



CERTAIN ALUMINIUM EXTRUSIONS
Exported to Australia from the People's Republic of China

Notice of decision under section 269ZZM of the Customs Act 1901

The Anti-Dumping Review Panel (ADRP) has completed a review of my previous decision, whilst in the role of Parliamentary Secretary of the former Minister for Industry and Science, to declare by public notice dated 19 August 2015 under section 269ZDB(1)(a)(iii) of the *Customs Act 1901* (the Customs Act) that the dumping duty and countervailing duty notices are altered as if different variable factors has been fixed in relation to Certain Aluminium Extrusions exported to Australia from the People's Republic of China (the Reviewable Decision). The Reviewable Decision was publically notified on 19 August 2015.

An application for review of the Reviewable Decision was made by 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 (together called Kam Kiu) and PanAsia Aluminium (China) Limited and Opal (Macao Commercial Offshore) Limited (together called PanAsia) (Applications). Copies of the Applications are published on the ADRP website.

I, KAREN LESLEY ANDREWS, Assistant Minister for Science and Parliamentary Secretary to the Minister for Industry, Innovation and Science, have considered the recommendations and reasons for the recommendations made by the reviewing member of the ADRP, including all material findings of fact or law as set out in the ADRP Report 32 dated 18 March 2016. I have decided to accept the recommendation made in ADRP Report 32. In making my decision I have adopted the reasons set out in the ADRP Report 32. The ADRP Report 32 will be available on the ADRP website on the same day as this notice of decision is published.

In accordance with section 269ZZM of the Customs Act and with effect from 19 August 2015, I give notice that I decided on 15 April 2016 to revoke the Reviewable Decision in so far as it relates to the ascertained export price determined for Kam Kiu and substitute a new decision in the same terms as the Reviewable Decision except that the ascertained export price for Kam Kiu is varied resulting in a dumping margin for Kam Kiu of 20.1% and countervailable subsidy margin for Kam Kiu of 2.1%.

Notice of determination under subsection 8(5) of the Customs Tariff (Anti-Dumping) Act 1975 and direction under and subsection 10(3B) of the Customs Tariff (Anti-Dumping) Act 1975

I determine, pursuant to subsection 8(5) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act), that interim dumping duty payable on Certain Aluminium Extrusions exported to Australia from China by Kam Kiu be an amount that has been worked out in accordance with the combination of fixed and variable duty method pursuant to subsection 5(2) of the *Customs Tariff (Anti-Dumping) Regulation 2013* and this notice has effect accordingly.

I direct, pursuant to subsection 10(3B) of the Dumping Duty Act, that interim countervailing duty payable on Certain Aluminium Extrusions exported to Australia from China by Kam Kiu be ascertained as a proportion of the export price of the goods and the notice has effect accordingly.

Pursuant to subsection 8(5BA) of the Dumping Duty Act, I have had regard to the desirability of specifying a method such that the sum of:

- (i) the export price of goods of that kind as so ascertained, or last so ascertained;
- (ii) the interim dumping duty payable on the goods; and
- (iii) the interim countervailing duty payable on the goods,

does not exceed that non-injurious price of goods of that kind as ascertained and have determined not to fix a lesser amount of duty.

Affected parties should contact the Anti-Dumping Commission (the Commission) by telephone on 13 28 46 or email at clientsupport@adcommission.gov.au for information regarding the interim dumping duty and interim countervailing duty liability calculation, including the combined rate of dumping and countervailing duty (effective rate of duty), for their particular circumstances.

To preserve confidentiality, the ascertained export price will not be published. Bona fide importers of the goods can obtain the ascertained export price from the Commission by telephone on 13 28 46 or email at clientsupport@adcommission.gov.au.

This notice applies to the goods and like goods entered for home consumption on and after 19 August 2015.



KAREN LESLEY ANDREWS

Assistant Minister for Science

Parliamentary Secretary to the Minister for Industry, Innovation and Science

12 May 2016