PUBLIC SUBMISSION

Investigation 691 – Request for Transitional Consideration for a Private Household Import

Submission in Response to Statement of Essential Facts 691

Submitted by: Private Household Importer (END USER) – Perth, Western Australia

Dear Commissioner,

I am writing in response to Investigation 691 regarding aluminium windows and doors exported from China.

I have already contacted both ATRC Client Support and NTIS about our situation. I understand from their responses that our shipment does not qualify for the current “Goods on the Water” treatment because the goods had not yet been exported when the securities came into effect. I also understand that there is currently no individual exemption available for our circumstances.

ATRC Client Support kindly suggested that I make a submission to Investigation 691 to explain our concerns.

I am therefore not writing to argue against Australia's anti-dumping system or to say that the current rules should simply be ignored for us. I would like to explain what happened to our family and ask whether families in circumstances like ours could be considered for some form of transitional relief, even if a full exemption is not possible.

1. We are an ordinary family importing these windows for our own home

My husband and I are not builders, developers, window importers or resellers.

We are simply renovating our family home and decided to purchase aluminium windows and doors directly from China mainly because it was more affordable for our family.

These windows and doors are only for our own home. We are not reselling them and we will not make any profit from importing them.

One of the existing windows in our home was also accidentally broken by our young child and has had to be temporarily secured with tape. This is part of the reason why completing the renovation is important to us.

For us, this was simply a household purchase for our own home.

2. Before the PAD was announced, we had already done almost everything we could

By the time PAD 691 was announced on 14 October 2026, our transaction was already very far along.

The windows and doors had been fully paid for.

They had already been manufactured.

They had left the manufacturer and were delivered to our freight forwarder's warehouse on **12 October 2026**.

Shipping arrangements were also being made, with the shipping space confirmed on **14 October 2026**.

We have documents showing the payments, the warehouse receipt, the shipping arrangements and our communications with the supplier and freight forwarder.

From our point of view as ordinary purchasers, there was very little left for us to do.

The goods were no longer sitting with the manufacturer waiting for us to decide whether to buy them. They had been paid for, completed and delivered into the freight forwarding process.

We had already done almost everything that was reasonably within our control before we became aware of the PAD.

3. The final export date was not something we could control

Our goods are being shipped as LCL (less-than-container-load) cargo.

This means we do not have our own container. Our goods have to share a container with cargo belonging to other customers.

After our goods arrived at the freight forwarder's warehouse, the forwarder had to wait for and consolidate other cargo before arranging the final container loading and export.

We could not tell the freight forwarder to seal and export the container immediately just because our own goods were ready.

This is why we feel our circumstances are quite close, in a practical sense, to the idea behind the “Goods on the Water” treatment.

We understand that technically they are different.

The FAQ explains that goods ordered or paid for before the securities came into effect can still be subject to securities if they were not exported before the relevant date. We accept that this is the current rule.

However, from our family's point of view, the difference came down largely to when the freight forwarder was able to consolidate the LCL container and export it.

We had already paid all the money and handed the completed goods into the freight forwarding process.

That is why we hope the Commission can consider not only the actual export date, but also how far a transaction had already progressed before the PAD and whether the remaining timing was actually within the importer's control.

4. Neither our family nor the manufacturer was aware of the investigation

When we purchased the windows and doors, we were unaware that these products were under an Australian anti-dumping and countervailing investigation.

As ordinary end consumers making a one-off purchase for our family home, we would not normally follow Australian trade remedy investigations. The Chinese manufacturer we purchased from does not specialise in exporting windows and doors to Australia and was also unaware of the investigation.

By the time the PAD was announced, we had already paid the full purchase price, and the manufacturer had completed production and delivered the goods to our freight forwarder. Both sides had completed their parts of the transaction before the new securities were announced.

Had we known about the investigation and the potential additional costs, we might have reconsidered the purchase or encouraged our manufacturer to participate in the investigation.

We understand that being unaware of an investigation does not automatically justify an exemption. However, we hope the Commission will recognise that neither side had a meaningful opportunity to change a transaction that had already been completed before the PAD announcement.

5. We seriously considered stopping the shipment when we found out

When we learned about the PAD-related developments on 14 October, we did not simply ignore them and continue as though nothing had happened.

We immediately discussed with our freight forwarder whether we should give up the shipping arrangement and wait until the investigation outcome became clearer.

We have the original messages showing this discussion.

However, by then the goods had already been fully paid for and manufactured, had already left the supplier and had been sitting at the freight forwarder's warehouse since 12 October.

Stopping the shipment at that stage would not undo the purchase. It would simply leave our completed windows and doors sitting in China for an uncertain period and significantly delay our home renovation.

After discussing it, we decided to continue with the shipment.

We hope this also shows that we were not knowingly starting a new import after the PAD.

We had already committed to the purchase before we knew about it and were trying to work out what to do with a transaction that was already almost complete.

6. For an ordinary family, this is not a business cost

We understand that anti-dumping measures mainly deal with international trade and commercial imports.

However, the impact on a private family like ours is quite different from the impact on a business importing products as part of its normal commercial activities.

A builder, developer or commercial importer may import windows and doors as part of an income-generating business. An unexpected increase in import costs can certainly hurt that business, but it is still a cost arising in a commercial activity.

Depending on the circumstances, a business may be able to manage increased costs through its pricing, profit margin, future purchasing decisions or charges to customers.

Our family cannot do any of those things.

We have no customer to pass this cost on to.

There is no profit margin from selling these windows.

There is no business income generated by importing them.

Every additional dollar ultimately has to come directly from our household income and savings.

Like many ordinary Australian families, we are already dealing with high living costs and significant mortgage repayments.

We have to be careful about how we use our savings, and affordability was one of the main reasons we decided to purchase the windows and doors directly from China in the first place.

We were not trying to import cheap windows and then resell them for profit.

We were simply trying to make the renovation of our own family home financially achievable.

The sudden additional cost has therefore felt like an enormous financial blow to our family.

It came after we had already committed our money to the purchase, at a point when we had very little practical ability to change what had already happened.

We understand that rules cannot be changed simply because they create financial difficulty for an individual family.

But we hope the real impact on ordinary families caught unexpectedly during this transition can still be taken into consideration.

7. What we are asking the Commission to consider

We respectfully ask the Commission to consider a narrowly defined transitional exemption for genuine private households importing goods for their own homes, where the purchase had already been completed before the PAD announcement.

Specifically, we request that eligibility for transitional relief be considered based on either of the following dates, rather than solely on the date of exportation:

- **Final payment date:** The full purchase price, including the final balance, was paid before the PAD announcement on 14 October 2026; or
- **Freight forwarder receipt date:** The finished goods had been delivered to the freight forwarder's warehouse before the PAD announcement.

In our case, both conditions were satisfied. The goods had been fully paid for and were delivered to the freight forwarder's warehouse on **12 October 2026**. We can provide payment records, supplier communications and the warehouse receipt to verify these facts.

We believe these criteria would provide a reasonable and verifiable way to distinguish genuine household purchases completed before the announcement from purchases made after the new securities became known.

We therefore ask whether qualifying goods could be exempted from the provisional securities and any subsequent dumping or countervailing duties. If securities must be provided initially, we ask whether they could subsequently be released or refunded under an appropriate lawful arrangement.

We understand from the Commission's correspondence that the Commissioner does not currently have the power to grant transitional relief solely on the basis of earlier payment or manufacture.

If this proposal cannot be accommodated under the existing legal framework, we respectfully ask that it be brought to the Minister's attention as part of the Final Report and Recommendation, including whether any lawful mechanism or policy change could address these circumstances.

If a full exemption is not possible, we would sincerely appreciate consideration of any lawful partial relief or other transitional arrangement that could reduce the unexpected financial burden on affected families.

Conclusion

We understand the purpose of Australia's anti-dumping system and we are not asking the Commission to ignore the interests of Australian industry.

We are simply asking that the circumstances of ordinary families caught in the transition also be considered.

We did not know about Investigation 691 when we purchased our windows and doors.

Our manufacturer, which does not specialise in exporting windows and doors to Australia, was also unaware of the investigation during our transaction.

If we had known, we would have acted differently. We may not have purchased the windows from China at all, or we would at least have asked our manufacturer and exporter to become involved in the investigation.

But we cannot go back and change a decision using information that we did not have at the time.

Before the PAD was announced, we had already paid for the goods, the windows and doors had been manufactured, they had left the supplier, and they had been delivered to the freight forwarder.

Both our family and the manufacturer had completed our respective parts of the transaction before the securities were announced.

The remaining export timing depended largely on LCL consolidation and shipping arrangements that were outside our control.

We cannot predict the future. We can only make reasonable decisions based on the information available to us at the time.

We therefore sincerely ask the Commissioner to consider our proposal for a narrowly defined transitional exemption based on the final payment date or the date the finished goods were received by the freight forwarder before the PAD announcement.

If this cannot be accommodated under the existing legal framework, we respectfully ask that our circumstances and proposal be raised with the Minister.

Even if a full exemption is not possible, any reasonable degree of transitional relief would make an enormous difference to our family.

Thank you very much for taking the time to read our submission and consider our circumstances.

Kind regards,

[Name withheld – personal information]
Perth, Western Australia

Supporting Documents

The following supporting evidence is available to the Commission upon request. Documents containing personal or commercially sensitive information can be provided confidentially.

1. Payment record screenshots showing that the final payment was made before PAD 691.
2. Freight forwarder warehouse receipt showing delivery on 12 October 2026.
3. Shipping booking and freight forwarder communications from 14 October 2026, including the discussion about whether to stop or delay the shipment after learning about the PAD.
4. Supplier communications showing completion and delivery of the goods.
5. Phone screen recording supporting the authenticity and timing of the relevant communications.
6. Photographs of the damaged window at our family home.
7. ATRC Client Support correspondence advising that no existing exemption is available and suggesting that we make a submission to Investigation 691.
8. NTIS correspondence confirming that the shipment does not qualify for the current Goods on the Water treatment and explaining the applicable security arrangement.