



Customs Act 1901

Notice under section 269ZZI

## CERTAIN ALUMINIUM EXTRUSIONS EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA

The Anti-Dumping Review Panel has received applications from TAI SHAN CITY KAM KIU ALUMINIUM EXTRUSION CO LTD and its related bodies corporate, KAM KIU (AUSTRALIA) PTY LTD and KAM KIU ALUMINIUM PRODUCTS SDN BHD (jointly, "Kam Kiu") and PANASIA ALUMINIUM (CHINA) LIMITED and OPAL (MACAO COMMERCIAL OFFSHORE) LIMITED (jointly, "PanAsia") for review of a decision by the Parliamentary Secretary to the former Minister for Industry and Science ("Parliamentary Secretary") to publish findings in relation to a review of anti-dumping measures in respect of CERTAIN ALUMINIUM EXTRUSIONS exported from THE PEOPLE'S REPUBLIC OF CHINA. Notice of the decision was published in the Commonwealth Gazette on 19 August 2015.

The grounds raised by Kam Kiu's application for the decision under review not being the correct or preferable decision are:

(a) that the Anti-Dumping Commission (Commission) applied the incorrect methodology to calculate Kam Kiu's ascertained export price (AEP), which led the Parliamentary Secretary to make an incorrect finding. The methodology applied by the Commission was incorrect because:

- the AEP calculated by the Commission was higher than the gross invoice price at DDP level; and
- the AEP calculation included a 'double currency conversion' from AUD to RMB and then from RMB to AUD.

The grounds raised by PanAsia's application for the decision under review not being the correct or preferable decision are:

- (a) in determining PanAsia's AEP, the Commission did not take into account all of the relevant available information, and did not undertake a comparative assessment to identify the best available information;
- (b) in determining the benchmark price for the purposes of establishing the amount of countervailable subsidy received from the purchase of goods, the Commission included charges for services when it ought not to have done so; and
- (c) because of the error in calculation outlined at (b), ascertained normal values were overstated.

The goods to which this application relates are 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, anodized or painted or otherwise coated, whether or not worked, having a wall thickness or diameter greater than 0.5mm, with a maximum weight per metre of 27 kilograms and a profile or cross-section which fits within a circle having a diameter of 421mm.

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. For example, 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 Anti-Dumping Review Panel proposes to conduct a review of the decision. Interested parties may make submissions to the Panel within **30 days** after the date of publication of this notice.

Submissions may be emailed to **ADRP@industry.gov.au** Submissions may also be posted to:

The Anti-Dumping Review Panel, c/o ADRP Secretariat, Legal, Audit & Assurance,  
Department of Industry, Innovation and Science, GPO Box 9839 ACT 2600 Australia.

Persons wishing to make further inquiries about this review should telephone (02) 6276 1781. Copies of the applications for review, which set out the full grounds for seeking review and other documents are available on the public record of the review at **www.adreviewpanel.gov.au**

The reports of the original investigation are available on the Anti-Dumping Commission website at **www.adcommission.gov.au**

Jaclyne Fisher  
Member  
Anti-Dumping Review Panel