluminium incurred a 13% VAT import tax.

Based on the evidence currently before the commission, the Commissioner is satisfied that there is a competitive disadvantage in respect of the importation of aluminium extrusions into China, on the following bases:

- the number of Chinese producers supplying the Chinese market, and
- the low cost of the aluminium inputs available to those producers, which is lower than the international LME-based price (and not available to foreign producers).

Based on the evidence currently before the commission, the Commissioner is satisfied that import penetration in the Chinese aluminium extrusion market was low in the inquiry period, relative to the Australian aluminium extrusion market.

³⁴⁵ Office of the Chief Economist, DISR, Resources and Energy Quarterly September 2022, p 116.

B5 Relationship between price and cost

In the inquiry period approximately 79% of domestic sales were not in the OCOT. This means that 79% of domestic sales were not profitable and were not recoverable. This is a significant volume of domestic goods that are not in OCOT. This is also significant in the context of price-setting in China, where the primary aluminium and aluminium extrusions are sold with reference to the same or similar Chinese market price indices.

The effect of these non-OCOT sales demonstrates a depressed Chinese market price for aluminium extrusions. If these sales (at a minimum) recovered the CTMS (i.e. price = CTMS), then the price for the domestic goods would be approximately 19% higher. For difference finish types, the depressed Chinese market has caused prices to be lower than OCOT price by:

- 15% for mill finish domestic sales
- 20% for powder coated and fluorocarbon surface finished sales
- 9% for anodised and electrophoresis sales.

The commission's assessment of aluminium extrusion sales in China is at **Confidential attachment 31: Chinese extrusion market**.

The selected exporters also used the same Chinese market price indices (used to procure raw materials) to sell aluminium extrusions in China and to Australia. This indicates that both upstream and downstream aluminium markets operate using the same market reference prices, and therefore should follow the same price trends, with actual price differences occurring due to the manufacturing costs associated with the extrusion manufacturing and finishing cost. In other words, the price of aluminium extrusions in China, should follow the price of primary aluminium in China.

The commission found that this was typically not the case.

In the inquiry period, the commission identified that the price of Chinese aluminium extrusions under-cut the Australian industry in the range of 5% to 40%. Additionally, Capral submitted evidence to the commission that the Australian price of the goods, sourced from one of the selected Chinese exporters did not follow the price increase of the LME in the inquiry period.³⁴⁶ This is relevant to demonstrate how the Chinese market price indices affect price and competition in Australia. Sellers of aluminium extrusions in Australia that use the LME as the price reference, are competing against imported Chinese goods that use a different price reference. As observed at Figure 12, the LME was more expensive than the Chinese market price indices and during the inquiry period, the Chinese market price indices did not increase by the same degree as the LME, despite increasing alumina prices in China.

Overall, there appears to be different price bands for the goods, depending on the market. This is despite the CTM between markets having either no difference or small differences. Chinese domestic prices are very similar for the selected exporters. This indicates a consistency and stability in the domestic pricing by Chinese manufactures which confirms a competitive market structure, that is depressed because of the market situation. There is no competitive advantage derived by any individual manufacturer, because the reduced input costs resulting from the situation in the market appears to equally benefit most producers.

The Australian market is a competitive market, however there is more variation in export prices (compared with Chinese domestic prices). However, the Commissioner is satisfied that variability of pricing by Chinese manufacturers in the Australian domestic market builds a competitive

³⁴⁶ Confidential attachment 1: Australian market

advantage enjoyed by Chinese exporters due to the market situation, which allows them to engage in pricing strategies in the Australian market that allow them to achieve either:

- higher margins than the margins attainable on the sale of the same goods in the domestic market; or
- Increased sales volume by significantly undercutting other participants in the Australian market; or
- a combination of higher margins and increased sales volumes resulting from undercutting.

B5.1 Relationship between price and cost - Goomax

The Commissioner has found that Goomax use the same aluminium inputs, ingot and billet to manufacture aluminium extrusions sold into the Chinese domestic market and those exported to Australia, and these inputs account for most of the total CTM.³⁴⁷

The commission compared Goomax's CTM by finish type between its domestic and Australian markets, and observed that, across all finish types, there was small difference in the CTM between goods produced for domestic consumption and those produced for export to Australia. This is consistent with the commission's findings in previous cases.

The commission's assessment of price and cost for Goomax is at **Confidential attachment 32: Goomax – Proper comparison**.

B5.1.1 Assessment of the relationship between price and cost

Goomax used the Lingtong and Yangtze River market price indices as the reference price to sell goods to Australia. It used the same market price indices for domestic sales.

The commission found that although Goomax used the same reference price (Lingtong and Yangtze River) for both Australian and domestic sales, the operation of the prices was different between markets.

Noting that there was a small difference between the Australian CTM and domestic CTM for the goods (by finish type), the commission identified:

- The domestic and Australian prices did not follow the same quarterly price trend during the inquiry period and tended to move in different directions (all finishes).
- The Australian price mostly followed the corresponding Chinese market index price over the inquiry period, but the Chinese price tended to move in the opposite direction, notably in the September 2024 quarter.
- Overall, Goomax domestic sales were profitable, however approximately 40% of its domestic sales were not in OCOT. This had the effect of reducing the weighted average domestic price for Goomax by approximately 3% in the inquiry period.
- Australian sales were profitable and were approximately 14% more expensive than Goomax's domestic sales.

The commission also analysed the cost margins achieved by Goomax for each finish type in both the Chinese domestic and Australian export markets. This analysis was undertaken by calculating ex-works selling prices for both domestic and Australian export sales and comparing these selling prices to the CTM relevant to each market.

Again, noting that there is a small difference between the CTM for each market and the market reference prices (Lingtong and Yangtze River) are the same between each market, the

³⁴⁷ Chapter A4 refers.

commission's analysis shows that Goomax is 2 to 3 times more profitable for Australian sales, than for the depressed domestic sales (by 3%). This indicates to the commission that the conditions of competition are different between the domestic and export markets, i.e. the market conditions in China and the cheaper aluminium raw material inputs do not have the same price-setting impact on Australian prices and this has caused a difference in the relationship between price and cost between the Chinese and Australian markets.

B5.2 Relationship between price and cost – Jinxiecheng

The Commissioner has found that Jinxiecheng use the same aluminium inputs, ingot, billet and scrap to manufacture aluminium extrusions sold into the Chinese domestic market and those exported to Australia, and these inputs account for most of the total CTM.³⁴⁸

The commission compared Jinxiecheng's CTM by finish type between its domestic and Australian markets, and observed that, across all finish types, there was a small difference in the CTM between goods produced for domestic consumption and those produced for export to Australia.³⁴⁹ This is consistent with the commission's findings in previous cases.

The commission's assessment of price and cost for Jinxiecheng is at **Confidential attachment 33: Jinxiecheng – Proper comparison**.

B5.2.1 Assessment of the relationship between price and cost

Jinxiecheng used the Lingtong market price index as the reference price to sell goods to Australia and for domestic sales.

The commission found that although the market reference price was very similar in the inquiry period (see chapter A5), the operation of the prices was different between markets.

Noting that there was a small difference between the Australian CTM and domestic CTM for the goods (by finish type and excluding the further finishing for Australian goods), the commission identified:

- Jinxiecheng's domestic prices typically followed the Lingtong market price trends, however the Australian price did not. Regardless of finish, the Australian price was generally flat for the inquiry period.
- The Australian and domestic CTM mostly followed the corresponding Chinese market index price over the inquiry period, but approximately a fifth of Jinxiecheng's domestic mill finish sales were below the CTM and in some quarters, the price of powder coated and anodised aluminium extrusions were at or below the domestic CTM for those finishes.
- Overall, Jinxiecheng's domestic sales were profitable, however approximately 78% of its domestic sales were not in OCOT. This had the effect of reducing the weighted average domestic price by approximately 4% in the inquiry period.
- Australian sales were profitable and were approximately 23% more expensive than Jinxiecheng's domestic sales.

The commission also analysed the cost margins achieved by Jinxiecheng for each finish type in both the Chinese domestic and Australian export markets. This analysis was undertaken by

³⁴⁸ Chapter A4 refers.

³⁴⁹ Please note, that Jinxiecheng performs additional punching and drilling for Australian exports goods. In order to properly compare the relationship between cost and price between markets, the commission has analysed Jinxiecheng's CTM exclusive of these additional costs for punching and drilling.

calculating ex-works selling prices for both domestic and Australian export sales and comparing these selling prices to the CTM relevant to each market.

Again, noting that there is a small difference between the CTM for each market and the market reference prices are the same between each market, the commission's analysis shows that Jinxi Cheng was profitable for all finish types, but Australian sales were significantly more profitable in the order of 5 to 17 times more profitable compared with the depressed Chinese market price (by 4%). This indicates to the commission that the conditions of competition are different between the domestic and export markets, i.e. the market conditions in China and the cheaper aluminium raw material inputs do not have the same price-setting impact on Australian prices and this has caused a difference in the relationship between price and cost between the Chinese and Australian markets.

B5.3 Relationship between price and cost - PMI

The Commissioner has found that PMI use the same aluminium inputs, ingot, billet and scrap to manufacture aluminium extrusions sold into the Chinese domestic market and those exported to Australia, and these inputs account for most of the total CTM.³⁵⁰

The commission compared PMI's CTM by finish type between its domestic and Australian markets, and observed that, across all finish types, there was a small difference in the CTM between goods produced for domestic consumption and those produced for export to Australia. This is consistent with the commission's findings in previous cases.

The commission's assessment of price and cost for PMI is at **Confidential attachment 34: PMI – Proper comparison**.

B5.3.1 Assessment of the relationship between price and cost

PMI used the LME and Lingtong market price index as the reference price to sell goods to Australia. It used the Lingtong, Nanchu and SMM market price indices for domestic sales.

The commission found that although the Chinese market reference price was very similar in the inquiry period (see chapter A5), the operation of the prices was different between markets.

Noting that there was a small difference between the Australian CTM and domestic CTM for the goods (by finish type), the commission identified:

- The domestic and Australian prices did not follow the same quarterly price trend during the inquiry period.
- Domestic mill finish extrusion prices typically followed the Chinese market price indices; however, this was not the case for Australian mill finish sales and all other finishes. The Australian and Chinese CTM and billet costs mostly followed the corresponding Chinese market index price over the inquiry period, but domestic and Australian prices did not follow the respective index (either LME, Lingtong, Nanchu or SMM).
- Overall, PMI's domestic sales were profitable, however approximately 47% of its domestic sales were not in OCOT. This had the effect of reducing the weighted average domestic price by approximately 14% in the inquiry period.
- Australian sales were profitable and were approximately 17% more expensive than PMI's domestic sales.

The commission also analysed the cost margins achieved by PMI for each finish type in both the Chinese domestic and Australian export markets. This analysis was undertaken by calculating

³⁵⁰ Chapter A4 refers.

ex-works selling prices for both domestic and Australian export sales and comparing these selling prices to the CTM relevant to each market.

Again, noting there is a small difference between the CTM for each market, the commission's analysis shows that PMI was twice as profitable for its Australian exports of mill finish, compared with domestic approximately 7 times more profitable for anodised aluminium extrusions. PMI was so unprofitable for domestic powder coated aluminium extrusion sales that the profit it achieved on Australian sales of powder coated extrusion had the effect of PMI breaking even on this finish type.

These domestic cost margins with respect to the depressed domestic sales (by 14%) indicate to the commission that the conditions of competition are different between the domestic and export markets, i.e. the market conditions in China and the cheaper aluminium raw material inputs do not have the same price-setting impact on Australian prices and this has caused a difference in the relationship between price and cost between the Chinese and Australian markets.

B5.4 Relationship between price and cost – Xingfa Aluminium

The Commissioner has found that Xingfa Aluminium use the same aluminium inputs, ingot and billet to manufacture aluminium extrusions sold into the Chinese domestic market and those exported to Australia, and these inputs account for most of the total CTM.³⁵¹

The commission compared Xingfa Aluminium's CTM by finish type between its domestic and Australian markets. The commission observed that, across all finish types, there was no difference in the CTM between goods produced for domestic consumption and those produced for export to Australia. This is consistent with the commission's findings in REP 633.

The commission's assessment of price and cost for Xingfa Aluminium is at **Confidential attachment 35: Xingfa Aluminium – Proper comparison**.

B.5.4.1 Assessment of the relationship between price and cost

Xingfa Aluminium used the Lingtong market price index as the reference price to sell goods to Australia. It used the Lingtong, SMM and Yangtze River market price indices for domestic sales.

The commission found that although the market reference price was very similar in the inquiry period (see chapter A5), the operation of the prices was different between markets.

Noting that there was no difference between the Australian CTM and domestic CTM for the goods (by finish type), the commission identified:

- The domestic and Australian prices generally followed the same quarterly price trend during the inquiry period, but for anodised finish, the price moved in different directions.
- The Australian and domestic CTM mostly followed the corresponding Chinese market index price over the inquiry period, but the Chinese price of aluminium extrusions for mill finish was below the CTM and the price of powder coated aluminium extrusions was below the input cost of a mill finish extrusion.
- Overall, Xingfa Aluminium's domestic sales were profitable, however approximately 81% of its domestic sales were not in OCOT. This had the effect of reducing the weighted average domestic price by approximately 21% in the inquiry period.
- Australian sales were profitable and were approximately 13% more expensive than Xingfa Aluminium's domestic sales.

³⁵¹ Chapter A4 refers.

The commission also analysed the cost margins achieved by Xingfa Aluminium for each finish type in both the Chinese domestic and Australian export markets. This analysis was undertaken by calculating ex-works selling prices for both domestic and Australian export sales and comparing these selling prices to the CTM relevant to each market.

Again, noting that there is no difference between the CTM for each market and the market reference prices are similar between each market, the commission's analysis shows that Xingfa Aluminium was not profitable for mill finish and anodised aluminium extrusion domestic sales and was only just profitable for powder coated aluminium extrusion domestic sales. In contrast, Australian sales for each finish type were approximately 16% more profitable, than the depressed domestic sales (by 21%).³⁵² This indicates to the commission that the conditions of competition are different between the domestic and export markets, i.e. the market conditions in China and the cheaper aluminium raw material inputs do not have the same price-setting impact on Australian prices and this has caused a difference in the relationship between price and cost between the Chinese and Australian markets.

Xingfa submitted that the commission's market situation assessment and findings failed to satisfy the legal standards established by WTO jurisprudence.³⁵³ Xingfa contended that none of the evidence referenced in Appendix A relating to government subsidies or other government interventions differentially affect Xingfa Aluminium's domestic and export prices for aluminium extrusions. Specifically, Xingfa Aluminium claimed that:

- The commission's analysis was deficient as it did not contain fact-specific analysis to show how market conditions prevent a proper comparison. No two markets are identical and simply highlighting some obvious broader market differences that have no bearing on Xingfa Aluminium's operations, is insufficient for establishing that domestic prices do not permit proper comparison with its export prices.
- Given that unprofitable sales are excluded from a section 269TAC(1) OCOT assessment, the volume of unprofitable domestic sales provides no insight into the comparability between the remaining OCOT domestic and export prices.
- Xingfa Aluminium's costs for goods sold domestically and goods exported to Australia are the same and the pricing formula is the same as it references the same primary aluminium price index. There are no known factors or characteristics that differentially impact Xingfa Aluminium's domestic prices and export prices, which would prevent proper comparison.
- The commission's observations on price and cost trends in China relative to Australia was accounted for by the high degree of competition in China due to the vast number of extruders manufacturing a wide range of simple and complex profiles. By contrast, the Australian market was represented by a handful of local manufacturers focusing predominantly on the simpler profiles.

In making the relevant findings in this section, the commission has considered the structure of each market, market conditions in respect of primary aluminium, the level of import penetration in each market and the nature of any competitive advantage arising from the PMS. Whilst the commission's analysis correctly considers the broad characteristics for each market as part of this assessment, the analysis also specifically assesses the competitive advantage arising from the PMS, which is specific to assessing the differential impact of the PMS in each market. This analysis is relevant to Xingfa Aluminium given that it is both manufacturing and selling the goods in China. Further, the commission's assessment in section B.5.4.1 is specific to Xingfa Aluminium.

³⁵² Confidential attachment 35: Xingfa Aluminium – Proper comparison refers.

³⁵³ EPR 657, document 44

The commission analysis of profitability for the proper comparison assessment is separate and distinct from any OCOT assessment that may be done under section 269TAC(1). The commission's analysis of profitability for the proper comparison assessment provides insight into the link between costs and prices in each market. Whilst there may be differing levels of profitability depending on the complexity of the extrusions, the overall lack of profitability on Xingfa Aluminium's domestic sales of certain finish types indicates that complexity of extrusions is not a key factor in profitability. If, as claimed by Xingfa Aluminium, that the costs and pricing for both Xingfa Aluminium's domestic sales and export sales are based on the same pricing formula, then the commission would anticipate a closer level of profit in each market than what was identified.

Xingfa Aluminium's claim that the Australian market is represented by 'a handful of local manufacturers focusing predominantly on the simpler profiles' is not correct. While Capral submitted that they and others concentrate on simpler products where competitive injury is slightly less acute³⁵⁴, the commission notes that the Australian market also includes a significant number of importers and exporters sourcing aluminium extrusions from a range of countries.

B6 Conclusion on the effects of the situation in the market

Having regard to the above considerations, the commission's analysis indicates the relationship between price and cost for Chinese manufacturers and the prevalent conditions of competition in China is different in comparison to the relationship between price and cost for Chinese manufacturers and the conditions of competition in Australia. Specifically, the effect of the market situation in China is a decrease in input costs across all production that results in lower prices throughout the market. This relationship defines the conditions of competition in China.

Based on the information before the commission and relevant findings in REP 543, REP 609 and REP 633, that remain current and therefore are reliable to form part of the analysis for the current inquiry, the Commissioner is satisfied that the effect of the market situation on the domestic sales prices in China does not result in any competitive advantages or disadvantages between the key market players, being Chinese producers. Consequently, as considered above, this particular market situation modifies the conditions of competition in a consistent manner for the key market participants.

In Australia, where no market situation or market wide reduced input costs, competitive pricing prevails at a higher level. Higher input costs for those participants producing without the benefit of a market situation establishes a higher minimum threshold for competitive prices. Under these circumstances, the effect of the particular market situation in China on the price of aluminium extrusions sold into the Australian market results in competitive advantages and disadvantages between market players.

Chinese exporters enjoy a cost advantage that either manifests as an increased margin at the prevalent level of competitive pricing in the Australian market, a low export price that undercuts the prevalent level of competitive pricing, or a combination whereby the Chinese manufacturer can enjoy a higher margin while still undercutting other market participants.

Consequently, the Commissioner is satisfied that the effect of the particular market situation on export price is to modify the conditions of competition in Australia to the benefit of Chinese exporters and, to the extent that benefit manifests as a low price that undercuts the prevalent level of competitive pricing in Australia, to the detriment of all other market participants in that market.

³⁵⁴ EPR 657, document 60

PUBLIC RECORD

Consistent with previous findings made in REP 543, REP 609 and REP 633, the Commissioner finds that the relative effect of the particular market situation on domestic and export prices is different in the relevant markets.

The commission finds that sales in the domestic Chinese market for the select exporters are not suitable for determining a normal value, pursuant to section 269TAC(1) because they do not permit a proper comparison with the export price of the goods exported to Australia.

APPENDIX C CONSTRUCTED NORMAL VALUE

C1 Findings

The Commissioner recommends the Minister determine the cost of production or manufacture of like goods in China under section 269TAC(2)(c)(i), using an equivalent LME + MJP import price as the amount for the cost of the aluminium inputs in the production of aluminium extrusions (referred to as either the equivalent LME + MJP import price or benchmark).

The Commissioner also recommends that:

- For all exporters, the Minister determine under section 269TAC(2)(c)(ii) amounts for SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the Regulation.
- For all exporters an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

C2 Applicable legislation, policy and practice

Where the Minister is satisfied that normal value cannot be determined under section 269TAC(1), section 269TAC(2)(c) provides that the normal value is:

... the sum of:

- (i) such amount as the [Minister] determines to be the cost of production or manufacture of the goods in the country of export; and
- (ii) on the assumption that the goods, instead of being exported, had been sold for home consumption in the ordinary course of trade in the country of export—such amounts as the [Minister] determines would be the administrative, selling and general costs associated with the sale and the profit on that sale

Sections 269TAC(5A) and 269TAC(5B) provide that the construction of normal values under section 269TAC(2)(c) is to be worked out in such a manner, and taking account of such factors, as the Regulations provide in respect of those purposes.

Section 43(2) of the Regulation requires that the Minister must work out the cost of production or manufacture using the information set out in the exporter or producer's records if:

- an exporter or producer of the goods keeps records relating to the goods that are in accordance with GAAP in the country of export (section 43(2)(b)(i) of the Regulation), and
- those records reasonably reflect competitive market costs associated with the production or manufacture of like goods (section 43(2)(b)(ii) of the Regulation).

Section 43(2) of the Regulation imposes an obligation on the Minister to use an exporter's records, where the prescribed criteria are met. Neither the Act nor the Regulation prescribe a particular method for the Minister to determine the cost of production or manufacture under section 269TAC(2)(c)(i), in circumstances where the exporter or producer's records do not satisfy section 43(2) of the Regulation. Additionally, neither the Act nor the Regulation limit the data that the Minister may use in this regard.

In respect of the ADA, the relevant obligations for determining normal values are set out in Article 2. The determination of whether an exporter's recorded costs are to be used in determining the cost of production in the country of origin are set out in Article 2.2.1.1.

The commission notes that some of the factual matters that inform the conclusions reached as part of its assessment under section 43(2) of the Regulation, as well as its assessment of the existence of a particular market situation may be relevant to the Minister's determination of the 'cost of production in the country of export' under section 269TAC(2)(c)(i). Where the commission has had regard to the same factual matters for multiple purposes it has done so mindful that the legal tests being considered are distinct.

Where, following a consideration of the available evidence, including the exporter or producer's records, a surrogate value from other than the country of export is used to adjust an exporter or producer's records to determine the cost of production or manufacture of like goods in the country of export under section 269TAC(2)(c)(i), the commission considers the available evidence to adapt the surrogate value to determine a cost of production in the country of export.

C3 Third country sales

Where section 269TAC(1) is not available, the commission will, as outlined in Chapter 10 of the Manual, construct normal values under section 269TAC(2)(c). The commission notes that, in accordance with section 269TAC(3A), the Minister is not required to consider working out the normal value of goods under section 269TAC(2)(d) before working out the normal value of goods under section 269TAC(2)(c).

When considering whether it is preferable to use the price paid or payable for like goods sold by the exporters to a third country, pursuant to section 269TAC(2)(d), the commission must be satisfied that it is an 'appropriate third country'. The commission has regard to the following factors, to determine whether any such third country is 'appropriate':³⁵⁵

- whether the volume of trade from the country of export to the selected third country is similar to the volume of trade from the country of export to Australia, and
- the nature of the trade in like goods between the country of export and the selected third country is similar to the nature of trade between the country of export and Australia (in considering 'nature of trade' such things as the level of trade in a third country may be relevant).

For completeness, the commission has considered whether it is appropriate to determine normal values under section 269TAC(2)(d) for Goomax, Jinxiacheng, PMI and Xingfa Aluminium having regard to the evidence on the record. In this case, the commission considers that the information provided in the REQ does not provide a precise or granular level of detail to determine whether a third country would be appropriate and to undertake the calculations required to determine a normal value.

Consequently, the commission has constructed normal values under section 269TAC(2)(c) for each exporter and has done so in accordance with sections 43, 44 and 45 of the Regulation, relevant aspects of which are outlined below.

C4 Cost of production or manufacture

C4.1 Aluminium benchmark cost used to assess the exporter's records

To assess whether the exporter's recorded costs of production reasonably reflect competitive market costs, the commission has used an LME + MJP price, which is equivalent to the examined

³⁵⁵ The Manual, p 51

contract import LME + MJP prices into China, and compared this with each of the exporter's recorded aluminium input costs in the production of aluminium extrusions.

The various inputs of the equivalent LME + MJP import price to China are described in chapter C4.1.1, with the results of the exporter-specific comparison in the relevant chapters (C4.2 to C4.5) below.

C4.1.1 Benchmark based on the equivalent LME + MJP import price to China

The commission used an equivalent LME + MJP import price for imported primary and secondary aluminium in China during the inquiry period as the basis for assessing the exporter's cost records for the purposes of the assessment in regulation 43(2)(b)(ii) of the Regulation.

PMI, a manufacturer of the goods in China imports primary and secondary aluminium from Malaysia. PMI submitted in its REQ that the manufacturer and traders (where relevant) of the primary and secondary aluminium are related parties. PMI submitted the monthly LME cash price, plus MJP, plus the billet premium for converting the ingot into billet in Malaysia. PMI also submitted inland transport costs from the port of import to PMI's mill in China. PMI further submitted copies of aluminium billet and ingot purchase contracts and other supporting documents to evidence the import LME + MJP price.

The commission has established in previous cases and again finds that aluminium costs in markets in Asian regions (unaffected by a particular market situation) are often priced according to:³⁵⁶

- a published price for primary aluminium
- a regional premium
- domestic inland transport costs
- a billet premium that reflects the additional cost to convert an ingot to a billet for use in the production of aluminium extrusions.

Evidence before the commission confirms that this pricing mechanism is also used in China. The selected exporters submitted information about the inputs that comprise aluminium ingot prices and aluminium billet prices from Chinese ingot and billet manufacturers and suppliers. The commission also obtained specific data about each of the price components of the ingot and billet purchased and recorded in the selected exporter's records.³⁵⁷

The research obtained by the third-party commodity analyst also described this pricing mechanism was used for each of the Chinese market price indices described at chapter A5.³⁵⁸

The commission's assessment of the equivalent LME + MJP import price to China is at **Confidential attachment 36: Aluminium benchmark**.

The components of the aluminium benchmark, being the equivalent LME + MJP import price to China is described at Table 31.

³⁵⁶ Refer to previous reviews including REP 392, REP 482, REP 543, REP 609 and REP 633 where the commission applied the same price components to establish a competitive LME benchmark.

³⁵⁷ The commission's obtained this information in the PSQ submitted by Jinxiacheng, Goomax and Xingfa Aluminium. This information was submitted by PMI in its REQ.

³⁵⁸ *Op cit* (249), the name of the commodity analyst is confidential.

Item	Reasons
Primary aluminium — monthly Chinese import LME cash price (USD/MT)	To establish the equivalent LME import price, the commission examined the import purchase contracts provided by PMI. The commission then compared PMI's contracted LME price to the LME cash prices reported on www.westmetall.com (WestMetall). This analysis established that PMI's contracted import prices were consistent with WestMetall's quoted LME prices. Satisfied that WestMetall prices reflected PMI's import prices into China, the commission used WestMetall prices to calculate an average monthly equivalent cash LME import price into China. ³⁵⁹
Regional premium – Chinese import MJP price (USD/MT)	The MJP is a regional premium price used by PMI to import primary and secondary aluminium. The commission used the MJP prices specified in PMI's REQ. This MJP price was compared to other MJP sources independent of PMI and no material difference was identified. Shipments under the MJP premium are made on a CIF basis. The premium is inclusive of all costs associated with transporting the goods from the country of export to the destination port. However, it does not include costs relating to port of arrival charges and inland transport from the port of arrival to the destination in China.
Inland transport costs (RMB/MT)	Actual average monthly inland transport costs relevant to each exporter were used to calculate the LME benchmark. These costs were assessed against the records and information provided by each of the sampled exporters.
Billet premium (USD/MT)	The commission has used the billet premium quoted by PMI's related Malaysian supplier of billet into China. The commission considers that Malaysian billet premium costs are relevant because they are an identified cost component, Malaysia was the largest importer of primary and secondary aluminium to China in 2024 ³⁶⁰ and they are comparable in manufacturing.
Forex (USD:RMB)	The forex record in PMI's raw material general ledger was used to convert the actual purchases from, USD to RMB. The commission calculated a monthly average from these records. The monthly average from the RBA was used to supplement the record when PMI did not import.

Table 31: Equivalent LME + MJP import price to China components

The commission concludes that this aluminium benchmark is a reliable indication of a competitive market cost of aluminium ingot and aluminium billet made available to manufacturers of aluminium extrusions in China, such that the commission will use this benchmark as part of its assessment of whether the individual producers or exporters records reasonably reflect competitive market costs.

C4.1.2 Submissions in response to the SEF concerning the benchmark

PMI – submission of 18 July 2025

In its submission of 18 July PMI raised the following matters concerning the commission's use of the benchmark³⁶¹

- They had identified a calculation error in the commission's benchmark calculations.
- The amounts included in the benchmark for inland freight and for the billet premium did not appear to be actual prices, but estimates.
- For aluminium purchased from Malaysia, where there is no PMS, there is no requirement for a cost adjustment. PMI further submitted that the confidential spreadsheets provided

³⁵⁹ The commission further compared the WestMetall LME prices against an independent subscription data source available to the commission. The WestMetall LME prices were found to be consistent with this subscription data source.

³⁶⁰ See Appendix A

³⁶¹ EPR 657, document number 34.

with its submission demonstrated that these prices and premiums reflected arm's length market prices and premiums.

Concerning the matters raised in PMI's submission, the commission has:

- Corrected the benchmark, publishing a corrigendum to the SEF on 31 July 2025 notifying interested parties of the error and the revised dumping margins.³⁶² The selected cooperating exporters were also provided with the revised calculations of their respective dumping margins.
- Modified the inland freight costs applied for PMI by using average actual delivery costs for raw materials in China, noting that these costs reflect relevant transport costs for PMI during the POI. These costs were also similar to the export inland transport costs for PMI.
- Not modified the billet premium, noting that this was based on the billet premium information provided by PMI in its REQ (see further discussion below on billet premiums concerning PMI's submission of 15 August).
- Modified the application of the benchmark to PMI's purchase of billets and/or ingot to only reflect PMI's Chinese purchases. The methodology used is consistent with the approached used by PMI in its submission of 15 August.

PMI – submission of 15 August 2025

PMI's submission of 15 August, in part, concerned the cost adjustments made to PMI's cost to manufacture and the benchmark used to make the cost adjustments.³⁶³ Table 32 below details the commission's assessment of each of the 11 issues raised by PMI in this submission concerning the benchmark and the dumping margin calculation:

	Summary of issue	Commission's assessment
1	Use of LME 3-month price	The commission has modified the benchmark to reflect a cash price. The commission notes that the PMI LME price initially used by the commission was incorrectly described by PMI as being a cash LME price in its REQ.
2	Use of estimated delivery costs	The commission has substituted the previously used delivery costs with PMI's average actual delivery costs during the POI. This was based on data provided by PMI.
3	Proposed use of alternative billet premium prices	The commission has not modified the billet premium used. It is noted that billet premium used in the SEF was based on billet premiums specified by PMI in its REQ which were verified to be within the range, if not slightly lower, than the billet premium information provided by Capral. The commission notes that no explanation was provided why the billet premiums provided by PMI in its REQ were "unverified" compared to the proposed alternative premium prices provided by PMI with its submission. It is also not clear that the examples provided by PMI reflect the complete range of billet premiums paid by the referenced entities during the inquiry period, noting that they are substantially different to those specified in PMI's REQ.
4	Arms length assessment of raw material purchases from related Malaysian parties.	As noted in section 6.5, the commission has revised its non-arms length finding in relation to these raw material purchases.

³⁶² EPR 657, document 35

³⁶³ EPR 657, document 57

	Summary of issue	Commission's assessment
5	Arms length assessment of reclaimed raw material purchases from related Malaysian parties.	As noted in section 6.5, the commission has revised its non-arms length finding in relation to these raw material purchases
6	Inclusion of Malaysian raw material imports in the cost adjustment.	As noted earlier, the commission has modified the cost adjustment to reflect application of the benchmark only to PMI's Chinese purchases of billets and/or ingot. The adjustment has been applied consistent with the methodology used by PMI in its submission.
7	PMI's revised cost adjustment based on its own calculations.	The commission's revised cost adjustment is included in confidential attachments 13 and 39 of this report.
8	Non-inclusion of ferro aluminium billet and inclusion of scrap in benchmark calculation. PMI noted there were no grounds to exclude ferro aluminium billet and the inclusion of scrap was not appropriate as scrap prices would require further adjustments.	The commission has modified the assessment to include ferro aluminium. However, the commission has not excluded scrap from the benchmark. Insufficient evidence was provided by PMI to support the claim that further adjustments would be required to the scrap prices due to the differing types of scrap and how it was supplied. Whilst information was provided regarding scrap losses, the commission is not satisfied that these adjustments are required given that these losses would already be accounted for in the cost records through the final production output. As a consequence, the commission is not satisfied that scrap should be excluded based on the evidence provided.
9	PMI's revised cost adjustment calculations excluding Malaysian imports.	The commission's revised calculations of the cost adjustment for PMI are included in confidential attachments 13 and 39.
10	Samples of raw material purchase documents in China were provided with submission.	
11	Incorrectly including the ingot to billet conversion costs in the raw material cost adjustment.	The commission has amended the cost adjustment to exclude the identified non-aluminium costs in converting ingot to billet. The commission has adopted the methodology proposed by PMI in confidential attachment H of its submission when making this adjustment.

Table 32: Matters raised in PMI's submission concerning the benchmark applied to the dumping calculation

Xingfa Aluminium

Xingfa Aluminium submitted that, based on the findings of various WTO dispute panels, surrogate values are required to be adjusted to reflect local market conditions and the cost of production in the country of origin³⁶⁴. These adjustments should account for local market conditions, such as production costs or efficiencies, and exclude elements like profit that did not pertain to production costs. Xingfa Aluminium submitted that, consequently, its aluminium benchmark should be modified to ensure:

- inland transport costs reflected Xingfa Aluminium's transport costs
- the billet premium reflected Xingfa Aluminium's costs of converting ingot into billet and not be based on an external billet benchmark price.
- that an LME cash settlement price should be used as this reflected the price of aluminium available to Xingfa Aluminium.

³⁶⁴ EPR 657, document 44

The commission agrees with, and has applied, the principle that where the surrogate values are used, they must reflect the cost of production in the country of origin, and that appropriate adjustments are to be made where they are warranted.

The commission has accepted Xingfa Aluminium's proposed adjustments relating to inland transport costs and using an LME cash price. Inland transport costs were modified by adopting the quarterly average inland transport cost's reported in Xingfa Aluminium's raw material purchase listing. The LME benchmark price was adjusted to reflect a cash price.

As noted above, Xingfa Aluminium submitted that it was not appropriate to include a billet premium in the benchmark that was greater than its costs of converting ingot to billet. Xingfa Aluminium stated it would opt to self-produce aluminium billet rather than purchase billet when the prevailing billet premium exceeded its unit conversion costs of processing ingot into billet, including the premium specified in the benchmark price used. The commission examined the records provided by Xingfa Aluminium in relation to its billet purchases and billet production. This examination identified that:

- In no month did Xingfa Aluminium self-produce all its own billet requirements, with billet being purchased in each month of the POI.
- Examination of Xingfa Aluminium's purchase prices and costs of producing the most common grade of aluminium billet,³⁶⁵ identified that where it was cheaper to self-produce this grade of billet, Xingfa did not consistently produce more billet than it purchased.

Consequently, the commission is not satisfied that Xingfa would switch to full self-production when it was cheaper to self-produce billet.

However, the commission notes that the billet benchmark price used includes profit and selling cost components which are not relevant to Xingfa Aluminium's self-produced billet. Consequently, the commission adjusted the billet benchmark applied in relation to Xingfa to reflect a weighted average³⁶⁶ of:

- Xingfa Aluminium's self-produced billet cost calculated by adding the monthly billet conversion costs incurred by Xingfa to the ingot benchmark for the same month; and
- monthly billet benchmark prices used by the commission, adjusted to reflect Xingfa Aluminium's inland delivery costs.

The commission further notes that Xingfa Aluminium claimed that the commission had not provided Xingfa with the relevant calculations for the benchmark cost adjustment and that they were not able to properly comment until after the PMI submission disclosed the benchmark. The commission provided Xingfa Aluminium with details of the methodology used to determine the benchmark and a calculation spreadsheet to enable Xingfa to review how the cost adjustment was calculated based on the data provided in the PMI submission. The commission notes that Xingfa Aluminium subsequently confirmed that it was able to replicate the commission's calculations for the cost adjustments applied.

Goomax

³⁶⁵ Grade 6063 was selected. This grade was selected as it was both self-produced and purchased externally.

³⁶⁶ The weighting was based on the proportion of billet self-produced and purchased in each month.

Goomax submitted, referencing WTO Panel Report in DS494, that the commission was required to arrive at the cost of production in the country of origin and that the benchmark used by the commission was not appropriate, namely because:³⁶⁷

- import prices are normally higher than the domestic purchase price as the import price usually involves much higher costs such as freight, handling charges, and miscellaneous fees
- that using PMI's prices results in prices that are purchased at different times to Goomax's purchasing times which may result in price timing differences
- the freight costs used for Goomax should reflect its (confidential) delivery terms.

The commission notes that it revised its benchmark and is not using PMI's actual contracted prices. The benchmark used in this report reflects monthly LME + MJP prices which are equivalent to the examined contract import LME + MJP prices into China. The cost adjustment is based on assessing the prices paid by Goomax in the same month as the benchmark price. The commission notes that the contracted prices used to establish the benchmark price is a relevant price in China and the price reflects a relevant benchmark for pricing of aluminium. As noted earlier, evidence before the commission confirms that this pricing mechanism is also used in China.³⁶⁸

The commission examined the cost records provided by Goomax. These records indicate that they reflect the delivery terms consistent with the delivery adjustment made to Goomax's benchmark. As a consequence, the commission has not amended the delivery costs included in the Goomax benchmark.

C4.2 Goomax's records

The commission's starting point for calculating the cost of production or manufacture under section 269TAC(2)(c)(i) is the exporter's records.

The commission has had regard to the requirements of Regulation 43(2). The commission finds that Goomax maintained records relating to the like goods, and those records are in accordance with generally accepted accounting principles in the country of export. As such, the Commissioner finds that the criteria in sections 43(2)(a) and 43(2)(b)(i) of the Regulation are satisfied. However, the commission considers the criterion in section 43(2)(b)(ii) of the Regulation is **not** met.

The commission's assessment of Goomax's records is at **Confidential attachment 37: Goomax – Cost records**.

Reasons the Commissioner considers section 43(2)(b)(ii) of the Regulation is not satisfied

Goomax purchased primary aluminium in the inquiry period. In Review 609, the Commissioner found that the primary aluminium cost in the records of selected exporters (including Goomax) did not reasonably reflect competitive market costs.³⁶⁹ The commission has had regard to those findings but has considered this issue afresh for the purpose of this inquiry.

³⁶⁷ EPR 657, document 37

³⁶⁸ Capral in its submission disputed Goomax's claims concerning the benchmark referring to the commission's preliminary findings (see EPR 657, document 48). The commission has noted Capral's submission but addressed the claims by Goomax as distinct to the counter claims made by Capral.

³⁶⁹ EPR 609, document 41.

The commission considers that the most significant cost for Goomax relate to primary aluminium (either in the form of billet, ingot or in some minor volumes, scrap).³⁷⁰ Primary aluminium costs therefore are most relevant to the commission's assessment of whether Goomax's records reflect competitive market costs. To this end, the commission has examined **APPENDIX A** and the degree to which the particular market situation impacts primary aluminium prices in the Chinese domestic market.

The commission considers that due to the artificially low price of aluminium inputs because of the intervention of the GOC (which as discussed above in **APPENDIX B**, has resulted in domestic sales not being suitable for comparison with the export price), Chinese domestic prices that are affected by those interventions would not be suitable to compare Goomax's recorded cost of primary aluminium for the assessment required under Regulation 43(2).

The Commissioner further considers that the equivalent LME + MJP import price to China is indicative of a price of aluminium ingot and billet, unaffected by the same particular market situation identified, in respect of the like goods in China. The equivalent LME + MJP import price to China indicates that the aluminium cost in markets unaffected by a particular market situation, after allowing for differences that might affect the comparison, was materially higher during the inquiry period than the primary aluminium cost recorded in Goomax's records.

The Commissioner finds that the programs and policies of the GOC together with the other interventions in the aluminium market have lowered the price and cost of aluminium in China. This induced and allowed producers of the goods and like goods in China to produce and supply more like goods at a lower price point than otherwise possible. The commission finds that these interventions have affected Goomax's records, such that they do not reflect competitive market costs, as reflected in the discrepancy between Goomax's recorded costs and the competitive benchmark cost.

The Commissioner is therefore satisfied that the aluminium cost recorded in Goomax's records do not reasonably reflect competitive market costs associated with the production or manufacture of the goods. Accordingly, the Commissioner finds that the criterion in section 43(2)(b)(ii) of the Regulation is **not** satisfied.

The commission's assessment of Goomax's cost records is at **Confidential attachment 37: Goomax – Cost records**.

³⁷⁰ The commission assessed Goomax's primary aluminium costs as a proportion of its CTM and found that approximately 82%-90%.

Section 269TAC(2)(c)(i)

Where the criteria in section 43(2) of the Regulation are not satisfied, the Minister is neither required to, nor prohibited from, using an exporter's records to determine normal values under section 269TAC(2)(c)(i). The discretion section 269TAC(2)(c)(i) provides is to be exercised in accordance with the requirements of the ADA.³⁷¹

Article 2.2.1.1 of the ADA provides that, for the purpose of constructing normal value:

costs shall normally be calculated on the basis of records kept by the exporter or producer under investigation, provided that such records are in accordance with the generally accepted accounting principles of the exporting country and reasonably reflect the costs associated with the production and sale of the product under consideration

The commission considers that Goomax's records were kept in accordance with the GAAP of China. The commission is also satisfied that Goomax's records reasonably reflect the costs associated with the production of the goods, because Goomax's recorded costs reflect the costs actually incurred by Goomax. Accordingly, under the ADA, costs shall "normally" be calculated on the basis of Goomax's records.

However, in this instance the situation is not "normal" such that this presumption should apply. While Goomax's records were kept in accordance with the GAAP of China and reasonably reflect the costs actually incurred by Goomax associated with the production of the goods, in the commission's view there are nonetheless compelling reasons why Goomax's records should not be used, because the circumstances in which aluminium input prices were set by Goomax's suppliers were not normal and ordinary.

The commission's assessment of the circumstances in which those aluminium input prices were set, and the impact this had on Goomax's recorded costs, is informed by the following factual findings set out earlier in this report.

- The evidence before the commission that shows that for producers of aluminium extrusions generally, primary aluminium is a key cost component in aluminium extrusions and that primary aluminium prices impact both the production costs and selling prices of the goods, even when the exporter also purchases secondary aluminium.
- The indication in Goomax's records that Goomax's actual primary aluminium costs, measured as a proportion of its CTM, is between 82 - 90%.
- The factual findings set out in **APPENDIX A**, where the commission concluded that GOC influence in the aluminium ingot/billet and aluminium extrusion sectors has resulted in a significant variance in aluminium extrusion prices, in comparison to an environment where markets operated without significant GOC intervention.
- The commission's comparative finding at **APPENDIX B**, which established that Goomax's aluminium ingot prices were on average 1.8% lower than the equivalent LME + MJP import price for ingot and its billet prices were approximately 7.1% lower than the equivalent LME + MJP import price for billet. It is further noted that Goomax's billet purchases reflected a more significant portion of its raw material purchases compared to its ingot purchases.
- The commission's finding in REP 609 that aluminium prices paid by the four exporters examined (including Goomax) was 9% lower than the benchmark.

³⁷¹ See *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2018] FCAFC 20; 259 FCR 478, [108], Pagone and Bromwich JJ agreeing at [128] and [137] respectively. Cited affirmatively by Griffith J in *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* (No 2) [2018] FCA 1135, [50].

The commission considers that the generally lower price of primary aluminium in the Chinese market is due to the GOC influence that has distorted the primary and secondary aluminium price in the Chinese domestic market. The commission's findings of the impact of the particular market situation as found in REP 609, REP 633 and in this inquiry, reveals a material effect on aluminium input prices such that those prices are not a reliable indication of the cost of production of downstream products in China. The commission considers that the aluminium cost in the aluminium extrusion cost records of Goomax, reflects the impact of the particular market situation.

The commission considers that the generally lower price of primary aluminium in the Chinese market is due to the GOC influence and distortions on the primary aluminium price in the Chinese domestic market. The effect of this is to create a situation where the costs of primary aluminium recorded in Goomax's records were set by its suppliers in an extraordinary environment, that means that Goomax's records are not appropriate to use for the purpose of constructing a normal value.

The commission observed during the inquiry period that the price of aluminium in China is:

- materially lower than the internationally traded price of aluminium, and
- immune from external trade shocks (decrease in supply and increase in the price of alumina) and effects as evidenced during the inquiry period through the direct and indirect involvement of the GOC in the aluminium and upstream markets.

The commission examined the movement and trend in ingot prices during the inquiry period and identified that an increase in the globally traded price of ingot did not result in a parallel movement in the Chinese domestic markets. Rather, the commission observes that all Chinese market price indices followed the SHFE during the inquiry period rather than global price trends (evidenced through the equivalent LME + MJP import price). For example, during the inquiry period, the commission observed a collective price trend amongst the Chinese prices indexes with trading range of -1.3% to 2.1% to the SHFE price. In contrast, the equivalent LME + MJP import price to China was consistently more expensive in the second half of the POI than the Chinese prices with a trading range of -2.7 % to 8% of the SHFE price. Notably, the commission observed that Chinese ingot prices trended in an opposite direction to the equivalent LME + MJP import price from May – September 2024. The commission found that for ingot purchases, the price paid by the exporter closely followed the market price index published by the Chinese Aluminium Network (see section A.8 above).

The commission attributes these findings to several factors, including:

- The substantial and unusual degree of centralised power exercised by state-owned aluminium smelters, which then sets and controls the price in the aluminium market, including the prices at which aluminium and its raw material inputs are traded within China (via the various price indexes).
- GOC interventions directly in the primary aluminium and upstream markets, including:
 - all aluminium producers in China are operating under strong State influence – while there is a significant presence of SOEs in the primary aluminium market the GOC also has significant influence over private aluminium enterprises, all of whom are subject to GOCs strict goals concerning production, capacity, modernisation, relocations and reorganisations of individual enterprises etc.,
 - the centralisation of GOC control in the aluminium market through the consolidation of SOEs and the continued prioritisation of the aluminium sector, including through the creation of the China Resources Recycling Group Co. Ltd centrally managed under SASAC with ownership shared amongst China's largest steel and aluminium producers (see Section A5.2 above).

The commission considers that the specific facts and evidence in this case, in respect of Goomax's records, provide compelling reasons to deviate from using the Goomax's aluminium costs. Additionally, the Commissioner considers that relying on the price paid by Goomax for primary aluminium to construct the normal value would undermine the very basis for having recourse to a constructed normal value in the first place. That is, to utilise Goomax's recorded aluminium costs would reintroduce the very factors that warranted, in the first instance, recourse to constructing the normal value. For the reasons articulated above, the Commissioner is satisfied that the Goomax recorded aluminium cost for aluminium extrusions reflects circumstances that are not normal and ordinary.

The commission has adjusted Goomax's aluminium cost according to the LME + MJP benchmark. The commission has not adjusted any of the other items recorded in Goomax's cost of production (i.e. auxiliary materials, direct labour, energy, manufacturing overheads) in determining the CTM under section 269TAC(2)(c)(i).

Section 269TAC(2)(c)(ii)

The commissioner recommends that the Minister determine under section 269TAC(2)(c)(ii) amounts for:

- SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the Regulation, and
- an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

C4.3 Jinxiecheng's records

The commission's starting point for calculating the cost of production or manufacture under section 269TAC(2)(c)(i) is the exporter's records.

The commission has had regard to the requirements of Regulation 43(2). The commission finds that Jinxiecheng maintained records relating to the like goods, and those records are in accordance with generally accepted accounting principles in the country of export. As such, the Commissioner finds that the criteria in sections 43(2)(a) and 43(2)(b)(i) of the Regulation are satisfied. However, the commission considers the criterion in section 43(2)(b)(ii) of the Regulation is **not** met.

The commission's assessment of Jinxiecheng's records is at **Confidential attachment 38: Jinxiecheng – Cost records**.

Reasons the Commissioner considers section 43(2)(b)(ii) of the Regulation is not satisfied

Jinxiecheng purchased primary aluminium in the inquiry period. In Review 609, the Commissioner found that the primary aluminium cost in the records of selected exporters (including Jinxiecheng) did not reasonably reflect competitive market costs.³⁷² The commission has had regard to those findings but has considered this issue afresh for the purpose of this inquiry.

The commission considers that the most significant cost for Jinxiecheng relate to primary aluminium (either in the form of billet, ingot or in some minor volumes, scrap).³⁷³ Primary aluminium costs therefore are most relevant to the commission's assessment of whether Jinxiecheng's records reflect competitive market costs. To this end, the commission has

³⁷² EPR 609, document 41

³⁷³ commission assessed Jinxiecheng's aluminium costs as a proportion of its CTM and found approximately 82%-90% of its CTM was attributed to aluminium costs.

examined **APPENDIX A** and the degree to which the particular market situation impacts primary aluminium prices in the Chinese domestic market.

The commission considers that due to the artificially low price of aluminium inputs because of the intervention of the GOC (which as discussed above in **APPENDIX B**, has resulted in domestic sales not being suitable for comparison with the export price), Chinese domestic prices that are affected by those interventions would not be suitable to compare Jinxiecheng's recorded cost of aluminium for the assessment required under Regulation 43(2)..

The commission's competitive benchmark cost for aluminium is contained at **Confidential attachment 36: Aluminium benchmark**.

The Commissioner finds that the programs and policies of the GOC together with the other interventions in the aluminium market have lowered the price and cost of aluminium in China. This induced and allowed producers of the goods and like goods in China to produce and supply more like goods at a lower price point than otherwise possible. The commission finds that these interventions have affected Jinxiecheng's records, such that they do not reflect competitive market costs, as reflected in the discrepancy between Jinxiecheng's recorded costs and the competitive benchmark cost.

The Commissioner is therefore satisfied that the aluminium cost recorded in Jinxiecheng's records do not reasonably reflect competitive market costs associated with the production or manufacture of the goods. Accordingly, the Commissioner finds that the criterion in section 43(2)(b)(ii) of the Regulation is **not** satisfied.

The commission's assessment of Jinxiecheng's cost records is at **Confidential attachment 38: Jinxiecheng – Cost records**.

Section 269TAC(2)(c)(i)

Where the criteria in section 43(2) of the Regulation are not satisfied, the Minister is neither required to, nor prohibited from, using an exporter's records to determine normal values under section 269TAC(2)(c)(i). The discretion section 269TAC(2)(c)(i) provides is to be exercised in accordance with the requirements of the ADA.³⁷⁴

Article 2.2.1.1 of the ADA provides that, for the purpose of constructing normal value:

costs shall normally be calculated on the basis of records kept by the exporter or producer under investigation, provided that such records are in accordance with the generally accepted accounting principles of the exporting country and reasonably reflect the costs associated with the production and sale of the product under consideration

The commission considers that Jinxiecheng's records were kept in accordance with the GAAP of China. The commission is also satisfied that Jinxiecheng's records reasonably reflect the costs associated with the production of the goods, because Jinxiecheng's recorded costs reflect the costs actually incurred by Jinxiecheng. Accordingly, under the ADA, costs shall "normally" be calculated on the basis of Jinxiecheng's records.

However, in this instance the situation is not "normal" such that this presumption should apply. While Jinxiecheng's records were kept in accordance with the GAAP of China and reasonably reflect the costs actually incurred by Jinxiecheng associated with the production of the goods, in

³⁷⁴ See *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2018] FCAFC 20; 259 FCR 478, [108], Pagone and Bromwich JJ agreeing at [128] and [137] respectively. Cited affirmatively by Griffith J in *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* (No 2) [2018] FCA 1135, [50].

the commission's view there are nonetheless compelling reasons why Jinxiecheng's records should not be used, because the circumstances in which aluminium input prices were set by Jinxiecheng's suppliers were not normal and ordinary.

The commission's assessment of the circumstances in which those aluminium input prices were set, and the impact this had on Jinxiecheng's recorded costs, is informed by the following factual findings set out earlier in this report.

- the finding of a particular market situation in **APPENDIX A**, which pertained specifically to the factors affecting aluminium prices in China.
- Jinxiecheng's uses both self-produced billet (from ingot and scrap) and purchased billet to produce the goods. The commission estimates that billet costs, as a proportion of its CTM, is between 82 - 90%.
- the finding that primary aluminium is a key cost component in aluminium extrusions and that primary aluminium prices impact both the production costs and selling prices of the goods.
- the comparative analysis using the benchmark applied in the commission's section 43(2)(b)(ii) of the Regulation assessment.
- the commission's comparative assessment finding at section 9.3.1, Jinxiecheng's ingot prices were on average 3.1% lower than the LME benchmark, its billet prices were approximately 9.5% lower than the LME benchmark and scrap purchases were approximately 2.2% lower than the LME benchmark.
- the commission's finding in REP 609 that aluminium prices paid by the four exporters examined (including Jinxiecheng) was 9% lower than the benchmark.

The commission considers that the generally lower price of primary aluminium in the Chinese market is due to the GOC influence that has distorted the primary and secondary aluminium price in the Chinese domestic market. The commission's findings of the impact of the particular market situation as found in REP 609, REP 633 and in this inquiry, reveals a material effect on aluminium input prices such that those prices are not a reliable indication of the cost of production of downstream products in China. The commission considers that the aluminium cost in the aluminium extrusion cost records of Jinxiecheng, reflects the impact of the particular market situation.

The commission considers that the generally lower price of primary aluminium in the Chinese market is due to the GOC influence has distorted the primary aluminium price in the Chinese domestic market. The effect of this is to create a situation where the costs of primary aluminium recorded in Jinxiecheng's records were set by its suppliers in an extraordinary environment, that means that Jinxiecheng's records are not appropriate to use for the purpose of constructing a normal value.

The commission observed during the inquiry period that the price of aluminium in China is:

- materially lower than the internationally traded price of aluminium, and
- immune from external trade shocks (decrease in supply and increase in the price of alumina) and effects as evidenced during the inquiry period through the direct and indirect involvement of the GOC in the aluminium and upstream markets.

The commission examined the movement and trend in ingot prices during the inquiry period and identified that an increase in the globally traded price of ingot did not result in a parallel movement in the Chinese domestic markets. Rather, the commission observes that all Chinese market price indices followed the SHFE during the inquiry period rather than global price trends (evidenced through the equivalent LME + MJP import price). For example, during the inquiry period, the commission observed a collective price trend amongst the Chinese prices indexes with trading range of -1.3% to 2.1% to the SHFE price. In contrast, the equivalent LME + MJP import price to

China was consistently more expensive than the Chinese prices with a trading range of -2.7 % to 8% of the SHFE price. Notably, the commission observed that Chinese ingot prices trended in an opposite direction to the equivalent LME + MJP import price from May – September 2024. The commission found that for ingot purchases, the price paid by the exporter closely followed the market price index published by the Chinese Aluminium Network (see section A.8 above).

The commission attributes these findings to several factors, including:

- the substantial and unusual degree of centralised power exercised by state-owned aluminium smelters, which then sets and controls the price in the aluminium market, including the prices at which aluminium and its raw material inputs are traded within China (via the various price indexes).
- GOC interventions directly in the primary aluminium and upstream markets, including:
 - all aluminium producers in China are operating under strong State influence – while there is a significant presence of SOEs in the primary aluminium market the GOC also has significant influence over private aluminium enterprises, all of whom are subject to GOCs strict goals concerning production, capacity, modernisation, relocations and reorganisations of individual enterprises etc.,
 - the centralisation of GOC control in the aluminium market through the consolidation of SOEs and the continued prioritisation of the aluminium sector, including through the creation of the China Resources Recycling Group Co. Ltd centrally managed under SASAC with ownership shared amongst China's largest steel and aluminium producers (see Section A5.2 above).

The commission considers that the specific facts and evidence in this case, in respect of Jinxiecheng's records, provide compelling reasons to deviate from using the Jinxiecheng's aluminium costs. Additionally, the Commissioner considers that relying on the price paid by Jinxiecheng for primary aluminium to construct the normal value would undermine the very basis for having recourse to a constructed normal value in the first place. That is, to utilise Jinxiecheng's recorded aluminium costs would reintroduce the very factors that warranted, in the first instance, recourse to constructing the normal value. For the reasons articulated above, the Commissioner is satisfied that the Jinxiecheng recorded aluminium cost for aluminium extrusions reflects circumstances that are not normal and ordinary.

The commission has adjusted Jinxiecheng's aluminium cost according to the LME + MJP benchmark. The commission has not adjusted any of the other items recorded in Jinxiecheng's cost of production (i.e. auxiliary materials, direct labour, energy, manufacturing overheads) in determining the CTM under section 269TAC(2)(c)(i).

Section 269TAC(2)(c)(ii)

The commissioner recommends that the Minister determine under section 269TAC(2)(c)(ii) amounts for:

- SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the Regulation, and
- an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

C4.4 PMI's records

The commission's starting point for calculating the cost of production or manufacture under section 269TAC(2)(c)(i) is the exporter's records.

As per section 269TAC(5A), the commission has had regard to the requirements of Regulation 43(2). The commission finds that PMI maintained records relating to the like goods, and those records are in accordance with generally accepted accounting principles in the country of export. As such, the Commissioner finds that the criteria in sections 43(2)(a) and 43(2)(b)(i) of the Regulation are satisfied. However, the commission considers the criterion in section 43(2)(b)(ii) of the Regulation is **not** met.

The commission's assessment of PMI's records is at **Confidential attachment 39: PMI – Cost records**.

Reasons the Commissioner considers section 43(2)(b)(ii) of the Regulation is not satisfied

PMI purchased primary aluminium in the inquiry period. In Review 609, the Commissioner found that the primary aluminium cost in the records of selected exporters (including PMI) did not reasonably reflect competitive market costs.³⁷⁵ The commission has had regard to those findings but has considered this issue afresh for the purpose of this inquiry.

The commission considers that the most significant cost for PMI relate to primary aluminium (either in the form of billet, ingot or in some minor volumes, scrap).³⁷⁶ Primary aluminium costs therefore are most relevant to the commission's assessment of whether PMI's records reflect competitive market costs. To this end, the commission has examined **Appendix A7** and the degree to which the particular market situation impacts primary aluminium prices in the Chinese domestic market. To assess whether PMI's recorded costs reasonably reflect competitive market costs, the commission has conducted further analysis of PMI's recorded primary aluminium costs compared to the equivalent LME + MJP import price of aluminium to China.

The commission considers that due to the artificially low price of aluminium inputs because of the intervention of the GOC (which as discussed above in **APPENDIX B**, has resulted in domestic sales not being suitable for comparison with the export price), Chinese domestic prices that are affected by those interventions would not be suitable to compare PMI's recorded cost of primary aluminium for the assessment required under Regulation 43(2).

The Commissioner further considers that the equivalent LME + MJP import price to China is indicative of a price of aluminium ingot and billet, unaffected by the same particular market situation identified, in respect of the like goods in China. The equivalent LME + MJP import price to China indicates that the aluminium cost in markets unaffected by a particular market situation, after allowing for differences that might affect the comparison, was materially higher during the inquiry period than the primary aluminium cost recorded in PMI's records.

The Commissioner finds that the programs and policies of the GOC together with the other interventions in the aluminium market have lowered the price and cost of aluminium in China. This induced and allowed producers of the goods and like goods in China to produce and supply more like goods at a lower price point than otherwise possible. The commission finds that these interventions have affected PMI's records, such that they do not reflect competitive market costs, as reflected in the discrepancy between PMI's recorded costs and the competitive benchmark cost.

The Commissioner is therefore satisfied that the aluminium cost recorded in PMI's records do not reasonably reflect competitive market costs associated with the production or manufacture of the

³⁷⁵ EPR 609, document 41

³⁷⁶ The commission assessed PMI's primary aluminium costs as a proportion of its CTM and found that approximately 82%-90% of its CTM was attributed to aluminium costs.

goods. Accordingly, the Commissioner finds that the criterion in section 43(2)(b)(ii) of the Regulation is **not** satisfied.

The commission's competitive benchmark cost for aluminium is contained at **Confidential attachment 36**.

The Commissioner is therefore satisfied that while the aluminium cost recorded in PMI's records reasonably reflect the costs associated with the production or manufacture of the goods, because of the particular market situation, they do not reasonably reflect competitive market costs associated with the production or manufacture of the goods. Accordingly, the Commissioner finds that the criterion in section 43(2)(b)(ii) of the Regulation is **not** satisfied.

The commission's assessment of PMI's cost records is at **Confidential attachment 39: PMI – Cost records**.

Section 269TAC(2)(c)(i)

Where the criteria in section 43(2) of the Regulation are not satisfied, the Minister is neither required to, nor prohibited from, using an exporter's records to determine normal values under section 269TAC(2)(c)(i). The discretion section 269TAC(2)(c)(i) provides is to be exercised in accordance with the requirements of the ADA.³⁷⁷

Article 2.2.1.1 of the ADA provides that, for the purpose of constructing normal value:

costs shall normally be calculated on the basis of records kept by the exporter or producer under investigation, provided that such records are in accordance with the generally accepted accounting principles of the exporting country and reasonably reflect the costs associated with the production and sale of the product under consideration

The commission considers that PMI's records were kept in accordance with the GAAP of China. The commission is also satisfied that PMI's records reasonably reflect the costs associated with the production of the goods, because PMI's recorded costs reflect the costs actually incurred by PMI. Accordingly, under the ADA, costs shall "normally" be calculated on the basis of PMI's records.

However, in this instance the situation is not "normal" such that this presumption should apply. While PMI's records were kept in accordance with the GAAP of China and reasonably reflect the costs actually incurred by PMI associated with the production of the goods, in the commission's view there are nonetheless compelling reasons why PMI's records should not be used, because the circumstances in which aluminium input prices were set by PMI's suppliers were not normal and ordinary.

The commission's assessment of the circumstances in which those aluminium input prices were set, and the impact this had on PMI's recorded costs, is informed by the following factual findings set out earlier in this report.

- the finding of a particular market situation in **APPENDIX A**, which pertained specifically to the factors affecting aluminium prices in China.
- PMI uses both self-produced billet (from primary and secondary ingot and scrap) and purchased billet to produce the goods. PMI did submit its billet casting costs, but did not

³⁷⁷ See *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2018] FCAFC 20; 259 FCR 478, [108], Pagone and Bromwich JJ agreeing at [128] and [137] respectively. Cited affirmatively by Griffith J in *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* (No 2) [2018] FCA 1135, [50].

identify the proportion of material types and origin in its CTM for extrusions. The commission estimates that billet costs, as a proportion of its CTM, is between 82 - 90%

- the finding that primary aluminium is a key cost component in aluminium extrusions and that primary aluminium prices impact both the production costs and selling prices of the goods. Primary aluminium ingot from China comprises approximately 77% of all OMU's aluminium raw material purchases in the inquiry period.
- the comparative analysis using the benchmark applied in the commission's section 43(2)(b)(ii) of the Regulation assessment.
- the commission's comparative assessment finding at **APPENDIX B**, PMI's Chinese ingot prices were on average 1.4% lower than the LME benchmark and its Chinese billet prices were approximately equal to the LME benchmark. It is further noted that PMI's billet purchases did not reflect as a significant portion of its raw material purchases compared to its ingot purchases.

The commission considers that the generally lower price of primary aluminium in the Chinese market is due to the GOC influence that has distorted the primary and secondary aluminium price in the Chinese domestic market. The commission's findings of the impact of the particular market situation as found in REP 609, REP 633 and in this inquiry, reveals a material effect on aluminium input prices such that those prices not a reliable indication of the cost of production of downstream products in China. The commission considers that the aluminium cost in the aluminium extrusion cost records of PMI, reflects the impact of the particular market situation.

The commission considers that the generally lower price of primary aluminium in the Chinese market is due to the GOC influence and distortions on the primary aluminium price in the Chinese domestic market. The effect of this is to create a situation where the costs of primary aluminium recorded in PMI's records were set by its suppliers in an extraordinary environment, that means that PMI's records are not appropriate to use for the purpose of constructing a normal value.

The commission observed during the inquiry period that the price of aluminium in China is:

- materially lower than the internationally traded price of aluminium, and
- immune from external trade shocks (decrease in supply and increase in the price of alumina) and effects as evidenced during the inquiry period through the direct and indirect involvement of the GOC in the aluminium and upstream markets.

The commission examined the movement and trend in ingot prices during the inquiry period and identified that an increase in the globally traded price of ingot did not result in a parallel movement in the Chinese domestic markets. Rather, the commission observes that all Chinese market price indices followed the SHFE during the inquiry period rather than global price trends (evidenced through the equivalent LME + MJP import price). For example, during the inquiry period, the commission observed a collective price trend amongst the Chinese prices indexes with trading range of -1.3% to 2.1% to the SHFE price. In contrast, the equivalent LME + MJP import price to China was consistently more expensive than the Chinese prices with a trading range of 2.7% to 28% of the SHFE price. Notably, the commission observed that Chinese ingot prices trended in an opposite direction to the equivalent LME + MJP import price from May – September 2024. The commission found that for ingot purchases, the price paid by the exporter closely followed the market price index published by the Chinese Aluminium Network (see section A.8 above).

The commission attributes these findings to several factors, including:

- the substantial and unusual degree of centralised power exercised by state-owned aluminium smelters, which then sets and controls the price in the aluminium market, including the prices at which aluminium and its raw material inputs are traded within China (via the various price indexes).

- GOC interventions directly in the primary aluminium and upstream markets, including:
 - all aluminium producers in China are operating under strong State influence – while there is a significant presence of SOEs in the primary aluminium market the GOC also has significant influence over private aluminium enterprises, all of whom are subject to GOCs strict goals concerning production, capacity, modernisation, relocations and reorganisations of individual enterprises etc.,
 - the centralisation of GOC control in the aluminium market through the consolidation of SOEs and the continued prioritisation of the aluminium sector, including through the creation of the China Resources Recycling Group Co. Ltd centrally managed under SASAC with ownership shared amongst China's largest steel and aluminium producers (see Section A5.2 above).

PMI submitted that the commission's analysis of the LME and SHFE prices did not consider that the prices on these exchanges are from other countries 'not known for their government's minimalist intervention in the production and supply of products'.³⁷⁸ PMI specifically referenced India, Russia and the UAE as not being noted for their respective lack of government intervention, whose aluminium was 'presumably... sold on the (LME)'. PMI further claimed that no quantitative econometric analysis was undertaken regarding the effect of government intervention on these other countries prices. PMI also noted that it was also not apparent how the variances in prices identified by the commission were adjusted to reflect differences in production capacity and other differences in the markets being compared with China, as required by WTO jurisprudence.

The commission notes that the LME is a commodities exchange. It is the largest exchange for options and futures contracts for base metals, which include aluminium, zinc, lead, copper, and nickel. In this regard, the commission considers the LME + MJP benchmark as a suitable proxy for primary aluminium given its close relationship to the prices of imports of aluminium into China, which indicates that it is in fact a price that is paid by Chinese manufacturers. The commission considers this to be apt to yielding the cost of producing primary aluminium in China.

The commission considers that the specific facts and evidence in this case, in respect of PMI's records, provide compelling reasons to deviate from using the PMI's aluminium costs. Additionally, the Commissioner considers that relying on the price paid by PMI for primary aluminium to construct the normal value would undermine the very basis for having recourse to a constructed normal value in the first place. That is, to utilise PMI's recorded aluminium costs would reintroduce the very factors that warranted, in the first instance, recourse to constructing the normal value. For the reasons articulated above, the Commissioner is satisfied that the PMI recorded aluminium cost for aluminium extrusions reflects circumstances that are not normal and ordinary.

The commission has adjusted PMI's aluminium cost according to the LME + MJP benchmark. The commission has not adjusted any of the other items recorded in PMI's cost of production (i.e. auxiliary materials, direct labour, energy, manufacturing overheads) in determining the CTM under section 269TAC(2)(c)(i).

Section 269TAC(2)(c)(ii)

The commissioner recommends that the Minister determine under section 269TAC(2)(c)(ii) amounts for:

- SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the Regulation, and

³⁷⁸ EPR 657, document number 47

- an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

C4.5 Xingfa Aluminium's records

The commission's starting point for calculating the cost of production or manufacture under section 269TAC(2)(c)(i) is the exporter's records.

The commission has had regard to the requirements of Regulation 43(2). The commission finds that Xingfa Aluminium maintained records relating to the like goods, and those records are in accordance with generally accepted accounting principles in the country of export. As such, the Commissioner finds that the criteria in sections 43(2)(a) and 43(2)(b)(i) of the Regulation are satisfied. However, the commission considers the criterion in section 43(2)(b)(ii) of the Regulation is **not** met.

The commission's assessment of Xingfa Aluminium's records is at **Confidential attachment 40: Xingfa Aluminium – Cost records**.

Reasons the Commissioner considers section 43(2)(b)(ii) of the Regulation is not satisfied

Xingfa Aluminium purchased primary aluminium of Chinese origin in the inquiry period. In Review 609, the Commissioner found that the primary aluminium cost in the records of selected exporters (including Xingfa Aluminium) did not reasonably reflect competitive market costs.³⁷⁹ The commission has had regard to those findings but has considered this issue afresh for the purpose of this inquiry.

The commission considers that the most significant cost for Xingfa Aluminium relate to primary aluminium (either in the form of billet, ingot or in some minor volumes, scrap).³⁸⁰ Primary aluminium costs therefore are most relevant to the commission's assessment of whether Xingfa Aluminium's records reflect competitive market costs. To this end, the commission has examined **APPENDIX A** and the degree to which the particular market situation impacts primary aluminium prices in the Chinese domestic market.

To assess whether Xingfa Aluminium's recorded costs reasonably reflect competitive market costs, the commission has conducted further analysis of Xingfa Aluminium's recorded primary aluminium costs compared to the equivalent LME + MJP import price of aluminium to China.

The commission considers that due to the artificially low price of aluminium inputs because of the intervention of the GOC (which as discussed above in **APPENDIX B**, has resulted in domestic sales not being suitable for comparison with the export price), Chinese domestic prices that are affected by those interventions would not be suitable to compare Xingfa Aluminium's recorded cost of primary aluminium for the assessment required under Regulation 43(2).

The Commissioner further considers that the equivalent LME + MJP import price to China is indicative of a price of aluminium ingot and billet, unaffected by the same particular market situation identified, in respect of the like goods in China. The equivalent LME + MJP import price to China indicates that the aluminium cost in markets unaffected by a particular market situation, after allowing for differences that might affect the comparison, was materially higher during the inquiry period than the primary aluminium cost recorded in Xingfa Aluminium's records.

³⁷⁹ EPR 609, document 41

³⁸⁰ The commission assessed Xingfa Aluminium's primary aluminium costs as a proportion of its CTM and found that approximately 82%-90% of its CTM was attributed to aluminium costs.

The Commissioner finds that the programs and policies of the GOC together with the other interventions in the aluminium market have lowered the price and cost of aluminium in China. This induced and allowed producers of the goods and like goods in China to produce and supply more like goods at a lower price point than otherwise possible. The commission finds that these interventions have affected Xingfa Aluminium's records, such that they do not reflect competitive market costs, as reflected in the discrepancy between Xingfa Aluminium's recorded costs and the competitive benchmark cost.

The Commissioner is therefore satisfied that the aluminium cost recorded in Xingfa Aluminium's records do not reasonably reflect competitive market costs associated with the production or manufacture of the goods. Accordingly, the Commissioner finds that the criterion in section 43(2)(b)(ii) of the Regulation is **not** satisfied.

The commission's competitive benchmark cost for aluminium is contained at **Confidential attachment 36: Aluminium benchmark**.

The commission's assessment of Xingfa Aluminium's cost records is at **Confidential attachment 40: Xingfa Aluminium – Cost records**.

Section 269TAC(2)(c)(i)

Where the criteria in section 43(2) of the Regulation are not satisfied, the Minister is neither required to, nor prohibited from, using an exporter's records to determine normal values under section 269TAC(2)(c)(i). The discretion section 269TAC(2)(c)(i) provides is to be exercised in accordance with the requirements of the ADA.³⁸¹

Article 2.2.1.1 of the ADA provides that, for the purpose of constructing normal value:

costs shall normally be calculated on the basis of records kept by the exporter or producer under investigation, provided that such records are in accordance with the generally accepted accounting principles of the exporting country and reasonably reflect the costs associated with the production and sale of the product under consideration

The commission considers that Xingfa Aluminium's records were kept in accordance with the GAAP of China. The commission is also satisfied that Xingfa Aluminium's records reasonably reflect the costs associated with the production of the goods, because Xingfa Aluminium's recorded costs reflect the costs actually incurred by Xingfa Aluminium. Accordingly, under the ADA, costs shall "normally" be calculated on the basis of Xingfa Aluminium's records.

However, in this instance the situation is not "normal" such that this presumption should apply. While Xingfa Aluminium's records were kept in accordance with the GAAP of China and reasonably reflect the costs actually incurred by Xingfa Aluminium associated with the production of the goods, in the commission's view there are nonetheless compelling reasons why Xingfa Aluminium's records should not be used, because the circumstances in which aluminium input prices were set by Xingfa Aluminium's suppliers were not normal and ordinary.

The commission's assessment of the circumstances in which those aluminium input prices were set, and the impact this had on Xingfa Aluminium's recorded costs, is informed by the following factual findings set out earlier in this report.

³⁸¹ See *Steelforce Trading Pty Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* [2018] FCAFC 20; 259 FCR 478, [108], Pagone and Bromwich JJ agreeing at [128] and [137] respectively. Cited affirmatively by Griffith J in *Changshu Longte Grinding Ball Co., Ltd v Parliamentary Secretary to the Minister for Industry, Innovation and Science* (No 2) [2018] FCA 1135, [50].

- the finding of a particular market situation in **APPENDIX A**, which pertained specifically to the factors affecting aluminium prices in China.
- Xingfa Aluminium's uses both self-produced billet (from ingot) and purchased billet to produce the goods. Xingfa did not submit its billet casting costs. The commission estimates that billet costs, as a proportion of its CTM, is between 82 - 90%.
- the finding that primary aluminium is a key cost component in aluminium extrusions and that primary aluminium prices impact both the production costs and selling prices of the goods.
- the comparative analysis using the benchmark applied in the commission's section 43(2)(b)(ii) of the Regulation assessment
- the commission's comparative assessment finding at section 9.3.1, Xingfa Aluminium's ingot prices were on average 4.3% lower than the LME benchmark and its billet prices were approximately 4.2% lower than the LME benchmark.
- the commission's finding in REP 609 that aluminium prices paid by the four exporters examined (including Xingfa Aluminium) was 9% lower than the benchmark.

Following the commission's amendments to the LME + MJP benchmark after the publication of SEF 657, Xingfa Aluminium claimed its purchase costs of aluminium fluctuated above and below the benchmark across the inquiry period. Xingfa Aluminium claimed that this refuted the wide disparity demonstrated in the SEF. Xingfa Aluminium further claimed the revised LME + MJP benchmark confirmed that 'Xingfa's recorded costs are both reasonable in accordance with Article 2.2 of the ADA, and reflect competitive market costs pursuant to section 43(2) (b)(i) of the Regulation'. As noted above, the commission's analysis identified that Xingfa Aluminium's ingot prices were on average 4.3% lower than the LME benchmark and its billet prices were approximately 4.2% lower than the LME benchmark. Whilst ingot prices fluctuated above and below the benchmark, billet prices were above the benchmark for 11 of the 12 months of the inquiry period. It is further noted that Xingfa Aluminium's billet purchases reflected a material portion of its raw material purchases. The commission remains satisfied that the circumstances in which aluminium input prices were set by Xingfa Aluminium's suppliers were not normal and ordinary.

The commission considers that the generally lower price of primary aluminium in the Chinese market is due to the GOC influence on the primary and secondary aluminium price in the Chinese domestic market. The commission's findings of the impact of the particular market situation as found in REP 609, REP 633 and in this inquiry, reveals a material effect on aluminium input prices such that those prices not a reliable indication of the cost of production of downstream products in China. The commission considers that the aluminium cost in the aluminium extrusion cost records of Xingfa Aluminium, reflects the impact of the particular market situation.

The commission considers that the generally lower price of primary aluminium in the Chinese market is due to the GOC influence and distortions on the primary aluminium price in the Chinese domestic market. The effect of this is to create a situation where the costs of primary aluminium recorded in Xingfa Aluminium's records were set by its suppliers in an extraordinary environment, that means that Xingfa Aluminium's records are not appropriate to use for the purpose of constructing a normal value.

The commission observed during the inquiry period that the price of aluminium in China is:

- materially lower than the internationally traded price of aluminium, and
- immune from external trade shocks (decrease in supply and increase in the price of alumina) and effects as evidenced during the inquiry period through the direct and indirect involvement of the GOC in the aluminium and upstream markets.

The commission examined the movement and trend in ingot prices during the inquiry period and identified that an increase in the globally traded price of ingot did not result in a parallel movement

in the Chinese domestic markets. Rather, the commission observes that all Chinese market price indices followed the SHFE during the inquiry period rather than global price trends (evidenced through the equivalent LME + MJP import price). For example, during the inquiry period, the commission observed a collective price trend amongst the Chinese prices indexes with trading range of -1.3% to 2.1% to the SHFE price. In contrast, the equivalent LME + MJP import price to China was consistently more expensive than the Chinese prices with a trading range of -2.7% to 8% of the SHFE price. Notably, the commission observed that Chinese ingot prices trended in an opposite direction to the equivalent LME + MJP import price from May – September 2024. The commission found that for ingot purchases, the price paid by the exporter closely followed the market price index published by the Chinese Aluminium Network (see section A.8 above).

The commission attributes these findings to several factors, including:

- the substantial and unusual degree of centralised power exercised by state-owned aluminium smelters, which then sets and controls the price in the aluminium market, including the prices at which aluminium and its raw material inputs are traded within China (via the various price indexes).
- GOC interventions directly in the primary aluminium and upstream markets, including:
 - all aluminium producers in China are operating under strong State influence – while there is a significant presence of SOEs in the primary aluminium market the GOC also has significant influence over private aluminium enterprises, all of whom are subject to GOCs strict goals concerning production, capacity, modernisation, relocations and reorganisations of individual enterprises etc.,
 - the centralisation of GOC control in the aluminium market through the consolidation of SOEs and the continued prioritisation of the aluminium sector, including through the creation of the China Resources Recycling Group Co. Ltd centrally managed under SASAC with ownership shared amongst China's largest steel and aluminium producers (see Section A5.2 above).

The commission considers that the specific facts and evidence in this case, in respect of Xingfa Aluminium's records, provide compelling reasons to deviate from using the Xingfa Aluminium's aluminium costs. Additionally, the Commissioner considers that relying on the price paid by Xingfa Aluminium for primary aluminium to construct the normal value would undermine the very basis for having recourse to a constructed normal value in the first place. That is, to utilise Xingfa Aluminium's recorded aluminium costs would reintroduce the very factors that warranted, in the first instance, recourse to constructing the normal value. For the reasons articulated above, the Commissioner is satisfied that the Xingfa Aluminium recorded aluminium cost for aluminium extrusions reflects circumstances that are not normal and ordinary.

The commission has adjusted Xingfa Aluminium's aluminium cost according to the LME + MJP benchmark. The commission has not adjusted any of the other items recorded in Xingfa Aluminium's cost of production (i.e. auxiliary materials, direct labour, energy, manufacturing overheads) in determining the CTM under section 269TAC(2)(c)(i).

Section 269TAC(2)(c)(ii)

The commissioner recommends that the Minister determine under section 269TAC(2)(c)(ii) amounts for:

- SG&A expenses on the assumption that the goods, instead of being exported, were sold domestically in the OCOT in the country of export based on the company's records under section 44(2) of the Regulation, and
- an amount for profit based on data relating to the production and sale of like goods on the domestic market in the OCOT under section 45(2) of the Regulation.

C5 The aluminium cost adjustment

The Commissioner is satisfied that the equivalent LME + MJP import price to China is an accurate indication of the cost of producing primary and secondary aluminium in China (without influence of GOC market distortions) and is therefore suitable to use for determining an amount under section 269TAC(2)(c)(i).

The Commissioner has determined, based on the evidence currently before the commission, the aluminium costs by comparing the LME-based benchmark cost to the exporter's actual costs and applying the resulting variation as an adjustment to the exporter's records.

The commission used the equivalent aluminium price between PMI and its related entities in Malaysia for the aluminium cost adjustment in this inquiry.

The aluminium cost adjustment is an equivalent import price to China that includes the following components (also described at Table).

- the price of ingot, equivalent to the LME price (monthly, cash terms)
- a premium for ingot, equivalent to the Major Japanese Ports (MJP) premium for ingot
- billet premium, based on Malaysian costs (as a comparable market to China) to convert the ingot to a billet, and
- inland freight costs from the port of arrival in China to PMI's mill in China.

For the reasons explained below, the commission is satisfied that the value assigned to each of these components reflects the value of those components in China, absent GOC influence. While some of the values are derived by using the price in a different market from China, the commission finds that these prices reflect the cost of aluminium used to produce aluminium extrusions in China once adjustments are made for the effects of the not normal and not ordinary circumstances affecting the price and therefore cost of aluminium. The commission has deliberately sought to isolate and remove the effects of those not normal and not ordinary circumstances, as they have the effect of masking the actual cost of production of aluminium in China. Adjustments to the equivalent LME + MJP import price to China is discussed further below.

The commission assessment of the aluminium cost adjustment is at **Confidential attachment 36: Aluminium benchmark** and the individual export cost record's assessments at **Confidential attachment 37** to **Confidential attachment 40**.

C5.1 Chinese domestic prices

The commission notes that in previous related inquiries, the commission examined prices on the Shanghai Futures Exchange (SHFE) as an appropriate replacement cost for the cost of primary aluminium.

The commission considered in those inquiries that SHFE prices were not appropriate based on the commission's assessment that the market for primary aluminium traded on the SHFE is also influenced by the GOC interventions in the aluminium market.

The commission's analysis and findings at **Appendix A** make the same findings as previous inquiries. The information in this inquiry demonstrates that all Chinese market price indices are similar and have the same price trends over the inquiry period. The existence of long-term contracts and the level of influence of SOE smelters and sellers of primary aluminium in the inquiry period draws the commission to conclude that all aluminium prices in the Chinese market are distorted by GOC influence.

The commission also notes that the same distortions that occur in the primary aluminium market in China, are also likely to occur in the secondary (recycled aluminium ingot and scrap) Chinese markets. The commission considers that secondary aluminium is traded in China using the same domestic market price indices (i.e. there is no separate market for secondary scrap aluminium in China). The price of scrap in China follows the same price trends as primary Chinese aluminium ingot in the inquiry period. The price of scrap was sometime cheaper, more expensive or similar to the price of primary aluminium ingot in the inquiry period, and on average was approximately 2.6% cheaper.

Accordingly, while these indices reflect the price of aluminium in China, they do not accurately reflect the cost of production in China, because they are affected by GOC influences described above.

C5.2 Equivalent LME + MJP import price to China as a suitable cost

The commission considers that in examining the evidence on the record, the equivalent LME + MJP import price to China- is the most suitable evidence available to replace the exporter's primary and secondary aluminium costs.

LME is the world's premier base metals market. It operates futures and options markets in eleven industrial base metals.³⁸² Primary aluminium has been traded on the LME since 1978.³⁸³

The LME provides three main functions: (i) a price discovery mechanism for these metals; (ii) a price-hedging mechanism for producers and consumers of metals traded on the LME; and (iii) a source of last resort for the physical delivery of these metals.³⁸⁴

The LME is an on-exchange forwards market. LME contracts are based on physical settlement by the transfer of ownership of metal stored in listed warehouses; this guarantees price convergence as the far futures settlement dates converge on the cash settlement date (i.e., two days forward). The ability to make or take delivery of metal against an LME futures contract on the settlement date prevents any divergence between the LME settlement price and the physical metal price.³⁸⁵

The commission considers that the equivalent LME + MJP import price to China is indicative of a market price of aluminium ingot and billet unaffected by the not normal and ordinary circumstances of the GOC's intervention in the domestic market in the aluminium market in China. The commission recalls, in this regard, that the GOC declined to respond to requests for information and evidence of direct relevance to these points, which in turn limited the information before the commission in the inquiry.

The Commissioner considers that using the equivalent LME + MJP import price to China for primary and secondary aluminium results in a suitable proxy for primary aluminium given its close relationship to the prices of imports of aluminium into China, which indicates that it is in fact a price that is paid by Chinese manufacturers. The commission considers this to be apt to yielding the cost of producing primary aluminium in China.

Regarding the commission's use of a price based on the LME cash price, the commission notes the function of the LME price for 'price discovery' and as reference prices for physical contracts demonstrate that the LME cash prices are sufficiently reliable and representative for use in

³⁸² [Commodity Futures Trading Commission, https://www.cftc.gov/sites/default/files/idc/groups/public/@otherif/documents/ifdocs/lmeformfbot.pdf](https://www.cftc.gov/sites/default/files/idc/groups/public/@otherif/documents/ifdocs/lmeformfbot.pdf), p 5

³⁸³ *ibid*

³⁸⁴ *ibid*

³⁸⁵ *ibid*

determining a market-based cost in China. With the addition of regional premiums and the other specified costs, this is considered an appropriate replacement as it reasonably represents a cost for primary aluminium available to producers in China in the absence of government induced distortions that existed during the inquiry period.

C5.3 Adjustments to the equivalent LME + MJP import price to China

The commission has considered whether any adaptations or adjustments to the LME benchmark should be made.

The records of the selected exporters show that the majority of purchased aluminium ingot, and billet was from domestic Chinese producers. Imports of aluminium ingot and billet were also used to produce aluminium extrusions. The commission has, accordingly, evaluated whether any adjustments are required. The commission has deliberately sought to remove the effect of the circumstance of the GOC's intervention in the domestic market for aluminium and does not consider it appropriate to adjust the equivalent LME+ MJP import price to China benchmark to reintroduce those effects.

The commission considers that the available evidence did not support the making of any adjustments. This is because the commission's analysis demonstrates that:

- the contract ingot price and ingot premium (LME + MJP) is a recognised price in China.
- the billet premium amount was compared to the Chinese billet premium information made available to the commission from the exporters and found to be comparable
- the inland freight charges from the Chinese port of arrival to the Chinese mill are local Chinese charges.

The commission has not identified further evidence that would substantiate or facilitate the making of any comparative advantage or disadvantage adjustment the equivalent LME+ MJP -based import price in China.

Having regard to the above factors, the Commissioner considers that the equivalent LME+ MJP import price to China is the most appropriate benchmark to rely on in determining the cost of production of the goods in China for this inquiry.

APPENDIX D ASSESSMENT OF ALLEGED SUBSIDY PROGRAMS IN CHINA

D1 Introduction

The commission has reviewed the alleged subsidy programs applicable to aluminium extrusions exported to Australia from China:

- Section D4 of Appendix D assesses the existing countervailable subsidy programs that were identified in REP 543, REP 609 and REP 633.
- Section D5 assesses additional subsidy programs that were identified from information received from cooperating exporters in this inquiry.

D2 Relevant legislation

Section 269T defines a 'subsidy' as follows:

"subsidy", in respect of goods exported to Australia, means:

- (a) a financial contribution:
 - (i) by a government of the country of export or country of origin of the goods; or
 - (ii) by a public body of that country or a public body of which that government is a member; or
 - (iii) by a private body entrusted or directed by that government or public body to carry out a governmental function; that involves:
 - (iv) a direct transfer of funds from that government or body; or
 - (v) the acceptance of liabilities, whether actual or potential, by that government or body; or
 - (vi) the forgoing, or non-collection, of revenue (other than an allowable exemption or remission) due to that government or body; or
 - (vii) the provision by that government or body of goods or services otherwise than in the course of providing normal infrastructure; or
 - (viii) the purchase by that government or body of goods or services; or
- (b) any form of income or price support as referred to in Article XVI of the General Agreement on Tariffs and Trade 1994 that is received from such a government or body; if that financial contribution or income or price support confers a benefit (whether directly or indirectly) in relation to the goods exported to Australia.

D3 Definition of Government, public and private bodies

In its assessment of each program, the commission has had regard to the entity responsible for providing the financial contribution (if any) under the relevant program, as part of the test under section 269T(1) for determining whether a financial contribution is a subsidy. Under section 269T(1), for a contribution to be a subsidy, the contribution must have been made by:

- a government of the country of export or country of origin of the goods, or
- a public body of that country or a public body of which that government is a member, or
- a private body entrusted or directed by that government or public body to carry out a governmental function.

D3.1 Government

As described in section 16.2 of the Manual, the commission considers that the term 'government' is taken to include government at all different levels, including at a national and sub-national level.

D3.2 Public bodies

The term 'public body' is not defined in the Act. Determining whether an entity is a 'public body' requires evaluation of all available evidence of the entity's features and its relationship with government, including the following:

- The objectives and functions performed by the body and whether the entity in question is pursuing public policy objectives. In this regard relevant factors include:
 - legislation and other legal instruments
 - the degree of separation and independence of the entity from a government, including the appointment of directors and
 - the contribution that an entity makes to the pursuit of government policies or interests, such as considering national or regional economic interests and the promotion of social objectives.
- The body's ownership and management structure, such as whether the body is wholly-or part-owned by the government or whether the government has a majority of shares in the body. A finding that a body is a public body may be supported through:
 - the government's ability to make appointments
 - the right of government to review results and determine the body's objectives and
 - the government's involvement in investment or business decisions.

The commission considers this approach is consistent with the WTO Appellate Body decision of *United States – Countervailing Measures (China)*.³⁸⁶ In that case the Appellate body referred to the following 3 indicia which may assist in assessing whether an entity was a public body vested with, or exercising, government authority where:

- a statute or other legal instrument expressly vests government authority in the entity concerned
- there is evidence that an entity is, in fact, exercising governmental functions
- there is evidence that a government exercises meaningful control over an entity and exercises governmental authority in the performance of government functions.

These principles have also previously been considered in the Federal Court of Australia.³⁸⁷

D3.3 Private bodies

Where an entity is neither a government nor public body, the commission will consider it a private body, in which case, a government direction to make a financial contribution in respect of the goods must be established in order for the contribution to be considered a subsidy, as defined by section 269T(1).

Pursuant to section 16.3 of the Manual, in determining the character of an entity which may have provided a financial contribution, the commission will consider whether a private body has been:

- 'entrusted' to carry out a government function, which occurs when a government gives responsibility to a private body
- 'directed' to carry out a government function, which occurs in situations where the government exercises its authority over a private body.

³⁸⁶ DS379 United States – Definitive Anti-Dumping and Countervailing Duties on Certain Products from China.

³⁸⁷ See *Panasia Aluminium (China) Limited v Attorney-General of the Commonwealth* [2013] FCA 870, [27] - [70] *Dalian Steelforce Hi Tech Co Ltd V Minister for Home Affairs* [2015] FCA 885, [50] - [73].

Not all government acts will be considered as entrusting or directing a private body. Encouragement or mere policy announcements by government, of themselves, are not sufficient to satisfy this test. However, threats and inducements may be evidence of entrustment or direction. It is where the private body is considered a proxy by government to give effect to financial contributions that this test will be satisfied.

D4 Assessment of existing programs

D4.1 Program 15 – Aluminium provided at less than adequate remuneration

Background

In the original investigation (REP 148) and subsequent cases, including recent inquiries and reviews REP 543, REP 609 and REP 633, the commission identified a countervailable subsidy program (Program 15) involving aluminium provided by government-owned (SOE) or partially government-owned enterprises (SIE) in China at less than adequate remuneration.

Under this program, a benefit to the exporter of aluminium extrusions may be conferred by a public body via the provision of aluminium at an amount reflecting less than adequate remuneration, having regard to prevailing market conditions in China.

Consistent with the original investigation and subsequent cases, the commission sought information from selected exporters to establish the quantity and cost of aluminium purchases, in the form of ingot and/or billet, origin of product, identity of the supplier (trader or original manufacture) and if the manufacturer and/or supplier was an SIE or SOE.

Commission's assessment

The commission has considered the suppliers of primary and secondary aluminium identified by the selected exporters in their REQ. The commission performed additional desktop research to identify the ownership of the raw material suppliers listed in the exporter's REQ to assess whether the suppliers were public or private bodies.

The commission's desktop research demonstrates that a particular enterprise, Chalco, vested with some government authority in relation to imposing state mandated pricing policies on its subsidiaries, but did not identify any legal instruments which expressly vested government authority in any aluminium-producing SIEs. Additionally, the Commission finds that CHALCO was exercising governmental functions, and that Chinese aluminium industry SIEs, including those that produce aluminium and/or alloy, play a leading and active role in implementing GOC policies and plans and these SIEs were therefore exercising governmental functions.

Based on the desktop research for this inquiry, along with previous findings in REP 148, REP 482, REP 543, REP 609 and REP 633, the commission finds the suppliers identified as an SIE or SOEs to be a public body.

In determining whether the provision of goods conferred a benefit, the commission has had regard to the guidelines in section 269TACC(3)(d) and section 269TACC(4).

Section 269TACC(3)(d) states:

In determining whether a financial contribution confers a benefit, the Minister must have regard to the following guidelines:

- (d) the provision of goods or services by a government or body referred to in subsection (2) does not confer a benefit unless the goods or services are provided for less than adequate remuneration;

Section 269TACC(4) states:

For the purposes of paragraphs (3)(d) and (e), the adequacy of remuneration in relation to goods or services is to be determined having regard to prevailing market conditions for like goods or services in the country where those goods or services are provided or purchased.

In establishing a benchmark price for aluminium reflecting adequate remuneration, the commission first considered whether prices from private enterprises in China were an appropriate basis for this benchmark.

The commission has had regard to the commission's findings about the Chinese markets for primary and secondary aluminium and the substantial government intervention in the aluminium industry set out in **APPENDIX A**. The commission finds that the GOC's influence on the aluminium markets has distorted prices throughout the entire primary and secondary aluminium markets through the various price setting measures, overcapacity, stockpiling and GOC directives and policy regarding tariff and arrangements. The commission considers that if these arrangements affect the entire market, irrespective of private or public entities such that the prevailing market conditions for primary aluminium in China are would not be a suitable basis for establishing a benchmark for assessing whether the suppliers were adequately remunerated. In keeping with the position outlined in REP 543, REP 609 and REP 633, the commission considers that the LME-based benchmark for imported aluminium (see **APPENDIX C**) is the most suitable benchmark for determining whether primary and secondary aluminium was provided at less than adequate remuneration and conferred a benefit in relation to the primary aluminium used in the goods exported to Australia.

The exporters' purchasing data (along with the commission's desktop research) also revealed whether that aluminium was imported or purchased from domestic suppliers, and where it was purchased from domestic suppliers, whether the supplier, or the supplier's manufacturer, was an SOE or SIE.

The commission examined the aluminium purchase data submitted by the four selected exporters for the inquiry period. (**Confidential attachment 30: Chinese aluminium market**). The comparison of the selected exporters' aluminium purchases from SOEs suppliers to the LME-based benchmarks (for ingot and billet) demonstrated that all exporters paid less than the benchmark in the inquiry period.

Specificity

As this subsidy program benefits Chinese manufacturers that purchase primary or secondary aluminium, the subsidy program benefits a limited number of particular enterprises (namely, manufacturers of aluminium products). The commission therefore considers that the subsidy is specific under section 269TAAC(2)(a). In making this finding, the commission has taken into account section 269TAAC(5). In particular, the commission has considered:

- the extent of diversification of economic activities within the jurisdiction of the subsidising authority, and
- the length of time during which this program has been in operation (since the original investigation)

The commission considers that the long duration of the program and the breadth of diversity of the Chinese economy does not contradict the specific finding.

Amount of subsidy – cooperative entities (Goomax, Jinxi Cheng and Xingfa Aluminium)

The commission conducted an examination of the selected exporters' aluminium purchases during the inquiry period and compared these monthly costs with the LME-based benchmark (based on an import price of aluminium in China). The commission then determined whether a

benefit was provided in respect of those purchases by calculating the difference between the prices paid by the exporter to the SOE/SIEs and the LME-based benchmark. It is noted, as discussed in chapter 7.6.2, that Jinxiacheng did not receive an LTAR subsidy during the inquiry period as none of their raw material purchases were found to be purchased from SOE/SIEs.

Amount of subsidy – non-cooperative entity - PMI

For the reasons explained at chapter 7.8.1, the commission has calculated the benefit received by PMI, using the subsidy information it submitted.

The commission conducted an examination of the PMI's aluminium purchases during the inquiry period and compared these monthly costs with the LME-based benchmark (based on an import price of aluminium in China). The commission then determined whether a benefit was provided in respect of those purchases by calculating the difference between the prices paid by PMI to the SOE/SIEs and the LME-based benchmark.

Amount of subsidy – non-cooperative entities – All other

For the non-cooperative entities, no information was provided by either the GOC or the non-PMI exporters themselves to identify whether a financial contribution has been received under this program. The commission considers that these entities have not given the Commissioner information considered to be relevant to the investigation within a reasonable period.

Pursuant to sections 269TAACA(1)(c) and 269TAACA(1)(d), the Commissioner has acted based on all the facts available and made reasonable assumptions to determine whether a countervailable subsidy has been received in respect of the goods.

Based on previous findings in REP 543, REP 609 and REP 633 the commission considers it likely that non-cooperative entities purchased aluminium from SOEs and SIEs at subsidised prices and therefore received a financial contribution under this program. The commission received no evidence in this inquiry that the purchasing behaviour of non-cooperative exporters (other than PMI) has changed. Further, given the continuing presence of raw materials available from SOE/SIEs at below market prices, as discussed in **APPENDIX A**, notwithstanding the availability of input products from private suppliers, it is reasonable for the Commissioner to assume, pursuant to section 269TAACA, that non-cooperative entities would purchase such raw materials to manufacture the goods.

The commission considers that the amount of countervailable subsidy, and in turn the subsidy margin for Program 15 to apply to non-cooperative entities, should be determined by reference to the higher of the subsidy margin established in this inquiry based on cooperating Chinese entities in this inquiry.

Chapter 7.8 discusses the calculation of the subsidy margin for non-cooperative entities.

D4.2 Program 47 - Preferential tax policies for high and new technology

Program 47 was first found to be countervailable in relation to aluminium extrusions in REP 148 and again in subsequent inquiries, including REP 543, REP 609 and REP 633.

Information provided by selected cooperative exporters established that a subsidy had been received under this program during the inquiry period.

Based on the commission's previous findings in relation to Program 47 in REP 609, REP 633 and information provided during this review, the commission finds that Program 47 is countervailable in relation to exports of aluminium extrusions from China.

PUBLIC RECORD

For Goomax, Jinxicheng and Xingfa Aluminium, in accordance with section 269TACD(1), the amount of the subsidy has been determined as the difference between tax paid at the reduced rate and the tax that would have been paid at the standard tax rate.

For all other non-cooperative and all other exporters, excluding PMI, in accordance with section 269TACD(2), the subsidy margin for this program has been calculated based on the unit subsidy amount attributed to the goods as a percentage of the AEP for the selected cooperative exporter. The subsidy amount attributed to the goods has been calculated based on the total benefit received by the selected cooperative exporter as a proportion of the company revenue.

D4.3 Additional countervailable programs assessed in REP 633

The commission examined the additional countervailable programs from REP 633, and no new information was found that would warrant a reconsideration of whether the additional programs found in REP 633 remain countervailable.

The commission reviewed the information submitted in this inquiry and identified subsidy programs that were provided but were fully expensed outside the inquiry period. These programs were removed from the assessment.

The commission has maintained its finding in REP 633 with the following countervailable programs listed below.

Program Number	Program Name	Program Type
633-1	Provincial-level Special Project for Promoting High-Quality Economic Development (Direction of Promoting Foreign Trade Development) to Promote the Enrolment of Export Credit Insurance Project Support Funds, Sanshui District Economic and Science and Technology Promotion Bureau	Grant
633-2	Collection of subsidies, subsidies for anti-dumping litigation fees, Foshan Municipal Bureau of Commerce	Grant
633-3	Collection of subsidies for the China Patent Award and the Guangdong Patent Award, Foshan Municipal Market Supervision Bureau	Grant
633-4	Project acceptance, carry forward government special subsidy	Grant
633-5	Social security subsidy for one-time job expansion	Grant
633-6	Scientific research fund for introducing postdoctoral work, Human Resources and Social Security Bureau	Grant
633-7	Subsidy to support purchases of credit products and services program, Foshan City Bureau of Commerce	Grant
633-11	Supporting enterprises to purchase credit products and services, Foshan Municipal Bureau of Commerce	Grant
633-12	Intellectual Property Funding - Reward for High-value Invention Patents, Foshan Municipal Bureau of Science and Technology	Grant
633-13	Intellectual Property Funding - Domestic Authorized Invention Patent Subsidy	Grant
633-14	Intellectual Property Funding - Patent Transformation and Utilization Funding	Grant
633-15	Veterans tax benefits	Tax

PUBLIC RECORD

Program Number	Program Name	Program Type
633-20	Tax handling fee refund	Grant

Table 33: Additional programs identified in REP 633 and found to be countervailable in this inquiry

D4.3 Additional countervailable programs assessed in REP 609

The commission examined the additional countervailable programs from REP 609, and no new information was found that would warrant a reconsideration of whether the additional programs found in REP 609 remain countervailable.

The commission reviewed the information submitted in this inquiry and identified subsidy programs that were provided but were fully expensed outside the inquiry period. These programs were removed from the assessment.

The commission has maintained its finding in REP 609 with the following countervailable programs listed below.

Program Number	Program Name	Program Type
609-10	Reward fund for enterprises absorbing the poverty population for employment across provinces	Grant
609-14	One-time labor service subsidy for enterprise interprovincial labor service cooperation	Grant
609-15	Provincial-level reward of green factory	Grant
609-16	Settlement subsidy for college graduates	Grant
609-18	Tax regulation allowing additional tax credits for R&D expenses	Tax credit
609-21	Science and technology fund subsidy Assistance	Grant
609-23	Assistance from Taishan city to encourage investment and support economic transformation and development	Grant
609-24	Guangdong Social Insurance Fund Administration	Grant
609-25	Assistance for training of new apprenticeship system in enterprises	Grant
609-26	Funds for energy conservation and clean production	Grant
609-27	Assistance for stable employment treatment	Grant
609-37	Subsidy of maintenance of employment stability	Grant
609-38	Deferred payment of income tax	Grant
609-45	Funds for foreign trade and economic development from central government (matters for coping with trade frictions)	Grant

Program Number	Program Name	Program Type
609-48	Special funds for the research and industrialization project of environmental protection and energy saving low temperature curing polyester powder coatings	Grant
609-49	Patented Technology Transaction Funding	Grant
609-57	Development of Private Economy and Micro, Small and Medium Enterprises at Provincial Level for High Quality Development	Grant
609-60	New employee allowance (Sanshui District)	Grant

Table 34: Additional programs identified in REP 609 and found to be countervailable in this inquiry

D4.4 Previous countervailable programs

The commission examined the countervailable programs from other previous cases (most recently 543), and no new information was found that would warrant a reconsideration of whether these programs remain countervailable.

The commission reviewed the information submitted in this inquiry and identified subsidy programs that were provided but were fully expensed outside the inquiry period. These programs were removed from the assessment.

The commission has maintained its finding in previous cases with the following countervailable programs listed below.

Program Number	Program Name	Program Type
2	One-time Awards to Enterprises Whose Products Qualify for 'Well-Known Trademarks of China' and 'Famous Brands of China'	Grant
3	Provincial Scientific Development Plan Fund	Grant
4	Export Brand Development Fund	Grant
5	Matching Funds for International Market Development for Small and Medium Enterprises (SME)	Grant
6	Superstar Enterprise Grant	Grant
7	Research & Development (R&D) Assistance Grant	Grant
8	Patent Award of Guangdong Province	Grant
9	Training Program for Rural Surplus Labour Force Transfer Employment	Grant
18	Preferential tax policies in the Western Regions	Tax
21	Tariff and VAT Exemptions on Imported Materials and Equipment	Tariff and VAT Exemptions
26	Innovative Experimental Enterprise Grant	Grant

PUBLIC RECORD

Program Number	Program Name	Program Type
29	Special Support Fund for Non-State-Owned Enterprises	Grant
32	Venture Investment Fund of Hi-Tech Industry	Grant
35	Grants for Encouraging the Establishment of Headquarters and Regional Headquarters with Foreign Investment	Grant
48	Provincial Government of Guangdong (PGOG) tax offset for R&D	Tax
56	PGOG special fund for energy saving technology reform	Grant
58	Development assistance grants from the Zhaoqing New and High Tech Industrial Development Zone (ZHTDZ)	Grant
59	Processing trade special fund	Grant
60	Trade insurance support fund	Grant
61	Enterprise employment fixed point monitoring work subsidy	Grant
62	Special funds for provincial enterprises to transfer and upgrade equipment	Grant
63	Reserve funds for enterprise development	Grant
65	Jiangmen engineering technology research centre award	Grant
67	Corporate remuneration survey subsidy	Grant
68	Energy saving project subsidy	Grant
69	Science and technology project subsidy	Grant
70	Provincial engineering and technology research centre 2016	Grant
71	Foreign trade development fund subsidy of Jiangmen City	Grant
72	Technical renovation project with environmental protection	Grant
73	Provincial Market Development Grant for foreign trade exhibitions and SMEs International market development	Grant
78	Integration of informationization and industrialization management system (Note changed from market development due to information provided from Goomax)	Grant
79	Subsidy for invention patents	Grant
80	No. 269: Special project for technology reform - subsidy for technology reform	Grant
81	Madrid Trademark grant by Fujian Provincial Administration for Industry and Commerce	Grant

PUBLIC RECORD

Program Number	Program Name	Program Type
83	Social security fund Guangzhou Social Insurance Fund	Grant
84	Patent supporting fund	Grant
85	Unemployment fund Guangzhou Social Insurance Fund	Grant
86	Technology supporting fund	Grant
87	Special fund Industry technology development and research	Grant
88	Industry technology R&D fund	Grant
89	Technology innovation fund	Grant
90	Social security fund Zencheng City	Grant
92	Funds for EFT16 technical reform	Grant
94	EFT provincial Industry and informatization special research expenses supplement fund	Grant
96	VOCs treatment fund for the process of injection workshop	Grant
97	Economic investigation fund	Grant
100	Receiving the payment from Taishan Finance Bureau	Grant
102	Taishan High-integrity enterprise project fund	Grant
104	Special funds for enterprises in large equipment manufacturing industry	Grant
109	Subsidy for employment of the disabled	Grant
110	Environmental Protection Subsidy from Nan'an City Dongtian Government	Grant
113	Fund for Natural Disaster Relief	Grant
114	Subsidy for Chief Technology Officer	Grant
115	Electricity Incentive Reward of Production Increase and Efficiency Increase for Eligible Enterprise of the First Quarter of 2019	Grant
117	Subsidy from Guangzhou Industry and Information Technology Bureau	Grant

Table 35: Existing subsidy programs where no benefit was reported during the inquiry period

D5 Assessment of new programs in the inquiry period

In response to Section I of the REQ, the selected exporters reported receiving benefits under new programs. The selected exporters provided information regarding the:

- grant or program under which funds were received, and/or taxes not payable
- the name and/or type of public body responsible for granting, administering and managing the program.

For Jinxiecheng and Xingfa Aluminium, no information was provided regarding the program criteria, application or operation of the identified programs.

Because Xingfa Aluminium has not given the commission information considered to be relevant to the inquiry, the commission has assessed whether a countervailable subsidy has been received under these programs in respect of the goods exported by Xingfa, in line with section 269TAACA(1).

On the basis of all information available, and in accordance with section 269TAACA, the commission has assessed that Jinxiecheng and Xingfa Aluminium received a countervailable subsidy under all new subsidy programs. The commission makes an assumption that each new subsidy program is limited to certain enterprises and is therefore countervailable.

For Goomax some information was submitted regarding the program criteria, application or operation of the identified programs.

Where information was provided, the commission has assessed the program in line with section 269TAACA(2). Where Goomax has not given the commission information considered to be relevant to the inquiry, the commission has assessed whether a countervailable subsidy has been received under these programs in respect of the goods exported by Goomax, in line with section 269TAACA(1). In doing so, the commission makes an assumption that each of these new subsidy programs is limited to certain enterprises and is therefore countervailable.

On the basis of all information available, and in accordance with section 269TAACA, the commission has assessed that Goomax received a countervailable subsidy under all new subsidy programs.

The commission's assessment of the new programs is at Table 35 below.

PUBLIC RECORD

# 657-1	Program name - Input VAT deduction (5%) for advanced manufacturing Program type - Tariff and VAT exemptions	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the central government. The commission is aware that China's State Tax Administration implemented the policy with effect from 1 January 2023 until 21 December 2027.	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. The commission's desktop research identifies that this policy applies to companies that are certified as high and new technology enterprises (including their branch companies that are not legal entities), engaged in manufacturing, and registered as general taxpayers (taxpayers with annual taxable sales of over RMB 5 million or approx. US\$680,827). Based on the information available, the commission considers since the program appeared in the company's other income ledger, the eligibility criteria for receiving the subsidy were met.	
Is there a subsidy?	Due to the nature of this program, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to the foregoing of revenue due to the central government. Where exporters of aluminium extrusions during the inquiry period accessed this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific.	
# 657-2	Program name - Veteran Tax Benefits Program type - Preferential tax policy	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the provincial government. The commission performed desktop research to identify the program. The research indicates that the Guangdong provincial government provides employment guarantees for veterans of military service. The commission's research indicates that eligible enterprises receive certain tax benefits as encouragement to employ veterans.	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the provincial government. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is limited to particular enterprises. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-3	Program name - VAT deduction - tax incentive Program type - Tariff and VAT exemptions	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the provincial government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-4	Program name - Additional input tax deduction for advanced manufacturing industry Program type - Tariff and VAT exemptions	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the central government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment), but understands it may be related to Program 657-1	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers that the eligibility criteria for this subsidy program would limit the subsidy program to enterprises which operate in advanced manufacturing industries.	
Is there a subsidy?	Due to the nature of this program (a financial contribution involving the foregoing, or non-collection, of revenue due to the central government), and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to the foregoing or non-collection of revenue due to the central government. Where exporters of aluminium extrusions during the inquiry period received a tariff or VAT exemption under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, based on all the facts available, the commission assumes that this program is limited to certain particular enterprises (namely, enterprises involved in advance manufacturing industry) and finds that Xingfa Aluminium has received a countervailable subsidy via this program under s269TAACA..	

PUBLIC RECORD

# 657-5	Program name - Intellectual property rights funding Program type - General grant	PMI & Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through PMI and Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government - Foshan Municipal Bureau of Market Supervision and Administration. PMI submitted documentation from the Management Committee, Hangzhou Binjiang District People's Government, that explains the program requirements.	
Eligibility criteria	The commission became aware of this program through PMI and Xingfa Aluminium's REQ for inquiry 657. Based on information provided by PMI, the eligibility criteria entail: - enterprises, institutions and individuals carrying out (1) foreign invention patent authorisation; (2) Creation of enterprise intellectual property management standards; (3) Intellectual property rights protection. - The following enterprises and institutions do not need to participate - newly awarded as national intellectual property advantage demonstration enterprises, provincial intellectual property demonstration enterprises, the top three financial institutions in terms of daily average pledge loan amount, newly established intellectual property alliances, and participated in the construction of brand guidance service stations in 2023. Based on the information available, the commission considers since the program appeared in the PMI and Xingfa Aluminium's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific	

PUBLIC RECORD

# 657-6	Program name - Funds for stabilising foreign trade (to support enterprises to grab orders) Program type - Export grant	PMI
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through PMI's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the provincial government - Foshan Sanshui District Economic and Technological Promotion Bureau. PMI submitted an application form for the program.	
Eligibility criteria	The commission became aware of this program through PMI's REQ for inquiry 657, but did not receive detailed documentation about this program. Based on the information available, the commission considers that the program is available to entities located in Guangdong province, engaging in export trade.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific	
# 657-7	Program name - Funds for stabilising foreign trade (cross-border e-commerce direction) Program type – Export grant	Jinxiecheng
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Jinxiecheng's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the provincial government - Foshan Commerce Bureau. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Jinxiecheng's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-8	Program name - Promoting Digital and Intelligent Transformation and Development of Manufacturing Industry in Foshan City Program type – General grant	PMI & Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through PMI and Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government - Foshan City Sanshui District Economic and Science and Technology Promotion Bureau. PMI submitted documentation in the form of a notice, advising the eligibility criteria and application process.	
Eligibility criteria	The commission became aware of this program through PMI and Xingfa's REQ for inquiry 657. The eligibility requirements among other things, identify that the applicant is an enterprise, institution or non-corporate organisation registered in Sanshui District, and has independent legal status.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises carrying on business within a designated geographical region that is within the jurisdiction of the subsidising authority. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific.	
# 657-9	Program name - Promoting High Quality Economic Development at Provincial Level Program type – General grant	PMI & Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through PMI and Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government - Bureau of Economy and Science and Technology Promotion of Sanshui District, Foshan City. The Commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through PMI and Xingfa's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-10	Program name - Support for enterprises to participate in online key exhibitions Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-11	Program name - Support for green (product) certification in Foshan in 2023 Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-12	Program name - Subsidy for employment absorption Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the provincial government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-13	Program name - Funds for foreign trade and economic development from central government (matters for opening up key markets) Program type – Export grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was issued by the central government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-14	Program name - Subsidy for pilot application of 2D CAD product projects Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the provincial government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-15	Program name - Tax declaration handling fee refund Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-16	Program name - Employee personal subsidies Program type – General grant	PMI
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through PMI's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government - Foshan Sanshui District Human Resources and Social Security Bureau. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through PMI's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-17	Program name - VAT Plus Deduction Tax Credit Program type – Tariff and VAT exemptions	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the provincial government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-18	Program name - Training subsidy for retaining employees Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-19	Program name - Unemployment and job stabilization subsidy Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government - Foshan Municipal Bureau of Human Resources and Social Security. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-20	Program name - Digital intelligent demonstration workshop subsidy Program type – General grant	PMI
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through PMI's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government - Foshan Municipal Finance Bureau. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through PMI's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-21	Program name - Promoting a good start for the first quarter of 2022 industrial economy and supporting the steady growth of industrial economy reward funds (district level) Program type – General grant	Jinxiecheng
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Jinxiecheng's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government - Foshan Nanhai District Economic Promotion Bureau. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Jinxiecheng's REQ, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the Foshan Nanhai District Economic Promotion Bureau. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-22	Program name - Foshan City's vocational skills upgrading action Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the municipal government. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-23	Program name - Employee award for "Foshan Enterprise Chief Technician" Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the municipal government. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-24	Program name - MIIT Bureau remits the reward fund for increased production and efficiency in the second quarter of 2023 Program type – General grant	Goomax
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Goomax's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government – Nan'An City Finance Bureau. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	According to Goomax's REQ, this program is targeted at enterprises that fit either or both the following criteria: • manufacturers above a designated size and with revenue above 50 million yuan, a year-on-year growth rate of 10% or more, and a quarterly output value above 10 million yuan • enterprises that have been included in the "Small-to-Medium-Sized Enterprise Growth" cultivation database of the Fujian Provincial Industrial Enterprise Supply and Demand Matching Platform, and that are newly put into production and included in the statistics in the second quarter of 2023. Enterprises that either conditions, and comply with national industrial policies, with no records of dishonesty or involvement in criminal activities related to organized crime or violence. Based on the available information, the commission considers that the eligibility criteria were met.	
Is there a subsidy?	Due to the targeted nature of this program, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the Nan'An City Finance Bureau. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-25	Program name - Business Bureau's 2023 Central and Municipal Level Trade Special Fund Program type - Export grant	Goomax
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Goomax's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government – Nan'An City Finance Bureau. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	According to Goomax's REQ, there is no specific eligibility criteria, and it did not retain its application forms. Based on the available information, the program is targeted at developing export industries.	
Is there a subsidy?	Due to the targeted nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the Nan'An City Finance Bureau. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific.	
# 657-26	Program name - Guiding Local Science and Technology Development Fund Program type – General grant	Goomax
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Goomax's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was managed by the central government and administered by the municipal government - Nan'An City Finance Bureau. The commission performed some desktop research to identify the program, and the available information shows that the program is managed by the Central Science and Technology Commission, to be administered by respective provincial and local governments in China.	
Eligibility criteria	According to Goomax's REQ and some additional documentation, eligibility for the program is contingent on the applicant undertaking central government-guided science and technology project. Whilst Goomax did not retain the application form, it did provide some information to verify the program. Based on the information available, the commission considers that the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the central government. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-27	Program name - Subsidy for enterprises to recruit outside the city (Human Resources and Social Security Bureau) Program type – General grant	Goomax
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Goomax's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government – Nan'An City Finance Bureau. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	According to Goomax's REQ, the eligibility criteria requires participation in a job fair hosted by the. Nan'An Human Resources and Social Security Bureau within Fujian Province Based on the available information, the program is targeted at enterprises that participate within the Nan'An municipality.	
Is there a subsidy?	Due to the targeted nature of this program, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the Nan'An City Finance Bureau. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises carrying on business within a designated geographical region that is within the jurisdiction of the subsidising authority. Based on the available information, the eligibility criteria for this program and access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-28	Program name - Cross-provincial employment subsidy for enterprises absorbing poverty alleviation Program type – General grant	Goomax
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Goomax's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the municipal government – Nan'An City Finance Bureau. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	According to Goomax's REQ, the eligibility criteria is: • entities that employed people from outside the province and who have been lifted out of poverty in Nan'an City • have participated in social insurance such as urban employee pension insurance, work injury insurance, or unemployment insurance with actual contributions, or those who have a bank payroll record of more than three months confirming the number of individuals • during the application period for subsidies, people from outside the province who have been lifted out of poverty should be in an active employment status. • for people from outside the province who have been lifted out of poverty and are employed in our city (unit), the first application for subsidy will be considered. If they have already received employment subsidies such as the "Minning Labor Cooperation" in the same year, they will not be eligible for the "Inter-Province Employment Fund" subsidy again • in labor dispatch and personnel agency enterprises (units), except for the employees used by the enterprise itself, the labor dispatch and personnel agency staff are not included in the count of employees hired by the enterprise (unit) for subsidy purposes. Based on the information available, the commission considers that the eligibility criteria were met.	
Is there a subsidy?	Due to the targeted nature of this program, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the Nan'An City Finance Bureau. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	As provided for in subsection 269TAAC(2)(a) a subsidy is specific if access to the subsidy is explicitly limited by law to particular enterprises. Based on the available information, access to the subsidy favours particular enterprises over all other enterprises in China. The commission therefore considers this program to be specific.	

PUBLIC RECORD

# 657-29	Program name - Safety system upgrades at plant Program type - General grant	Goomax
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Goomax's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the local government - Nanan City Dongtian Town People's Government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Goomax's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidy favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	
# 657-30	Program name - Transfer December 2020 Received 1-040 Received financial subsidies Program type – General grant	Xingfa Aluminium
Background and WTO notification	The commission is not aware of a WTO notification of this program and became aware of this program through Xingfa Aluminium's REQ for inquiry 657.	
Legal basis	The exporter(s) stated that the program was administered and managed by the provincial government. The commission has not identified any specific legal basis for this program (i.e. no specific law, regulation, or other GOC document has been identified that provides for its establishment).	
Eligibility criteria	The commission became aware of this program through Xingfa Aluminium's REQ for inquiry 657, but did not receive any further documentation about this program. Based on the information available, the commission considers since the program appeared in the company's financial statement, the eligibility criteria were met.	
Is there a subsidy?	Due to the nature of this program, and in light of the limited information available, it is considered that a financial contribution under this program would be made in connection to the production, manufacture or export of all goods of the recipient enterprise (including the goods under consideration). This financial contribution is considered to confer a benefit to recipient manufacturers of aluminium extrusions due to receipt of funds from the GOC. Where exporters of aluminium extrusions during the inquiry period received funds under this program, this would confer a benefit in relation to the goods, and these financial contributions would meet the definition of a subsidy under section 269T.	
Is the subsidy countervailable?	No evidence was provided indicating that the eligibility criteria were neutral, do not favour particular enterprises, are economic in nature and horizontal in application, or that the criteria are strictly adhered to in the administration of the subsidy. Therefore, access to the subsidies favours particular enterprises over all other enterprises in China and the specificity of these subsidies is not excepted by reference to subsection 269TAAC(3). The commission therefore considers this program to be specific.	

Table 36: Assessment of additional programs

REP 657 – Aluminium Extrusions – China

NON-CONFIDENTIAL ATTACHMENT 1: EFFECT OF RECOMMENDATIONS

Exporter	Current Measures			Recommended Revised Measures		
	IDD method	ICD method	Effective rate of duty	IDD method	ICD method	Effective rate of duty
Selected exporters - 657						
Guangdong Jinxicheng Al Manufacturing Co., Ltd	Floor price	<i>ad valorem</i>	0.0%	Floor price	<i>ad valorem</i>	0.8%
Goomax Metal Co., Ltd	Floor price	<i>ad valorem</i>	0.7%	Floor price	<i>ad valorem</i>	5.6%
Guangdong Xingfa Aluminium Co., Ltd	Floor price	<i>ad valorem</i>	0.4%	Combination (fixed and variable)	<i>ad valorem</i>	4.5%
Press Metal International Ltd	Floor price	<i>ad valorem</i>	0.5%	Combination (fixed and variable)	<i>ad valorem</i>	18.1%
Residual exporters - 657						
Antai Technology Co., Ltd	Floor price	<i>ad valorem</i>	2.1%	Floor price	<i>ad valorem</i>	1.7%
Fenan Aluminum Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Foshan City Nanhai Yongfeng Aluminium Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Foshan JMA Aluminium Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Foshan Sanshui Fenglu Aluminium Company Limited	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Foshan Sanshui Yongya Aluminum Produce Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Foshan Yatai PVC & Alu Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Fujian Minfa Aluminium Inc.	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Guangdong Golden Aluminium Co., Ltd	Floor price	<i>ad valorem</i>	42.9%	Floor price	<i>ad valorem</i>	1.7%
Guangdong Haomei New Materials Co., Ltd.	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Guangdong Huachang Group Co., Ltd	Floor price	<i>ad valorem</i>	42.9%	Floor price	<i>ad valorem</i>	1.7%
Guangdong JMA Aluminium Profile Factory (Group) Co., Ltd.	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Guangdong Weiye Aluminium Factory Group Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Guangdong Xingqiu Aluminium Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Guang Ya Aluminium Industries Co., Ltd.	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%

PUBLIC RECORD

Exporter	Current Measures			Recommended Revised Measures		
	IDD method	ICD method	Effective rate of duty	IDD method	ICD method	Effective rate of duty
Luoxiang Aluminium Co., Ltd.	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
PanAsia Enterprises (Nanyang) Company Limited	Floor price	<i>ad valorem</i>	0.5%	Floor price	<i>ad valorem</i>	1.7%
Qingyuan XinYueYa Aluminium Industry Co., Ltd	Floor price	<i>ad valorem</i>	0.2%	Floor price	<i>ad valorem</i>	1.7%
Tai Shan City Kam Kiu Aluminium Extrusion Co., Ltd	Combination (floor price and <i>ad valorem</i>)	<i>ad valorem</i>	39.1%	Floor price	<i>ad valorem</i>	1.7% ³⁸⁸
Other exporters listed in DCR³⁸⁹						
Guangdong Jiangsheng Aluminium Co., Ltd	n/a	n/a	n/a	n/a	n/a	n/a
Guangdong Zhongya Aluminium Company Ltd	n/a	n/a	n/a	n/a	n/a	n/a
Xiamen Hopergy Photovoltaic Technology Co., Ltd	Floor price	<i>ad valorem</i>	0.2%	Floor price	<i>ad valorem</i>	0.2%
Foshan Shangyou Hardware Decoration Products., Ltd	Floor price	<i>ad valorem</i>	0.5%	Combination (fixed and variable)	<i>ad valorem</i>	29.4%
Foshan Xingtaomei Aluminium Industry Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Combination (fixed and variable)	<i>ad valorem</i>	29.4%
Foshan Yuze Aluminium Co., Ltd	Floor price	<i>ad valorem</i>	0.5%	Combination (fixed and variable)	<i>ad valorem</i>	29.4%
Guangdong JIHUA Aluminium Co. Ltd	Floor price	<i>ad valorem</i>	0.5%	Combination (fixed and variable)	<i>ad valorem</i>	29.4%
All other, uncooperative and non-cooperative exporters	Floor price	<i>ad valorem</i>	42.9%	Combination (fixed and variable)	<i>ad valorem</i>	29.4%

Table 37: Effect of recommended measures – change in variable factors

³⁸⁸ Tai Shan City Kam Kiu Aluminium Extrusions Co., Ltd was a selected exporter in Review 609 where its prior effective rate of duty of 39.1% was determined. Due to a large reduction in its export volumes during this inquiry period, it was not a selected exporter and has been assessed as a residual exporter for purposes of this continuation inquiry.

³⁸⁹ Updated 7 August 2025

NON-CONFIDENTIAL ATTACHMENT 2: COMBINED EFFECT OF DUMPING AND SUBSIDY MARGINS

Exporter	Includes LTAR subsidy		LTAR subsidy	Avoidance of LTAR subsidy double-count		Combined effective rate of duty
	Dumping margin	Subsidy margin		Dumping margin	Subsidy margin	
Goomax	<i>negative</i> 7.2%	5.6%	4.7%	<i>negative</i> 11.9%	5.6%	5.6%
Jinxiecheng	<i>negative</i> 9.8%	0.8%	0.0%	<i>negative</i> 9.8%	0.8%	0.8%
PMI	17.7%	1.6%	1.2%	16.5%	1.6%	18.1%
Xingfa Aluminium	4.0%	0.6%	0.1%	3.9%	0.6%	4.5%
Residual exporters	<i>negative</i> 0.9%	1.7%	1.0%	<i>negative</i> 1.9%	1.7%	1.7%
Uncooperative, non-cooperative and all other exporters	28.4%	5.7%	4.7%	23.7%	5.7%	29.4%

Table 38: Combined effect of recommended measures after adjusting for LTAR subsidy



Australian Government
Department of Industry,
Science and Resources

Anti-Dumping
Commission

ANTI-DUMPING NOTICE NO. 2025/096

Customs Act 1901 – Part XVB

Aluminium Extrusions

Exported from the People's Republic of China

Findings of the Continuation Inquiry No 657 into Anti-Dumping Measures

Public Notice under section 269ZHG(1) of the Customs Act 1901, subsection 8(5) and subsection 10(3B) of the Customs Tariff (Anti-Dumping) Act 1975

The Commissioner of the Anti-Dumping Commission (the Commissioner) has completed an inquiry, which commenced on 8 November 2024, into whether the continuation of the anti-dumping measures in the form of a dumping and countervailing duty notice applying to aluminium extrusions exported to Australia from the People's Republic of China (China) is justified.

Exports of Guangdong Jiangsheng Aluminium Co Ltd and Guangdong Zhongya Aluminium Company Ltd are not covered by this inquiry, as the measures currently in place in relation to aluminium extrusions do not apply to exports of the goods by these companies.

Recommendations resulting from that inquiry, reasons for the recommendations, and material findings of fact and law in relation to the inquiry are contained in *Anti-Dumping Commission Report No. 657* (REP 657).

I, TIM AYRES, the Minister for Industry and Innovation and Minister for Science, have considered REP 657 and have decided to accept the recommendation and reasons for the recommendation, including all the material findings of facts and law therein and have decided that the anti-dumping measures applying to aluminium extrusions exported to Australia from China should continue from 29 October 2025.

Under subsection 269ZHG(1)(b) of the *Customs Act 1901* (the Act), I **declare** that I have decided to secure the continuation of the anti-dumping measures currently applying to aluminium extrusions exported to Australia from China.

I **determine** that

- pursuant to subsection 269ZHG(4)(a)(i) of the Act, the notice continues in force after 28 October 2025 in relation to Xiamen Hopergy Photovoltaic Technology Co.,

Ltd,¹ and

- pursuant to subsection 269ZHG(4)(a)(iii) of the Act, the notice continues in force after 28 October 2025, but after this day has effect as if different specified variable factors had been fixed in relation to all exporters generally

In accordance with subsection 8(5BB) of the *Customs Tariff (Anti-Dumping) Act* 1975 (Dumping Duty Act), and the *Customs Tariff (Anti-Dumping) Regulation* 2013 (the Regulation), the duty that has been determined is an amount worked out in accordance with the combination of fixed and variable duty method pursuant to subsections 5(2) and (3) of the Regulation, the floor price duty method pursuant to subsections 5(4) and (5) of the Regulation, or the *ad valorem* duty method pursuant to subsection 7 of the Regulation, as detailed in the table below.

Particulars of the dumping and subsidy margins established for each of the exporters and the effective rates of duty are also set out in the following table.

Exporter	Dumping Margin	Subsidy Margin	Effective rate of interim countervailing duty and interim dumping duty*	Duty Method
Goomax Metal Co., Ltd	-7.2%	5.6%	5.6%	Floor price duty method for IDD.
Guangdong Jinxiecheng Al. Manufacturing Co., Ltd	-9.8%	0.8%	0.8%	<i>ad valorem</i> duty method for ICD.
Press Metal International Ltd	17.7%	1.6%	18.1%	Combination of fixed and variable duty method for IDD.
Guangdong Xingfa Aluminium Co., Ltd	4.0%	0.6%	4.5%	<i>ad valorem</i> duty method for ICD.
Residual exporters	-0.9%	1.7%	1.7%	Floor price duty method for IDD. <i>ad valorem</i> duty method for ICD.
Uncooperative, noncooperative and all other exporters	28.4%	5.7%	29.4%	Combination of fixed and variable duty method for IDD. <i>ad valorem</i> duty method for ICD.

* The calculation of combined dumping and countervailing duties is not simply a matter of adding the dumping and subsidy margins together for any given exporter, or group of exporters. Rather, the collective interim dumping duty and interim countervailing duty imposed in relation to the goods, is the sum of:

- the subsidy rate calculated for all countervailable programs, and
- the dumping rates calculated, less an amount for the subsidy rate applying to Program 15.²

¹ On 7 August 2025, the Minister declared that from 3 April 2025, the dumping duty notice and countervailing duty notice be altered to as to apply to Xiamen Hopergy Photovoltaic Technology Co., Ltd with different variable factors. See ADN2025/062 for further information.

² See Chapter 9 of REP 657 for further information concerning the adjustment for the subsidy rate applying to Program 15.

PUBLIC

Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel (www.adreviewpanel.gov.au), in accordance with the requirements in Division 9 of Part XVB of the Act, within 30 days of the publication of this notice.

REP 657 has been placed on the public record, which may be examined at the Anti-Dumping Commission Office by contacting the case manager on the details provided below. Alternatively, the public record is available online at www.adcommission.gov.au

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2408 or email investigations3@adcommission.gov.au.

Dated this 16th day of October 2025

A handwritten signature in blue ink, appearing to be 'T Ayres', with a long horizontal flourish extending to the right.

TIM AYRES
Minister for Industry and Innovation and Minister for Science