NON-CONFIDENTIAL - FOR PUBLIC RECORD

2 November 2026

Director – Investigations 1
Australian Trade Remedies Commission
Email: investigations1@atrc.gov.au

Investigation 691 – Aluminium Windows and Doors from China

Response to SEF 691: request to reconsider Pearl's 24.4% residual dumping rate and undertake individual examination before final recommendations

Dear Director,

Facades Management (QLD) Pty Ltd (Facades Management), working with Guangzhou Pearl Facade Systems Co., Ltd (Pearl), requests reconsideration of Pearl's proposed residual dumping treatment before the Commission finalises its recommendations. We seek an opportunity for Pearl's actual export pricing, costs and supply arrangements to be examined, with a lower individual rate, or no dumping measure, where supported by the evidence and applicable law.

1. Existing treatment and the earlier request

SEF 691 identifies Guangzhou Pearl Facade Systems Co., Ltd as a residual exporter in Table 6 (page 33). Section 6.11 (pages 150–151) sets out the preliminary residual dumping margin of 24.4%, using export prices and normal values derived from selected exporters. TRN 2026/147, Table 2, applies a 24.4% dumping security rate to residual exporters, with no countervailing security. This is not an individually calculated dumping margin for Pearl.

We acknowledge that the Commission has already considered our submission of 18 September 2026, published as EPR document 489. At pages 63–64 of SEF 691, the Commission recognises the commercial relationship, Australian system licensing arrangements and respective functions of Pearl and Facades Management, but concludes that individual examination would prevent timely completion of the investigation.

This submission addresses that stated timing concern. We ask the Commission to reconsider whether a defined evidence package and focused verification process could permit individual examination within the remaining timetable, rather than simply repeat our earlier request.

2. Pearl's project-specific supply arrangements

As explained in our earlier submission and recorded at page 63 of SEF 691, Pearl undertakes manufacturing in China, while Facades Management undertakes or coordinates Australian technical design, compliance, project management, customer interface and service functions. The supply pathway includes Australian system licensing and quality controls, and supports identified construction projects and local fabricators.

Our business also operates a factory in Australia and undertakes manufacturing in Brisbane. Our supply model therefore includes both Australian and Chinese manufacture, rather than being solely an import operation.

Our separate dimensional clarification submission explains the engineered systems and staged delivery of components. For pricing analysis, the goods and services included in each transaction must be identified accurately. A complete Australian project price should not be treated as interchangeable with a factory invoice for a partial assembly.

These matters explain why Pearl's own evidence merits examination; they do not, by themselves, establish an exemption or absence of dumping. We seek correct product comparisons and allocation of costs and revenue, not a reduction based solely on Australian participation, product quality or commercial hardship.

2.1 Selection process and market distortion

SEF 691, section 2.4.3 (page 36), records that exporters were selected by reference to the largest export volume that could reasonably be examined. We recognise that selection by volume is distinct from calculation of an individual dumping margin. Our concern is that the resulting treatment has distorted competition: selected businesses have had their own circumstances assessed, while Pearl faces a residual rate derived from other exporters whose commercial position and cost structure may differ materially.

In our view, this can redirect commercial work towards selected competitors because of their duty treatment, rather than differences in the underlying goods, performance or service offered. Size or export volume should not become the practical substitute for examining a business's commercial position. We request reconsideration of Pearl's individual assessment and an explanation of how the selected data fairly represent businesses operating under Pearl's supply model.

2.2 Kete, royalty costs and unequal competitive effects

TRN 2026/147, Table 2, specifies a 12.1% dumping security rate for Guangdong Kete Facadetech Co., Ltd, compared with 24.4% for residual exporters including Pearl. This is a difference of 12.3 percentage points in the published rates. Kete therefore receives more favourable rate treatment than Pearl; our concern is the competitive effect of that outcome.

We ask the Commission to compare the verified Australian system licensing and royalty obligations applicable to Pearl's supply model with those applicable to the selected exporters, including Kete where relevant. We do not have verified evidence of Kete's royalty payments and do not ask the Commission to assume that Kete pays no comparable royalties or has a lower cost base for that reason. Our concern is whether substantiated differences in licensing costs, supply-chain functions and price inclusions are treated consistently in the assessment.

This is not a request to adopt Kete's rate automatically, or an assertion that a royalty difference alone proves its margin is incorrect. It reinforces our request to examine Pearl on its own evidence and a commercially comparable basis. Applicable royalty obligations, actual payments and their allocation to the relevant goods and period will need to be supported by records.

2.3 Comparable businesses, Australian content and quality obligations

Market participants should be grouped and compared by like business models and commercial position, rather than size alone. Relevant distinctions include Australian system licensing, Australian content and services, product quality and performance standards, responsibility for design and engineering, testing and compliance, and whether a business supplies factory-only goods or an integrated project solution. We ask the Commission to explain how these distinctions are reflected in its comparisons and, where lawful, its use of representative data for residual exporters.

Our Australian contribution includes manufacturing in Brisbane, as well as the technical, compliance, coordination and service functions described above. These activities address fundamental project requirements beyond simple price. Australian inputs, intellectual property and services should be identified separately from Chinese manufacture and compared on a consistent basis. A lower-priced offer is not necessarily comparable where its scope, technical obligations or delivery responsibilities differ. The assessment should recognise those differences without assuming that quality standards or Australian participation alone establish an entitlement to a lower rate.

2.4 Dimensions of the complete tested and engineered system

We seek express clarification that dimensional assessment uses the complete tested and engineered window system, including all integral elements required for its installation and performance, rather than only the principal frame or sash. These can include specified subheads, subsills, vertical termination waterproofing angles, packers and sealing interfaces. Their inclusion should follow the documented system design; we do not propose treating an unrelated structural opening, optional accessory or arbitrary allowance as part of the window dimensions.

SEF 691, Table 5 (page 28), describes a complete window assembly by reference to the components necessary for installation and operation, while section 3.3 (page 70) expressly includes separately supplied partial assemblies. We ask how these provisions interact when integral perimeter components are delivered and installed before the corresponding frames, panels or sashes. In our view, construction sequencing should not alter the identity of the specified engineered system.

Consistent with our dimensional clarification submission dated 2 November 2026, we request written confirmation of the governing height and width, the treatment of integral installation elements and linked staged consignments, and the distinction between structural opening, installed-system envelope and frame dimensions. Window schedules and packing lists should identify those measurements and link the shipments. We seek clarification, not an assumption that every component of an oversized installation is already excluded.

2.5 Commercial-sector capacity and a balanced market outcome

We dispute the applicants' position that sufficient Australian capacity is available to meet the requirements of our commercial market. Capacity that may be adequate for standard residential windows does not establish the resources needed for complex commercial systems. Based on our experience, it is our opinion that Australia does not presently have sufficient specialist resources to design, engineer and draft all commercial projects nationally within their required programmes, even before the corresponding manufacturing requirement is considered.

We acknowledge the Commission's findings in SEF 691, section 4.7.3 (pages 100-102), that Australian producers supply different building classes and have available production capacity. Our concern is not that no Australian business can undertake commercial work; our own business manufactures in Brisbane. It is that demonstrated capability on particular projects, or unused factory capacity, does not establish sufficient available resources across the whole design-to-manufacture process to meet concurrent commercial demand.

We request a distinct examination of commercial capacity, including available design, engineering and shop-drawing personnel; testing and compliance resources; existing project commitments; suitable manufacturing capability; and achievable delivery programmes. The assessment should distinguish residential capacity from resources genuinely available for commercial work, and examine whether supply decisions reflect these constraints rather than price alone.

We seek a balanced outcome for this specific market: legitimate Australian manufacturing should be protected without overlooking Australian value added through integrated supply models or assuming that all imported commercial systems can readily be replaced locally. These concerns should inform the assessment of comparability, actual competition and injury causation; they are not advanced as an automatic exemption from dumping measures.

Recent submissions reinforce the need to test practical capacity. Vulcan (EPR 527, pp. 1-2) and Extrusions Australia (EPR 523, pp. 1-2), listed on 30 October 2026, support the SEF's capacity findings. Novus (EPR 526, pp. 1-2), Tango Property Group (EPR 546, pp. 2-3) and GIW Environmental Solutions (EPR 545, pp. 2-3) raise practical substitution, delivery and committed-project concerns. We rely on these as competing submissions, not established findings. We ask that capacity be tested against the relevant specifications, quantities, existing commitments and delivery dates, with Australian suppliers given an opportunity to demonstrate their ability to meet those requirements.

To the extent that construction, financing and housing consequences fall outside the Commissioner's statutory assessment, we ask that they be clearly recorded for the Minister's consideration. We recognise the distinction explained in SEF 691, section 2.4.12. We do not assert an existing exemption for previously contracted projects: the Commission's FAQ listed on 28 October 2026 states that earlier ordering or payment does not itself remove securities where exportation occurs after commencement.

3. A focused process to address the timing concern

We request an early discussion with the case team to identify the information needed for a complete and reliable individual assessment, and whether it can be supplied and verified before the final report is due on 16 December 2026. We are willing to coordinate the exporter and importer information, nominate a single contact and assist with targeted document checks and questions.

The proposed starting point is the sales-pricing summary now provided at Appendix A for 1 July 2024 to 30 June 2025. Supporting records would identify the exporter, importer and any intermediary; link transactions to invoices, packing lists and customs records; and explain product specifications, quantities, payment terms, costs and related-party pricing. We ask the Commission to specify the required exporter questionnaire, normal-value evidence and accounting reconciliations, together with a workable delivery timetable.

The assessment should address the investigation period, 1 July 2024 to 30 June 2025. Representative transactions may explain the pricing model, but are not offered as a substitute for the complete period data required by the Commission. Any later-period prices will be separately identified. We do not ask the Commission to waive evidentiary requirements or assume that a short spreadsheet is sufficient to calculate an individual margin.

4. What the pricing evidence is intended to establish

Appendix A is a job-level sales summary, not yet a transaction-level export-price reconciliation. Further evidence must distinguish invoiced export prices from Australian resale or project revenue, costs and services. Any related-party price will require explanation and substantiation. Higher internal prices, an Australian project margin or a profit on manufacture will not be presented as proof of no dumping; the requested assessment must compare the appropriate export price with the applicable normal value, including any adjustments the Commission considers necessary.

The schedule should also identify Australian inputs and services, applicable royalties and the technical scope of the compared products. Any comparison offered to support the market-distortion concern will identify its source and limitations; Kete's confidential prices or costs will not be assumed. Project experience relevant to commercial capacity can be supplied separately from the pricing schedule.

5. Decisions requested before final recommendations

We respectfully request that the Commission:

1. Reconsider, under section 269TACAA(2), whether individual examination of Pearl is practicable in light of a defined evidence and verification programme, addressing the timing conclusion at pages 63–64 of SEF 691.

2. Identify the essential information and delivery dates for that assessment, and provide an opportunity to address material gaps or questions within an agreed timetable.

3. Where a complete, reliable assessment supports it, recommend an exporter-specific outcome for Pearl in place of the residual rate, including a lower or nil dumping rate where justified. Please also advise whether any resulting revised findings warrant a corresponding change to securities.

4. If individual examination remains impracticable, retain Pearl's residual-exporter classification and ensure that its applicable residual rate reflects the final lawful findings for the selected exporters, rather than treating the preliminary 24.4% as fixed regardless of subsequent revisions.

5. Provide written reasons for the decision on this renewed request. If an individual assessment cannot be completed in this investigation, please identify the appropriate statutory process, eligibility requirements and timing for seeking exporter-specific treatment or an assessment of duty after the final decision.

6. Explain how the selection process and residual-rate methodology account for businesses with materially different commercial positions, and consider like-business comparisons that recognise Australian manufacturing, other Australian content, licensing, quality and technical obligations within the applicable legal framework.

7. Examine the licensing-cost comparability issue raised in section 2.2 using verified evidence and explain the consistent treatment of royalties and supply-chain functions, without assuming that Kete pays no comparable royalties or that its lower rate establishes the appropriate rate for Pearl.

8. Provide written clarification of dimensional assessment for the complete tested and engineered system, including integral installation elements and linked staged consignments, addressing the issues in section 2.4 and our separate dimensional submission.

9. Reconsider the capacity and competitive-interaction findings by reference to the actual design, engineering, drafting and manufacturing resources available to the commercial sector, and address the balanced market outcome sought in section 2.5.

6. Supporting schedule, confidentiality and scope

The confidential Appendix A contains the team's sales-pricing summary for July 2024 to June 2025, with FOB and CNF amounts shown separately; the public Appendix A provides a non-confidential summary. We request confirmation of the latest date on which the further substantiation identified in Appendix A can be considered. If supplementary evidence cannot be lodged by 3 November 2026, we seek express agreement to a further date and understand that this request does not extend the submission deadline or ensure acceptance of late material (SEF 691, section 2.2.3, pages 22–23).

The confidential Appendix A contains project-specific prices, quantities and sales amounts, together with commercially sensitive aggregates. Disclosure could reveal commercial pricing and project volumes to competitors. This public version provides a meaningful companion summary in place of those tables. We distinguish recorded figures from derived averages and identify outstanding supporting information; no unsupported financial conclusion is advanced in this submission.

This submission complements, and does not replace, our dimensional clarification submission dated 2 November 2026. It combines the renewed request for individual examination with the market, commercial-comparability, capacity and dimensional concerns set out above. The rate request concerns goods that fall within the investigation, without conceding the treatment of goods whose scope remains in question.

We ask for a prompt response so that any practicable examination can proceed before final recommendations. Our objective is a rate that reflects Pearl's actual circumstances where an individual assessment can lawfully and reliably be completed. We also seek express responses to the broader concerns, so the final findings address the commercial realities of our market rather than price alone.

Yours faithfully,

Rob Jewitt

Facades Management (QLD) Pty Ltd / Pearl Facades

Appendix A - Non-confidential sales-pricing summary

[REDACTED: confidential financial tables and named-project schedule. The complete tables are provided in the confidential version. Project identities, exact areas, sales amounts, unit prices and aggregate financial figures are withheld because they would disclose customer-linked commercial terms, sales volumes and pricing to competitors.]

The schedule contains nine job entries for July 2024 to June 2025, in CNY and square metres. It separates FOB and CNF quantities, sales amounts and area-weighted unit prices. Two entries contain both categories following a reported change in shipping terms. More than half of the reported area and sales value falls in the CNF category.

The CNF category has a higher area-weighted unit price than the FOB category. This is a descriptive comparison across different jobs and delivery terms, not evidence of a price increase for identical goods. Freight inclusions, product differences and price scope remain to be reconciled. A combined mixed-basis average is not a comparable FOB export price.

Weighted unit prices are calculated by dividing the relevant sales amount by the corresponding area, rather than summing individual job prices. The confidential appendix retains the supplied job quantities and sales amounts and explains the calculation basis.

This is a job-level sales summary, not a transaction-level export-price reconciliation. Invoice dates, legal exporter/importer, product dimensions, assembly status, scope exclusions, costs, royalties, normal-value evidence and reconciliation to invoices and accounts require further substantiation. The schedule does not establish an individual dumping margin or absence of dumping.

The public summary preserves the period, coverage, delivery-term categories, calculation method and evidentiary limitations. The request is for a defined process to examine complete and verified evidence; the summary is not offered as a substitute for that evidence.