GIW environmental solutions

Submission on aluminum windows and doors from China

Investigation 691 | Response to Statement of Essential Facts 691
NON-CONFIDENTIAL
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To: The Director, Investigations 1
Australian Trade Remedies Commission
By email: investigations1@atrc.gov.au

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Role: Building sustainability and energy efficiency consultant; downstream industry participant. GIW makes this submission on its own behalf and does not represent a particular importer, exporter or client in this submission.

1 Position and requested outcomes

GIW supports Australian manufacturing, skilled employment and fair trade. Where dumping or countervailable subsidisation is established and causes material injury, a lawful and evidence-based remedy is appropriate. Our concern is how measures affect committed building projects, housing affordability, project delivery and access to verified high-performance glazing.

We ask the Commission to address the following in its final report and, where the request exceeds its powers, place the issue expressly before the Minister or refer it to the Responsible Authority:

- Preserve exporter-specific treatment and distinguish dumping from subsidisation. Ensure measures reflect the evidence and applicable statutory rules.
- Identify a lawful, tightly controlled transition pathway for genuinely committed projects. Publish clear guidance on existing orders, export dates and security obligations.
- Determine outstanding exemption requests with reasons and assess evidence of practical product substitutability, delivery capacity and lead times.
- Place downstream housing, construction and energy-performance consequences before the Minister, alongside the interests of Australian manufacturers.
- Support a separate, origin-neutral programme to verify product performance and address misleading ratings.

This submission makes professional and policy recommendations. It does not offer a competing calculation of dumping margins or claim that particular projects have been cancelled as a proven consequence of these measures.

2 Correct treatment of preliminary measures

TRN 2026/147 differentiates exporters. Its highest effective security rate is 73.3%, comprising 70.4% dumping and 2.9% countervailing components for uncooperative and other exporters. The residual exporter rate is 24.4%; individually examined exporters have separate treatment, and Altop is excluded from preliminary securities. These are preliminary securities, not a uniform final duty on every Chinese window. [1, pp 2–3]

GIW supports maintaining those distinctions. Negligible subsidy findings for some exporters do not invalidate a separate dumping finding. Equally, the highest rate should not be presented as the rate applicable to every supplier. Clear identification of the actual exporter and transparent supplier-linking procedures are important to accurate administration.

We ask that the final report explain the basis for exporter categories, the treatment of cooperating exporters and the evidence supporting any final rates. Any decision on the level or form of duty should address the relevant statutory considerations and explain why the resulting measure is appropriate.

3 A controlled transition for committed projects

The investigation was public before the preliminary rates were announced. That gave parties notice of risk, but did not establish the eventual rate for a particular supply chain. A fixed-price construction contract can therefore contain exposure that is difficult to quantify or recover. The allocation of that exposure will depend on the actual contract; it should not be assumed that every builder can pass it through.

The Commission's FAQ distinguishes pre-commencement exportation from earlier ordering or payment. Earlier orders or payments do not themselves remove securities where export occurs later. Security can take different forms and the final liability may differ. [2, pp 1, 3–4]

GIW seeks consideration of a lawful transitional mechanism for commitments made before publication of the preliminary determination on 14 October 2026. This is a proposed policy pathway, not an assertion that a contracted-project exemption already exists. Eligibility should require:

- A binding, dated construction or supply commitment identifying the project, product, quantities and relevant supplier or exporter.
- Evidence of the committed price and why changing supplier, recovering the additional cost or rescheduling supply is impracticable.
- A defined quantity and delivery period, supported by purchase orders, deposits, manufacturing records or shipping documents.
- Safeguards against backdating, expanded orders, stockpiling and diversion to other projects.

If the present legislation does not permit that relief, the final report should identify the limitation and place alternative lawful options before the Minister. Meanwhile, guidance on available security arrangements, documentation and reconciliation would help parties manage exposure without implying that a security is invariably an immediate cash payment.

4 Assess practical supply and exemption requests

The SEF records exemption requests, including requests concerning Class 2 and larger projects, for consideration in the final report. [3, section 3.7, pp 74–76] GIW asks that those requests receive timely, reasoned decisions. Building classification alone should not substitute for evidence of the particular product and procurement constraints.

For bespoke façade packages, we recommend assessing practical substitution against the specified thermal, structural, acoustic and weatherproofing performance, dimensions, interface details, quantities and required delivery dates. A nominally similar product may still require redesign or additional verification before it can be used.

Where relief is sought on supply grounds, applicants should substantiate those grounds with technical schedules, requests for quotation, responses from domestic suppliers, lead times and a comparison of compliant alternatives. Australian suppliers should have a fair opportunity to demonstrate capacity to meet the same requirements. This approach supports local manufacturing while testing the actual constraint.

5 Consider downstream consequences through the proper decision maker

The SEF states that the Commissioner cannot undertake the broad public-interest test proposed by parties, while recognising the Minister's ultimate decision on measures. [3, section 2.4.12, pp 55–60] GIW therefore asks the Commission to transmit these concerns clearly, rather than treat them as a request to depart from its statutory task.

The Minister should consider, to the extent permitted by law, the combined effect on Australian manufacturing, construction employment, housing supply, project finance and the availability of energy-efficient building products. GIW also supports a prospective review of whether the legislation should include a defined and transparent national-interest test, with safeguards against undermining legitimate remedies.

GIW has received anecdotal feedback from developers raising concerns about additional window procurement costs and potential effects on project viability and delivery. This feedback is qualitative. GIW has not independently verified the reported concerns against project budgets, contracts or construction programmes, and does not present them as proof of a quantified cost increase, delay or cancellation. The feedback supports seeking project-level evidence before the final decision.

For that assessment, government should seek project-level evidence of committed costs, the additional security or duty exposure, available alternatives, programme impacts and any demonstrated financing constraints. It should distinguish verified effects from forecasts and test whether supply would shift to Australian manufacturers or to other overseas sources. GIW does not claim the answer is the same for every market segment.

As a sensitivity illustration only, applying 24.4% to an assumed dumping export price of $1 million produces $244,000; applying 73.3% produces $733,000. These figures are not GIW project evidence, a calculation of an actual customs liability, or an equivalent percentage increase in total construction cost. Actual exposure depends on the goods, exporter, customs calculation and contractual allocation.

6 Verify performance regardless of origin

GIW's professional concern is that the product selected and installed should match the performance used in the building assessment. Procurement decisions should preserve the intended NatHERS, NCC Section J and Green Star outcomes where those assessment pathways apply. A change in glazing or frame specification should trigger review before substitution is accepted.

The SEF treats standards compliance as a matter for relevant regulators and says the preliminary findings did not rely on non-compliance testing. [3, section 3.9, pp 81–82] GIW supports keeping that distinction clear. Paying a duty does not verify a product's performance, and demonstrating compliance does not answer a dumping allegation.

We recommend that the relevant building and consumer regulators strengthen verification through:

- Traceable evidence for the actual frame and glazing configuration, including whole-window U-value and solar heat gain coefficient, with AFRC ratings applicable to the supplied assembly.
- Independent testing or recognised assessment appropriate to the product and applicable requirements, including AS 2047 where applicable and WERS or another accepted thermal-performance pathway.
- Checks at specification, procurement and installation that link the supplied product to its assessment evidence, with a clear process for reviewing substitutions.
- Risk-based audits and proportionate enforcement against false or misleading performance claims, applied equally to domestic and imported products.

7 Conclusion

A strong Australian window industry and reliable access to high-performance products are both important. GIW supports remedies where the statutory tests are met, together with a controlled response to existing commitments, reasoned exemption decisions and effective performance verification. We ask that the final report expressly address these requests and identify the responsible decision maker for matters outside the Commission's powers.

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Public record references

EPR title for all references: 691 – Aluminium windows & doors from China. Page references below use the printed document pages.
[1] Case 691, EPR document 502, TRN 2026/147 – Findings of a Preliminary Affirmative Determination, 14 October 2026, pp 2–3.
[2] Case 691, EPR document 516, Frequently Asked Questions, published 28 October 2026, pp 1 and 3–5 (PDF page count; pages unnumbered).
[3] Case 691, EPR document 501, Statement of Essential Facts 691, 14 October 2026, sections 2.4.12, 3.7 and 3.9, pp 55–60, 74–76 and 81–82.
Public record: https://www.industry.gov.au/australian-trade-remedies-commission/current-cases-and-electronic-public-record-epr/691