79 Constitution Avenue
Campbell ACT 2612
02 6245 1300

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The Director – Investigations 1
Australian Trade Remedies Commission
GPO Box 2013
Canberra ACT 2601

**HIA Response to the Statement of Essential Facts - 691 - Aluminium Windows and Doors from China**

**Introduction**

Thank you for the opportunity for the Housing Industry Association (HIA) to provide a submission in response to the Trade Remedies Commission's Statement of Essential Facts (SEF) relating to the investigation of alleged dumping and subsidisation of aluminium windows and doors imported from China.

HIA represents participants across the entire residential building supply chain, including manufacturers, fabricators, suppliers, distributors, importers and residential builders. As a result, HIA members have legitimate interests and concerns on all sides of this matter.

HIA respects Australia's trade remedies framework and the role of the Commission in assessing allegations of dumping and subsidisation. Australian manufacturers are entitled to seek relief where unfair trade practices are found to have caused material injury, and such claims should be subject to robust examination through established processes.

This submission does not seek to challenge the integrity of that process or pre-empt the Commission's final findings. Rather, HIA's focus is on the broader implications of any measures for housing supply, affordability, project delivery, supply chain resilience and the long-term competitiveness of both Australian manufacturing and construction.

Importantly, this investigation raises questions that extend beyond aluminium windows and doors and beyond the immediate application of anti-dumping and countervailing measures.

At its core, this matter highlights a broader policy challenge for Australia: how to improve the competitiveness of domestic manufacturing within an increasingly connected and globally integrated supply chain. While trade remedies may play an important role where unfair trading practices are identified, they do not address the underlying structural pressures continuing to affect the competitiveness of Australian manufacturers, including energy costs, labour shortages, regulatory burdens, logistics costs, taxation settings and weak productivity growth.

HIA submits the pressing need for a long-term and sustainable domestic manufacturing strategy focussing not only on responding to unfair trade practices but also addressing the fundamental factors that influence Australia's attractiveness as a place to manufacture, invest and create jobs.

The residential construction sector operates within global supply chains that provide access to products, materials, technology and manufacturing capability from across multiple jurisdictions. Any policy response should therefore recognise the integrated nature of modern construction supply chains and carefully consider the potential implications for housing affordability, project feasibility, supply chain resilience and housing delivery outcomes.

HIA is also concerned by the level of confusion and uncertainty that has arisen across the construction sector following the Preliminary Affirmative Determination (PAD). The commencement of interim measures has generated significant questions regarding their practical operation, the treatment of projects already underway, the impact on existing contracts and procurement commitments, and the potential financial exposure facing builders, suppliers and consumers.

Furthermore, public reporting surrounding anti-dumping investigations can sometimes blur the distinction between allegations of dumping and questions of product quality, compliance or safety. This risks creating an unintended perception that imported products subject to trade remedy investigations are inherently unsafe, non-compliant or of inferior quality.

HIA therefore encourages both the Commission and Government to provide clear, proactive and consistent public communication throughout this process. Stakeholders should be able to clearly distinguish between trade remedy investigations concerning pricing conduct and broader regulatory requirements relating to product compliance, building quality and public safety.

Failure to provide this clarity risks unnecessary market uncertainty, confusion for consumers and reputational impacts for compliant products already installed throughout Australia's built environment.

Against this backdrop, HIA's submission focuses on ensuring that any final measures appropriately balance the objectives of supporting Australian manufacturing, maintaining confidence in Australia's trade remedy system and avoiding unintended consequences for housing supply, affordability and project delivery.

**Australia needs both a strong manufacturing sector and strong housing construction sector**

Australia benefits from both a strong domestic manufacturing sector and a strong residential construction industry. These should not be viewed as competing policy objectives.

Australian manufacturers play a critical role in supporting jobs, investment, innovation, skills development and sovereign capability throughout the housing supply chain. Equally, builders rely on competitive, reliable and efficient supply chains to deliver housing at a scale and price point that meets national housing objectives.

At a time when governments at all levels are seeking to substantially increase housing supply, policy settings should support both objectives simultaneously.

The residential construction sector continues to face significant pressures, including elevated construction costs, labour and skills shortages, financing constraints, increasing regulatory burdens and ongoing housing affordability challenges. Any policy intervention increasing building costs must be considered in the context of its broader implications for housing delivery and affordability.

**Impact of the Preliminary Affirmative Determination**

HIA's principal concern relates to the immediate commencement of interim measures and the practical consequences this creates for businesses operating under existing commercial arrangements.

The Preliminary Affirmative Determination (PAD) has created significant uncertainty for projects already contracted, approved or underway. Many businesses have entered into procurement commitments and fixed-price contracts in good faith, based on commercial decisions made months, and in some cases years, before the commencement of interim measures.

The immediate application of duties and securities has altered those commercial assumptions and created uncertainty regarding project feasibility, contractual obligations, procurement decisions and cost recovery.

Builders, suppliers and manufacturers have limited capacity to absorb significant and unforeseen cost increases once contractual commitments have been made. These impacts are particularly acute in the apartment, multi-residential and large-scale housing sectors where aluminium window and door systems often represent a substantial project cost and an integral component of façade packages.

While HIA respects the integrity of Australia's trade remedies framework, the immediate commencement of interim measures has generated widespread uncertainty regarding the treatment of existing contracts, procurement commitments and supply arrangements throughout the construction supply chain.

**Transitional relief and project-based considerations**

HIA submits that the Commissioner, and ultimately the Minister in considering any final measures, should carefully examine whether the proposed duties and securities can be implemented in a manner that minimises unintended consequences for housing supply, project delivery and businesses operating under fixed-price contractual arrangements.

The existence of an investigation should not, of itself, be taken as evidence that industry participants could reasonably account for the potential impact of duties or securities in their commercial arrangements.

While the investigation has been underway for some time, the timing, scope and magnitude of any interim or final measures remained uncertain throughout that period. Businesses could not reasonably anticipate whether measures would ultimately be imposed, the suppliers to which they would apply, or whether applicable rates would be modest or substantial.

This challenge is particularly pronounced for aluminium windows and doors.

Unlike many building materials that are procured progressively throughout a project, window and door systems are typically high-value and highly specified products that are ordered later in the construction cycle following detailed design, engineering, certification and procurement processes.

For apartment and higher-density residential developments, façade, glazing, window and door packages frequently represent one of the largest procurement components within a project. As a result, increases in the cost of these products can have a materially greater impact on project feasibility than many other construction inputs.

HIA therefore submits that consideration should be given to both transitional arrangements and project-based implementation mechanisms for developments substantially committed prior to the commencement of interim measures.

Such mechanisms would recognise the unique commercial realities of residential construction while maintaining the integrity of Australia's trade remedies framework.

**Improving Australian manufacturing competitiveness must be the long-term focus**

While anti-dumping and countervailing measures may be appropriate where unfair trading practices are established, they do not in themselves address the structural factors affecting the competitiveness of Australian manufacturing.

This investigation has understandably focused on the conduct of exporters and importers. However, it also highlights broader challenges facing Australian manufacturers that extend well beyond this specific product category.

Manufacturers continue to identify significant structural pressures including:

- High energy prices and concerns regarding long-term energy reliability;
- Labour and skilled trades shortages;
- Escalating workplace relations obligations;
- Increasing compliance and regulatory costs;
- Rising insurance costs;
- Logistics and freight expenses;
- Taxation and investment settings;
- Planning and approval constraints; and
- Persistently weak productivity growth.

These factors materially affect the competitiveness of Australian manufacturing and cannot be resolved solely through the application of duties, securities or tariffs.

If Australia's objective is to strengthen sovereign manufacturing capability, encourage investment and support local jobs, greater policy attention should be directed towards addressing these underlying challenges.

Without broader competitiveness reforms, anti-dumping measures risk functioning primarily as a punitive intervention rather than a long-term solution. While they may alter relative pricing outcomes, they do not necessarily improve productivity, reduce business costs or increase Australia's attractiveness as a location for manufacturing investment.

There is also no guarantee that higher duties will result in a material shift toward Australian-made products. In many circumstances, supply chains may instead diversify sourcing toward alternative international suppliers and jurisdictions.

Such an outcome could increase costs throughout the housing supply chain without necessarily delivering the intended gains in domestic manufacturing investment, capability or productivity.

HIA therefore submits that trade remedies should be viewed as one component of a broader manufacturing competitiveness agenda rather than as a substitute for policies that improve Australia's productivity, investment environment and cost competitiveness.

**Government communication, product compliance and consumer confidence**

HIA is concerned that anti-dumping decisions of this nature can be misunderstood by consumers, policymakers and market participants as a reflection on product quality, building safety or compliance with Australian standards.

The matters examined through this investigation relate to allegations of dumping, subsidisation and material injury. They do not constitute an assessment of product quality, compliance with the

National Construction Code, compliance with Australian Standards or the safety of products currently used in Australian homes and buildings.

Given the public profile of this matter, HIA encourages both the Commission and the Australian Government to provide clear and consistent public communication that:

- Distinguishes anti-dumping findings from product quality and compliance matters;
- Reinforces that imported products can and do meet Australian building standards and regulatory requirements;
- Confirms that compliance obligations apply equally to imported and domestically manufactured products; and
- Avoids creating an unintended perception that products subject to anti-dumping measures are inherently unsafe, inferior or non-compliant.

Particular care should be taken to avoid commentary that may unintentionally imply that imported products are ‘dodgy’ or unsuitable for use in Australian construction simply because they are subject to a trade remedies investigation.

Failure to provide this clarity risks causing confusion among consumers, builders, developers and building owners while potentially undermining confidence in compliant products already installed throughout Australia's built environment.

HIA's longstanding position remains that all building products, regardless of origin, must comply with the National Construction Code, relevant Australian Standards and all applicable regulatory requirements. Quality, safety and compliance are non-negotiable.

**Broader implications for the residential building supply chain**

While this investigation is focused on aluminium windows and doors, its implications extend well beyond this specific product category.

Similar concerns regarding import competition have been raised across a range of building product sectors including steel products, engineered timber products, cladding systems, insulation products, cabinetry and joinery materials, hardware products and other manufactured construction inputs.

HIA submits careful consideration should be given to the precedent that may be established by this matter and the cumulative impacts that could arise if similar applications result in duties, securities or tariffs across multiple construction product categories.

While each application should clearly be assessed on its individual merits, the cumulative impact of multiple trade remedy measures across essential building products has the potential to impose significant additional costs on residential construction.

Individually, a particular measure may appear manageable. Collectively, however, multiple measures applied across a broad range of construction inputs may significantly affect:

- Housing affordability;
- Apartment and medium-density project feasibility;
- Product availability;
- Supply chain resilience;
- Construction costs;
- Housing supply objectives; and
- The ability of governments to achieve national housing targets.

The Commission should therefore be mindful not only of the direct impacts associated with this investigation but also the broader precedent created for future applications involving other construction product categories.

**HIA Recommendations**

In response to the issues identified throughout this submission, HIA calls on the Commissioner to recommend, and the Minister to adopt where appropriate, the following measures to ensure the objectives of Australia's trade remedies framework are achieved without creating unnecessary disruption to housing supply, affordability and project delivery.

**Recommendation 1: Implement transitional arrangements for existing projects and contracts**

HIA recommends the Australian Government establish appropriate transitional arrangements to protect projects that were substantially committed prior to the commencement of interim measures.

These arrangements should recognise:

- Existing fixed-price construction contracts;
- Procurement commitments entered into prior to the PAD;
- Projects already under construction;
- Products already ordered, manufactured or in transit; and
- Developments where financing, feasibility and commercial decisions were finalised before the commencement of duties or securities.

Businesses should not be penalised for commercial commitments entered into in good faith before the timing, scope and magnitude of any measures could reasonably have been known.

**Recommendation 2: Adopt a phased implementation framework**

HIA recommends the Government adopt a phased implementation framework for any final anti-dumping or countervailing measures.

This should include:

- A staged commencement period;
- Progressive implementation of duties or securities over time;
- Reduced initial rates where appropriate;
- Clear implementation guidance for affected businesses; and
- Sufficient adjustment periods to allow procurement and contracting practices to respond.

The objective should be to maintain the integrity of the trade remedies system while minimising unintended disruption to housing construction activity.

**Recommendation 3: Establish project-based exemptions for existing commitments**

HIA recommends the Government establish a project-based exemption mechanism for projects that were materially committed prior to the commencement of interim measures.

Such exemptions should be available to:

- Projects operating under fixed-price contracts;
- Apartment and multi-residential developments with committed façade and glazing packages;
- Projects with approved procurement programs;
- Products already purchased or contracted for supply; and

- Developments where significant commercial decisions were made prior to the PAD.

Given the unique nature of window and door systems as high-value, highly specified products procured relatively late in the construction cycle, project-based relief is necessary to avoid unfairly exposing businesses to costs that could not reasonably have been anticipated.

**Recommendation 4: Undertake a formal review after 12 months**

HIA recommends the Government commit to a formal review of any measures after 12 months of operation.

The review should assess:

- Whether dumping or subsidisation behaviours have materially changed;
- Whether domestic manufacturing capacity and investment have increased;
- The impact on housing costs and housing affordability;
- The impact on project feasibility and housing supply;
- Changes in product availability and supply chain resilience;
- The degree of supply chain diversification; and
- Any unintended consequences experienced by manufacturers, suppliers, builders or consumers.

The review should inform whether measures should be maintained, amended, phased down or strengthened.

**Recommendation 5: Improve public communication and industry guidance**

HIA recommends the Commission and Australian Government implement a coordinated communications strategy regarding anti-dumping investigations affecting building products.

Specifically, government should clearly communicate that:

- Anti-dumping investigations relate to pricing practices and market conduct;
- They are not assessments of product safety or quality;
- They are not determinations regarding compliance with Australian Standards;
- They are not assessments of compliance with the National Construction Code; and
- Imported products can and do comply with Australian regulatory requirements.

Government should actively correct any suggestion that products subject to anti-dumping investigations are inherently unsafe, non-compliant or ‘dodgy’.

This is critical to maintaining consumer confidence and preventing misconceptions that could unnecessarily undermine confidence in existing buildings, projects and compliant products already in the market.

**Recommendation 6: Develop a national manufacturing competitiveness agenda**

HIA recommends governments use this investigation as a catalyst to address the underlying causes of Australia's manufacturing competitiveness challenges.

Priority should be given to reforms that improve:

- Energy affordability and reliability;
- Labour force participation and skills availability;
- Productivity performance;
- Workplace relations flexibility;

- Freight and logistics efficiency;
- Investment attraction;
- Regulatory efficiency; and
- The overall cost of doing business in Australia.

Trade remedies may address the symptoms of international competition. Long-term manufacturing success will only be achieved by addressing the factors that determine whether Australian businesses can compete globally.

**Recommendation 7: Monitor the cumulative impact of trade remedies on housing supply**

HIA recommends the Government assess the cumulative impact of anti-dumping and countervailing measures across the residential building supply chain.

This assessment should recognise that similar concerns are being raised in relation to a range of building products including steel, engineered timber, cladding systems, cabinetry, joinery components and other manufactured construction materials.

Government should establish a mechanism to monitor the aggregate impact of these measures on:

- Housing affordability;
- Construction costs;
- Residential project feasibility;
- Product availability;
- Supply chain resilience; and
- National housing supply objectives.

Trade remedies may be justified on a product-by-product basis. However, governments should ensure that the cumulative effect of multiple interventions does not inadvertently undermine Australia's broader housing objectives.

**Recommendation 8: Convene an urgent building industry and manufacturing competitiveness roundtable**

HIA recommends the Minister for Industry, in consultation with the Minister for Housing and the Minister for Trade, convene as a matter of urgency a building industry and manufacturing competitiveness roundtable comprising key representatives from the residential construction and building products supply chain.

Participation should include:

- Australian building product manufacturers;
- Residential builders;
- Apartment and multi-residential developers;
- Building product suppliers and distributors;
- Relevant industry associations;
- Housing policy stakeholders; and
- Relevant Commonwealth agencies.

The purpose of the roundtable should be to develop a coordinated framework to improve the long-term competitiveness of Australian building product manufacturing while supporting housing affordability and housing supply objectives.

The roundtable should examine:

- The competitiveness challenges facing Australian building product manufacturers;

- Energy affordability and reliability;
- Skills shortages and workforce capability;
- Productivity and innovation opportunities;
- Regulatory and compliance costs;
- Investment and taxation settings;
- Domestic manufacturing capability and sovereign resilience;
- Supply chain diversification and resilience;
- Housing affordability impacts; and
- The interaction between manufacturing policy and national housing supply objectives.

This investigation has highlighted the close relationship between domestic manufacturing capability, housing construction costs and housing supply outcomes. These issues cannot be considered in isolation.

HIA believes there is merit in developing a national framework for building product manufacturing competitiveness that recognises the importance of both a strong domestic manufacturing sector and the efficient delivery of new housing.

**Conclusion**

HIA respects the integrity of Australia's trade remedies framework and recognises the right of Australian manufacturers to seek remedies where unfair trading practices are demonstrated and material injury is established.

However, Australia requires both a strong domestic manufacturing sector and a strong residential construction sector. These outcomes are complementary and should not be viewed as competing policy objectives.

Accordingly, HIA encourages the Commissioner, and ultimately the Minister, to adopt transitional arrangements, phased implementation mechanisms, project-based relief measures and formal review processes that minimise disruption to projects already committed while maintaining confidence in Australia's trade remedies system.

Most importantly, this investigation should serve as a catalyst for a broader national discussion regarding Australian manufacturing competitiveness, housing affordability and the operation of increasingly integrated global supply chains.

Long-term success will be achieved not only through trade remedies where justified, but through policy settings that improve productivity, encourage investment, strengthen manufacturing capability and support the delivery of new housing across Australia.

An urgent industry-government roundtable led by the Minister for Industry would provide an important opportunity to bring together manufacturers, builders, suppliers and housing stakeholders to develop a practical reform agenda that strengthens domestic manufacturing capability while supporting housing affordability, housing supply and economic growth.

HIA would welcome the opportunity to meet and outline these concerns in further detail.

Yours sincerely
HOUSING INDUSTRY ASSOCIATION LIMITED



Simon Croft
Chief Executive – Industry & Policy