CAPRAL ALUMINIUM
SHAPING THE FUTURE

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16 November 2026

Director
Investigations 1
Australian Trade Remedies Commission
GPO Box 2013
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Email: investigations@atrc.gov.au

Dear Director,

Public File

Revocation Review No. 667 – Aluminium Extrusions exported from Malaysia

I. Introduction

Capral Limited (**Capral**) refers to the submission by Press Metal Aluminium (Australia) Pty Ltd (**PMAA**) dated 8 November 2026, which proposes changes to the model control code (**MCC**) structure for PMB Aluminium Sdn Bhd (**PMBA**), provides level of trade (**LoT**) information and refers to additional domestic sales and cost data (**the PMAA submission**).[1]

Capral submits that the Commission should not have regard to the PMAA submission given its timing and, in any case, that the MCC changes and date of sale proposed by PMAA should not be adopted.

II. Review periods misstated

The PMAA submission is premised on two …*investigation periods*… of 1 March 2024 to 30 April 2025 and 1 March 2025 to 30 April 2026, however neither is a review period in REV 667. The initial review period is the 12 months ending 31 March 2025, and the revised review period is the 12 months ending 31 March 2026.[2]

The periods described by PMAA are each 14 months, include months that fall outside both review periods (March 2024 and April 2026), and overlap with each other by two months (March and April 2025). To the extent PMAA's analysis (including the powder cost ranges, the MFFC price differential and the proposed NPC/SPC threshold) has been prepared on this basis, it may not relate to either review period and may double count transactions.

The Commission should therefore confirm how PMAA's data and analysis, and the updated workbooks uploaded on 28 August 2026, have been presented, and that any information relied on for the variable factors is confined to the revised review period.

III. The PMAA submission is late

On 5 November 2026 the Commissioner extended the due date for the Statement of Essential Facts (**SEF**) from 11 November 2026 to 24 February 2027. The stated basis was that additional time was required to complete verification activities and analyse further information and submissions from stakeholders, having regard to the complexity of the case and operational requirements.[3]

[1] EPR 667, item 27.
[2] Anti-Dumping Notice No 2025/026 and ADN No 2026/082; see also the Commission's file note of 27 October 2026 (EPR 667, item 25).
[3] Trade Remedies Notice No 2026/156 (EPR 667, item 26).

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That position was reached before the PMAA submission was placed on the public record on 8 November 2026 – three days after the extension was granted, and three days before the SEF was originally due. The submissions from stakeholders referred to in the extension notice are those already before the Commission. The representations now made by PMAA were therefore not a relevant consideration in the extension, and the additional time was not granted to accommodate them.

Capral notes PMAA's statement that the submission was previously uploaded on 28 August 2026. However, the representations were not on the public record, and interested parties had no opportunity to see or respond to them, until 8 November 2026. PMAA also acknowledges that the additional five months of domestic data was not reflected in PMBA's earlier submission.[4]

A restructured MCC, a new LoT methodology and a change to the date of sale are cornerstones of the dumping margin calculation. Raised at this stage, with verification activities passed, they would require the Commission to revisit the comparison of PMBA's domestic and export sales and to seek and verify further data. These representations are substantially late, may further delay the SEF and should be disregarded.

The Review Panel recently considered the disregarding of a late submission in ADRP Report No 182.[5] The Panel Member referred to the Federal Court's observation in Pilkington that the scheme's timelines point to *…a clear legislative intention that the investigation is to be a timely one…*, and to the Second Reading Speech, which made clear that interested parties are subject to a discipline requiring their submissions to be lodged promptly, failing which the statutory deadlines would not be met.[6] The Panel Member accepted the Commissioner's decision not to consider a submission received late, when substantive steps towards finalising the report were already underway, as a sufficient justification for the exercise of that power.[7] The same considerations apply here.

IV. Timing of representations

Capral accepts that disregarding the submission is, in part, an administrative matter concerned with timely case outcomes. It must nonetheless be asked why PMAA is making these representations now.

PMAA correctly points out that all powder coated finishes have been grouped under a single PC MCC in previous investigations. PMBA has held relevant sales and cost data since this review was initiated in March 2025, and has not previously suggested that the PC MCC fails to support a fair comparison.

A proposal to divide the MCC by reference to a powder cost threshold that PMBA has derived itself, alongside an alternative LoT methodology and a change in date of sale, put forward at the end of the review rather than the outset, has the appearance of a results-oriented exercise. It follows PMAA's earlier request that the review period be extended to 24 months.[8]

V. Two-period analysis

PMAA states that its MCC proposal follows a detailed analysis of *…the two investigation periods…*, and requests the Commission to consider the proposed MCC structure, LoT information and additional data *…in its analysis of the two IPs*.[9]

The Commission's file note of 27 October 2026 contradicts this. It states that while the Commission will consider relevant and reliable information across both the initial and revised review periods in examining whether the

[4] PMAA submission, cover page and section 3.
[5] Anti-Dumping Review Panel, *Report No 182 – Hollow Structural Sections exported to Australia from the People's Republic of China, the Republic of Korea, Malaysia and Taiwan*, October 2026, [155]–[161]. That matter concerned a late submission in response to the SEF.
[6] *Pilkington (Australia) Ltd v Minister for Justice and Customs* [2002] FCA 770, [40]–[41], cited in ADRP Report No 182, [156]–[157].
[7] ADRP Report No 182, [159]–[160].
[8] Corrs Chambers Westgarth submission on behalf of PMBA and PMAA, 5 August 2026.
[9] PMAA submission, sections 1 and 5.

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measures are no longer warranted, any alteration of the notice in relation to PMBA will have regard to variable factors calculated using information from the revised review period only, as the most contemporary period. [10] Verification is therefore focused on that period.

The MCC structure, LoT and date of sale are matters for the calculation of variable factors. PMAA's position on MCCs across the two periods is therefore irrelevant to the Commission's assessment.

VI. Powder coated finishes

PMAA's position for dividing the PC MCC into NPC and SPC relies on powder costs from two sources – PMBA's actual powder purchases, and supplier quotations PMBA obtained for the powder colours used on jobs outsourced to external coaters.[11]

On a direct reading, it is not clear why PMBA would obtain quotations for outsourced work. Where coating was outsourced, PMBA did not purchase the powder, and its cost is the amount it paid the external coater. Quotations obtained after the event, for powder PMBA did not buy, are not costs incurred by PMBA.

The required assessment is PMBA's actual costs incurred in powder coating, whether in-house or outsourced, as recorded in its accounts and verified by the Commission. It is not recently obtained quotes that are then said to show a variation demonstrating the need for separate MCCs. Powder is one input to the coating process, and a range in its price does not of itself establish a material difference in the cost to make and sell, or the selling price, of the finished extrusion.

Further, the proposed threshold is cost-based rather than a physical characteristic of the goods, is derived by PMBA from its own new assessment, and is redacted in the public version so that interested parties cannot assess it. Capral has not addressed the proposed MFFC MCC or the LoT methodologies in detail, given its primary position that the submission should be disregarded, but reserves its position on them.

VII. Date of sale

PMAA states that if the order date is used as the date of sale, an additional five months of domestic sales and cost data is required.

Capral objects to the use of order date, and submits invoice date is the appropriate date of sale. Invoice date is the Commission's normal approach as it is the date at which the material terms of sale (in particular price, which for aluminium extrusions moves with the LME and regional premiums) are established, and it is the date recorded in PMBA's accounting system against which sales can be reconciled and verified.

According to PMAA, adopting order date would also require sales and cost data from outside the revised review period, which is inconsistent with the Commission's approach to the variable factors set out in its file note.

VIII. Conclusion

Considering the above, Capral requests that the Commission:

- confirm the basis on which PMAA's data and analysis have been presented, given the misstated review periods;
- disregard the PMAA submission as late; and
- in any case, maintain the existing PC MCC, retain invoice date as the date of sale, and confine the variable factors to verified data for the revised review period.

[10] File note, 27 October 2026 (EPR 667, item 25), pp. 1–2.
[11] PMAA submission, section 1.1.

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If you have any questions concerning this submission, please do not hesitate to contact Capral's representative Mr Chad Uphill on 0412 377 603.

For and on behalf of the Australian aluminium extrusion industry.