

13 April 2026

By email

Ms Jaclyne Fisher OAM
Panel Member
Anti-Dumping Review Panel
10 Binara Street
Canberra ACT 2601

Dear Ms Fisher

ADRP Review 155A – Exports of Certain Aluminium Extrusions from Malaysia - Review of Minister’s Decision in Continuation Inquiry 591

- 1 Thank you for your letter of 10 April 2026. Capitalised terms in this response have the same meaning as in your letter.
- 2 We understand from your letter of 10 April 2026 that the Review Panel has reached the initial view that neither the Customs Act nor the Court Orders provide authority to it to undertake consideration of PMBA’s normal value in the manner proposed by PMAA in our letter of 2 March 2026.
- 3 The Review Panel has invited PMAA to provide any comments on that view by COB 13 April 2026. We provide PMAA’s comments below.
- 4 In our letter of 2 March 2026, and in the conference on 13 March 2026, we explained why PMAA says that, in its recent calculations, the ADC was obliged to make an adjustment, that it did not make, to PMBA’s normal values. That adjustment was necessary to account for the fact that during the relevant period of investigation there was a significantly longer period between the placement of orders (and therefore the setting of prices) and the issue to customers of invoices for export sales than for domestic sales.
- 5 We explained that, on PMAA’s calculations, if such an adjustment was made the dumping margin for PMBA would be reduced further, probably to a negative margin.
- 6 We explained that as the outcome is likely to be highly relevant to any recommendations the Review Panel might now make to the Minister, PMAA contended that the Review Panel is permitted, and obliged, to assess the need for such an adjustment.
- 7 PMAA maintains that view. It does not agree that the grounds for review in ADRP 155 limit the Review Panel in the way that the Review Panel has suggested in your letter of 10 April 2026. PMAA respectfully suggests that the Review Panel confining its considerations for the reason described in your letter would lead the Review Panel (and in turn, the Minister) to a repeat of the errors identified in grounds 2 and 3 of the Amended Originating Application filed in Federal Court of Australia proceeding NSD 67 of 2024. A copy of that Amended Originating Application is **attached**.

- 8 In summary, PMAA submits that the obligation on the Review Panel to consider the correctness of the normal value (and therefore dumping margin) for PMBA arises in at least two ways.
- 9 *First*, the Review Panel is required to consider the (correct) normal value in assessing whether, in the absence of the measures it is likely that the Australian industry would experience a recurrence of the material injury that the measures are intended to prevent:
- (a) In deciding, under s 269ZZK(1)(b) of the Customs Act, whether to recommend to the Minister to revoke the reviewable decision and substitute a specified new decision, the Review Panel is required, under s 269ZZ, to have regard to the same considerations to which the Minister must have regard in making the specified decision.
 - (b) In determining whether or not to secure the continuation of anti-dumping measures, the Minister is required by s 269ZHF(2) read with s 269ZHG(1) of the Customs Act to be 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 that the anti-dumping measures were intended to prevent.
 - (c) In ADRP 155 that is also one of the three approved grounds of review.
 - (d) Any decision on that issue by the Minister necessarily involves the Minister considering the Commissioner's findings with respect to the dumping margin and normal value for PMBA.
 - (e) The Review Panel has available to it information to the effect that the normal value calculated by the ADC for PMBA is not correct, and has the means to correct it. In those circumstances, the Review Panel would fall into error by not considering the necessary correction when assessing whether expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, dumping.
 - (f) The Review Panel's power to consider that matter does not depend on a challenge to the normal value for PMBA forming part of the grounds for review to the Review Panel. To hold otherwise would produce an absurd outcome where:
 - (i) the reviewable decision was a decision *not* to continue the measures, and
 - (ii) as a result, exporters were precluded from applying for review of the Minister's decision to the extent it adopted the ADC's finding that dumping was likely to continue, because any such application could not have led to a decision materially different from the reviewable decision as required by ss 269ZZE(2)(e) and 269ZZG(1)(c) of the Customs Act.
 - (g) *Secondly*, if the Review Panel forms the view that the Minister's decision was not the correct or preferable one, and that measures should be continued, the Review Panel is obliged to consider the normal values of PMBA's exports when assessing the variable factors that it recommends should be fixed by the Minister:
 - (a) If the Review Panel finds that the reviewable decision was not the correct or preferable one, it is open to it to recommend that the Minister revoke the reviewable decision and substitute it with a "*specified*" new decision: s 269ZZK(1)(b).
 - (b) In recommending what that "*specified*" new decision should be, the Review Panel is again determining a matter that would ordinarily be determined by the Minister under the Customs Act - that is, what decision should be made under s 269ZHG as to the continuation or expiry of anti-dumping measures.
 - (c) Under s 269ZZ(1) of the Customs Act, in determining this matter, the Review Panel "*must determine the matter*" both "*in a like manner as if it were the Minister*" as well as "*having*

regard to the considerations to which the Minister would be required to have regard if the Minister were determining the matter”.

- (d) Pursuant to s 269ZZ(1) of the Customs Act, it follows that, before the Review Panel can make any recommendations to the Minister for the measures to continue but as if different variable factors had been fixed, the Review Panel must first consider the Commissioner’s findings on the likelihood of dumping continuing or recurring and the variable factors to be fixed.
- 10 Even leaving those matters aside, the Review Panel would not recommend that the Minister make a decision based on information (that is, a positive dumping margin for PMBA) when it is aware that had the law been properly followed a negative or *de minimis* margin would have been found. A decision to continue the measures against PMBA in reliance on that error could not be described as correct or preferable.
- 11 Although it was not referred to in the Review Panel’s letter of 10 April 2026, we would add that PMAA does not consider that the Federal Court’s decision in *Yara AB v Minister for Industry, Science and Technology* (2022) 177 ALD 192; [2022] FCA 847 (**Yara**) is inconsistent with the contentions PMAA has expressed in this letter. We say that because:
- (a) one of the grounds for review before the ADRP requires consideration of whether the expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping that the anti-dumping measures were intended to prevent; and
- (b) the reasoning in *Yara* only extends to the ADRP’s determination of whether the reviewable decision was correct or preferable. It does not extend to the performance by the Review Panel of its statutory duty to decide whether to make a recommendation under s 269ZZK(1)(b) of the Act that the Minister should substitute the earlier decision with a new specified decision.
- 12 Accordingly, PMAA requests again that the Review Panel obtain a corrected calculation of the dumping margin for PMBA, and base its recommendations to the Minister on such a calculation. PMAA remains willing to join the ADC, the Review Panel, and the Minister in a joint approach to the Court to extend, by consent, the period in which the reconsideration by the Review Panel is to be completed.
- 13 Finally, we note that even if (which is denied) there is any constraint on the Review Panel that would prevent it from dealing with this issue, and correcting an error by the ADC, that constraint does not extend to the Minister. We have therefore copied this letter to the Minister in support of a request that the Minister obtain, and utilise, the correct information regarding the normal values for PMBA when re-making the Minister’s decision in accordance with the Court Orders.

Yours faithfully



Andrew Korbel

Partner

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Copy

Minister for Industry, Innovation and Science: senator.ayres@aph.gov.au

NOTICE OF FILING AND HEARING

Filing and Hearing Details

Document Lodged: Originating Application for Judicial Review - Form 66 - Rule 31.01(1)
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Place: To Be Advised



Sia Lagos

Registrar

Important Information

This Notice has been inserted as the first page of the document which has been accepted for electronic filing. It is now taken to be part of that document for the purposes of the proceeding in the Court and contains important information for all parties to that proceeding. It must be included in the document served on each of those parties.

The date of the filing of the document is determined pursuant to the Court's Rules.



Amended Originating application for judicial review

Amended on 7 June 2024, pursuant to order 2 of the orders of 9 April 2024,
as varied on 29 May 2024

No. NSD67/2024

Federal Court of Australia
District Registry: New South Wales
Division: General Division

Press Metal Aluminium (Australia) Pty Ltd (ACN 085 370 010) and another named in the
schedule
Applicants

Minister for Industry and Science and others named in the schedule
Respondents

To the Respondents

The Applicants apply for the relief set out in this application.

The Court will hear this application, or make orders for the conduct of the proceeding, at the time
and place stated below. If you or your lawyer do not attend, then the Court may make orders in your
absence.

You must file a notice of address for service (Form 10) in the Registry before attending Court or
taking any other steps in the proceeding.

Time and date for hearing

Place: Federal Court of Australia
Level 17
Law Courts Building
Queens Square
Sydney NSW 2000

Filed on behalf of	Applicants		
Prepared by	Andrew Korbel (Ref: AHK/9162338)		
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Date:

.....
Signed by an officer acting with the authority of
the District Registrar



The Applicants apply to the Court, pursuant to s 5 of the *Administrative Decisions (Judicial Review) Act 1977* and s 39B of the *Judiciary Act 1903*, to review the decision of the First Respondent (Minister's Decision), purportedly made on 14 December 2023, and published (without confidential information) on 15 December 2023, to:

- 1 revoke the First Respondent's decision, made under s 269ZHG(1)(a) of the *Customs Act 1901 (Customs Act)*, and published on the website of the Third Respondent, being the Anti-Dumping Commission (ADC) on 24 June 2022 (as ADN 2022/042), not to secure the continuation of anti-dumping measures in respect of aluminium extrusions exported from Malaysia and Vietnam (**Original Decision**); and
- 2 instead secure the continuation of the dumping duty notice applying to aluminium extrusions exported from Malaysia and Vietnam, but as if different variable factors had been fixed in accordance with the Third Respondent's Anti-Dumping Commission Report No. 591 published on 13 May 2022 (ADC Report 591) with effect on and from the date of publication of the Decision on the website of the Third Respondent ADC.

Further or in the alternative, the Applicants apply to the Court, pursuant to s 5 of the *Administrative Decisions (Judicial Review) Act 1977* and s 39B of the *Judiciary Act 1903*, to review the decision of the Second Respondent published on 19 September 2023 and contained in Anti-Dumping Review Panel Report No 155 (ADRP Report 155), being to recommend to the First Respondent pursuant to s 269ZZM(1)(b) of the Customs Act to:

- 1 revoke the Original Decision, and
- 2 substitute a new decision with respect to the Second Applicant, that the First Respondent has decided to secure the continuation of the dumping duty notice relating to goods exported to Australia from Malaysia by the Second Applicant but that under s 269ZHG(4)(iii) the dumping duty notice continues in force as if the First Respondent had fixed different specified variable factors, relevant to the determination of duty.

Further or in the alternative, the Applicants apply to the Court, pursuant to s 5 of the *Administrative Decisions (Judicial Review) Act 1977* and s 39B of the *Judiciary Act 1903*, to review the decision or conduct of the Third Respondent in ADC Report 591, being, inter alia, a decision or conduct finding a dumping margin of 6.7% on the basis of variable factors in respect of the Second Applicant and recommending that the First Respondent determine that the normal value of aluminium extrusions exported from Malaysia to Australia by the Second Applicant under s 269TAC(1) of the Customs Act (and as adjusted under s 269TAC(8)) be as set out in Confidential Attachment 5 to ADC Report 591.

Details of claim

The Applicants are aggrieved by the Minister's Decision, ADRP Report 155 and ADC Report 591 because:



- 1 The Second Applicant produces in Malaysia and sells to the First Applicant aluminium extrusions to which the Minister's Decision applies.
- 2 The Minister's Decision has the effect, subject to any subsequent reviews, of imposing anti-dumping measures on the Second Applicant's products exported to Australia for five years from the date of the Decision. That in turn has the effect of either increasing the prices of those products, or limiting the scope to reduce the prices of those products, thereby affecting the ability of the Applicants to compete with other suppliers of aluminium extrusions in and to the Australian market.
- 3 The Minister's Decision was based upon, or materially affected by, the findings and recommendations in ADRP Report 155 and ADC Report 591.

Grounds of application

Impermissible delay in the making of the Minister's Decision

- 1 The Minister's Decision is invalid because:
 - (a) it was made following a review by the Second Respondent, being the Anti-Dumping Review Panel (ADRP) of the Original Decision, pursuant to the provisions of Part XVB, Div 9, Sub-div B of the Customs Act;
 - (b) pursuant to s 269ZZK(1) of the Customs Act, the Second Respondent ADRP provided ADRP Report 155 ~~a report~~ to the First Respondent, following the completion of its review of the Original Decision, on or about 19 September 2023 ~~(ADRP Report 155)~~;
 - (c) in accordance with s 269ZZM(1A) of the Customs Act, the First Respondent was obliged to make a decision affirming or revoking the Original Decision within 30 days after receiving the report of the Second Respondent ADRP, or if the First Respondent considered there were special circumstances that prevented the decision being made within that period, within such longer period as the First Respondent considered appropriate;
 - (d) If the First Respondent considered that there were such special circumstances, and that a longer period for the making of the Decision was appropriate, s 269ZZM(1B) required the First Respondent to give notice of the longer period on the Second Respondent's ADRP's website;
 - (e) the First Respondent gave no such notice, and did not consider that there were special circumstances preventing the making of the decision within 30 days of receipt of the ADRP's Second Respondent's report;
 - (f) notwithstanding those matters, the First Respondent did not purport to make the Decision until 14 December 2023; and



- (g) accordingly, the Minister's Decision was not authorised by the Customs Act, and/or the First Respondent did not have jurisdiction and was without power to make the Minister's Decision.

Failure to consider variable factors Misapprehension as to the recommendations of the ADRP

2 The Minister's Decision and/or the recommendations in ADRP Report 155 are ~~is~~ invalid, or liable to be set aside, because:

- (a) in the notice dated 14 December 2023 recording the Minister's Decision, the First Respondent stated that the Second Respondent ADRP had recommended that the Original Decision be revoked and be substituted with a new specified decision that the First Respondent secure the continuation of the dumping duty notice applying to aluminium extrusions exported from Malaysia and Vietnam, but as if different variable factors had been fixed in accordance with ADC Report ~~No.~~ 591;
- (b) the First Respondent made the Decision in accordance with that supposed recommendation, which the First Respondent believed and said in the notice dated 14 December 2023 was recorded in ADRP Report 155;
- (c) in fact, the Second Respondent ADRP did not recommend that the First Respondent fix variable factors in accordance with ADC Report 591. Instead, the Second Respondent ADRP stated that it had not considered the specified variable factors as those were not matters it was entitled to consider as part of its review of the Original Decision;
- (d) [deleted]
- (e) in deciding, under s 269ZZK(1)(b) of the Customs Act, to recommend to the First Respondent to revoke the Original Decision and substitute a specified new decision, the Second Respondent was required, under s 269ZZ, to have regard to the same considerations to which the Minister must have regard in making the specified decision;
- (f) the specified decision recommended by the Second Respondent was a decision under s 269ZHG(4)(a)(iii) of the Customs Act and which required, among other things, the First Respondent (and therefore the Second Respondent in making the recommendation) to consider the variable factors to be fixed in relation to the Second Applicant;
- (g) by refusing and/or failing to consider the variable factors to be fixed in relation to the Second Applicant, the First and/or Second Respondents: purported to make decisions beyond jurisdiction or which were not authorised as no consideration had been given to the variable factors fixed by the decisions; failed to exercise their jurisdiction in accordance with the law; failed to take a relevant consideration into



account; committed an error of law in finding that each did not or could not consider the variable factors to be fixed; and/or breached the rules of natural justice by making the decisions without considering the variable factors and the Applicants' submissions in respect of the same.

Particulars

The Second Respondent failed to consider those parts of the submissions dated 18 March 2022 and 7 April 2022 concerning the variable factors and dumping margin, which were made on behalf of the Applicants to the Third Respondent, and which formed part of the relevant information to which the Second Respondent was to have regard under ss 269ZZK(4)(a) and (6)(d) of the Customs Act.

The Second Respondent also failed to consider those parts of the submissions dated 15 and 16 September 2022 concerning the variable factors and dumping margin, which were made on behalf of the Applicants to the Second Respondent, and to which the Second Respondent was to have regard under s 269ZZK(4)(b) of the Customs Act.

The First Respondent failed to consider the above submissions as well as the submissions made on behalf of the Applicants dated 19 September 2023.

Failure to consider dumping Errors in recommendation by the ADRP

3 In so far as the Minister's Decision was based on the findings and recommendations of the Second Respondent ADRP in ADRP Report 155, it and the recommendations in ADRP Report 155 are is invalid, or liable to be set aside because:

[original paragraphs (a) to (g) replaced]

- (a) in ADC Report 591, the Third Respondent had concluded that, whilst dumping of aluminium extrusions from Malaysia was likely to continue, it was not satisfied that the expiration of the dumping duty notice would lead or would be likely to lead to a continuation of, or a recurrence of, the material injury that the anti-dumping measures were intended to prevent;
- (b) on that basis the Third Respondent recommended that the First Respondent not secure the continuation of anti-dumping measures and the First Respondent (in the Original Decision) accepted that recommendation and the reasons for it;
- (c) the Second Respondent, acting purportedly pursuant to s 269ZZK(1) of the Customs Act, recommended that the First Respondent revoke the Original Decision and substitute a new decision to the effect that the Minister had decided to secure the



continuation of the dumping duty notice, on the basis that the Second Respondent considered it likely that the expiration of the measures would lead or would be likely to lead to a continuation or recurrence of the material injury that the anti-dumping measures were intended to prevent;

- (d) in so doing, the Second Respondent failed and/or refused to consider whether expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping that the anti-dumping measures were intended to prevent;
- (e) the Second Respondent was required to consider that matter for the following reasons:
- (i) in deciding, under s 269ZZK(1)(b) of the Customs Act, to recommend to the First Respondent to revoke the Original Decision and substitute a specified new decision, the Second Respondent was required, under s 269ZZ, to have regard to the same considerations to which the Minister must have regard in making the specified decision;
- (ii) in determining whether or not to secure the continuation of anti-dumping measures, the First Respondent was required by s 269ZHF(2) read with s 269ZHG(1) of the Customs Act to be 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 that the anti-dumping measures were intended to prevent;
- (iii) the Applicants had been precluded from bringing any application to review the Original Decision in so far as it was based on the Third Respondent's finding that dumping was likely to continue, because any such application could not have led to a decision materially different from the Original Decision as required by ss 269ZZE(2)(e) and 269ZZG(1)(c) of the Customs Act;
- (iv) however, the Second Respondent, having determined that expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of material injury, was then required, before making any recommendation under s 269ZZK(1) as to what was the correct or preferable decision, to consider also whether expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, dumping;
- (f) by refusing and/or failing to consider whether expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping which the anti-dumping measures were intended to prevent, the First and/or Second Respondents: purported to make decisions beyond jurisdiction or which were not authorised as no consideration had been given to the existence or likely existence of



dumping; failed to exercise their jurisdiction in accordance with the law; failed to take a relevant consideration into account; committed an error of law in finding that each did not or could not consider the existence or likely existence of dumping; and/or breached the rules of natural justice by making the decisions without considering the existence or likely existence of dumping and the Applicants' submissions in respect of the same.

Particulars

The Applicants repeat the particulars to paragraph 2(g) above.

Impact of expiry of measures

4 [deleted]

Failure by the Minister to take into account matters relevant to variable factors

5 [deleted]

Failure by the ADC to make appropriate adjustments

6 The Minister's Decision is, ADRP Report 155 and ADC Report 591 are invalid, or liable to be set aside, in so far as they #concerns the findings: (i) that expiration of the measures would lead, or would be likely to lead, to a continuation of, or a recurrence of, the dumping; and (ii) in relation to the variable factors applicable to goods exported to Australia by the Second Applicant, because:

- (a) in so far as those variable factors are concerned, the First Respondent (and to the extent it so did in making its recommendations, the Second Respondent) adopted the recommendations made by the Third Respondent ADC in ADC Report 591;
- (b) the recommendations made by the Third Respondent ADC with respect to goods exported by the Second Applicant were premised on an assessment by the Third Respondent ADC of the normal value of those goods;
- (c) as to the assessment of normal value, where, as here, the normal value is the price paid or payable for like goods and that price and the export price are modified in different ways by the terms or circumstances of the sales to which they relate, s 269TAC(8)(c) of the Customs Act requires the price paid or payable for like goods to be taken to be such a price adjusted in accordance with directions by the First Respondent so that those differences would not affect its comparison with that export price;
- (d) the adjustment in the normal value determination is required to ensure a fair comparison between the normal value and export price;
- (e) certain like goods produced by the Second Applicant and sold in its domestic market, and which were included by the First and Third Respondents in the assessment of



dumping by Second Applicant, were sold at a different level of trade—i.e., to retail customers ~~who were retailers~~, whereas the products ~~imported into~~ exported to Australia were sold to a distributors (i.e., the First Applicant). The difference in the level of trade was reflected in differences in the prices paid or payable by the customers, and consequently, an adjustment was required to ensure a fair comparison between the normal value and the export price;

- (f) ~~the Third Respondent~~ ADC did not recommend, and ultimately the ~~First Respondent~~ did not make, an adjustment to the normal value of the goods in question to reflect the different level of trade, notwithstanding that they had done so in previous and subsequent reviews, and assessments of duty payable in relation to exports of the same type of goods by the Second Applicant and related entities;

Particulars

The Third Respondent made adjustments in its Final Reports numbered 540 and 541, its Final Report (REP 577) for Accelerated Review 577, and in its Duty Assessment Reports numbered DA0243 and DA0254.

- (g) ~~to the extent that the ADC did not recommend, and the Respondent did not make, an adjustment because the ADC (wrongly) assessed that the difference in prices were not material, the approach recommended by the Third Respondent~~ ADC in ADC Report 591 and adopted by the First Respondent was inconsistent with the (and, to the extent that it so did, the Second Respondent) was contrary to the requirements of s 269TAC(8)(c); and the rules of natural justice and/or was illogical, irrational or unreasonable, because:

(i) the Third Respondent placed the onus on the Applicants to establish that certain domestic sales were at a different level of trade—i.e., to retail customers—whereas s 269TAC(8) required the Respondents to make an adjustment where the circumstances of the sales of like goods so required;

(ii) the Third Respondent failed to afford the Applicants procedural fairness by failing to specifically seek or identify the information it required to ascertain whether to make an adjustment under s 269TAC(8);

(iii) in finding that there were no consistent or distinct differences in sales prices in any event, the Third Respondent:

(A) reviewed only a small sample of sales, whereas a review of all or most sales during the inquiry period, and by model of aluminium extrusion, would have demonstrated to any reasonable person that there was a significant difference in price of each model depending upon the level of trade and which would warrant an adjustment under s 269TAC(8)(c); and



(B) included within the small sample of sales that it reviewed, sales that were made at a loss and therefore not in the ordinary course of trade, which is contrary to s 269TAC(1) of the Customs Act which requires only sales in the ordinary course of trade to be considered in determining the normal value of goods; and

(iv) in fact, the materials available to the Respondents demonstrated that a level of trade adjustment of at least approximately 15.31% was warranted under s 269TAC(8) of the Customs Act, which if applied would have reduced the dumping margin applicable to the Second Applicant by approximately 6.2 percentage points;

(h) [deleted]

(i) [deleted]

(j) if the Third Respondent ADC had made its assessment of the normal value of exports by the Second Applicant in accordance with the law, and consistently with its previous and subsequent approaches to the same issue, it would not have made the recommendations it made regarding variable factors applicable to the Second Applicant, and instead it would have recommended that the First Respondent find that the Second Applicant's goods had not been dumped, or at least not dumped beyond a de minimis margin, in the period under review.;

(k) [deleted]

(l) [deleted]

Orders sought

1 If required, and to the extent necessary, leave be granted to the Applicants under s 11(1)(c) of the *Administrative Decisions (Judicial Review) Act 1977* and r 31.02 of the *Federal Court Rules 2011* to bring this application against the Second and/or Third Respondents out of time.

2 If required, and to the extent necessary, pursuant to r 1.34 of the *Federal Court Rules 2011*, the requirements of r 31.02 be dispensed with such that the Amended Originating Application be treated as an application for extension of time to bring this application against the Second and/or Third Respondents.



- 43 An order that the Minister's Decision, ADRP Report 155, ADC Reinvestigation Report¹ and/or ADC Report 591 be set aside, or quashed, from the date of the each Decision or Report.
- 24 In the alternative, an order that the Minister's Decision, ADRP Report 155, ADC Reinvestigation Report and/or ADC Report 591 be set aside, or quashed, from the date of the each Decision or Report, in so far as they it extends to exports of goods to Australia by the Second Applicant.
- 5 In the alternative and further to orders 3 or 4 above, an order referring the matter to the First, Second and/or Third Respondents for further consideration in accordance with such directions as the court thinks fit.
- 36 Costs.
- 7 Such further or other orders as the court sees fit.

Applicants' address

The Applicants' address for service is:

Place: Level 36
Quay Quarter Tower
50 Bridge Street
Sydney NSW 2000

Email: andrew.korbel@corrs.com.au

The First Applicant's address is 1012-1016 Canley Vale Road, Wetherill Park, New South Wales.

The Second Applicant's address is Lot 6464, Batu 5 ¾, Jalan Kapar, Sementa ,42100 Klang, Selangor Darul Ehsan, Malaysia.

Service on the Respondents

It is intended to serve this application on the Respondents.

Date: 7 June 2024~~23 January 2024~~

Signed by Andrew Korbel
Lawyer for the Applicants

¹ Being the ADC's report to the ADRP dated 21 August 2023 and entitled "Reinvestigation of Certain Findings in Report No 591" (**ADC Reinvestigation Report**).



Schedule

No. NSD67/2024

Federal Court of Australia
District Registry: New South Wales
Division: General Division

Applicants

Second Applicant: **PMB Aluminium Sdn Bhd**

Respondents

Second Respondent: **Anti-Dumping Review Panel**

Third Respondent: **Anti-Dumping Commission**

Date: