3 November 2026

Australian Trade Remedies Commission
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Public File

Investigation No. 691 concerning Aluminium Windows and Doors from China

Dear Director,

1. Introduction

This submission is made jointly by the Australian Glass and Window Association (**AGWA**) and Ventora Group Pty Ltd (**Ventora**) (collectively, **the applicants**) in Investigation 691 (**INV 691**) concerning aluminium windows and doors (**AWDs**) exported to Australia from the People's Republic of China (**China**).

The applicants make this submission in response to Statement of Essential Facts No. 691 (**SEF 691**), published on 14 October 2026.[1]

Having reviewed SEF 691 and the evidence on record, the applicants support the Commissioner's preliminary findings that the goods exported from China were dumped, that the Australian industry has suffered material injury caused by dumped and subsidised imports, and that dumping and subsidisation may continue. The applicants also support the preliminary affirmative determination and the taking of securities from 15 October 2026.[2]

The applicants submit, however, that the following matters warrant further consideration in the final report:

- the exemption applications;
- the basis on which certain of the goods exported to Australia by certain Chinese exporters were matched to normal values, which SEF 691 does not wholly explain;
- the proposed termination of the dumping investigation in respect of Altop Facade Co., Ltd (**Altop**);
- the export prices and normal values determined for Foshan AMJ Windows and Doors Co., Ltd (**Foshan AMJ**) and Guangdong Yuanjiang Facade Co., Ltd (**Yuanjiang**);

[1] EPR 691, document no. 501.
[2] SEF 691, sections 1.2, 1.2.1 and 13.3, pp. 10–12 and 216–217.

- the glass and aluminium extrusion benchmarks, and the consistency with which the Commission has assessed whether exporters' input costs were formed in normal and ordinary circumstances; and
- several further matters relevant to the residual and uncooperative rates, the subsidy findings, and the form of measures.

These matters are relevant to the measures proposed in SEF 691.

2. Observations on SEF 691

The applicants support the Commissioner's preliminary findings concerning the goods and like goods, the Australian industry, the Australian market, the particular market situation (**PMS**) in China, and the material injury caused by dumped and subsidised imports.[3]

The goods – window wall

SEF 691 finds that window wall falls within the goods description and constitutes like goods, and that window wall is distinct from curtain wall, which is the only product specifically excluded.[4] The applicants agree with that conclusion.[5] Having assessed the competing submissions, the Commission found that:

- window wall is made from aluminium framing and glass, being the primary raw materials of AWDs, and can comprise fixed and operable aluminium-framed window and door elements;[6]
- the applicable Australian Standard does not determine whether a product falls within the goods description, and the use of AS 4284 façade testing for window wall does not establish that it is not an AWD;[7]
- AS 2047 itself defines window wall as *…a series of multi-light windows generally extending from floor to ceiling and often horizontally…*, further reinforcing the applicability of the definition in AS 2047;[8]
- window wall can be distinguished from curtain wall, notwithstanding areas of technical and commercial overlap;[9] and
- differences in engineering, installation method, performance requirements, specifications and end use concern the specification and application of the goods, and do not establish that window wall, as a category, falls outside the goods description.[10]

The applicants consider the Commission's treatment of AS 4284 to be particularly important. AS 4284 does not define a window wall, nor does it or should it test a window or window wall as a standalone product. Rather, it tests the collective performance of a representative façade assembly, which may incorporate windows alongside numerous other façade elements. The inclusion of a product within an AS 4284 test therefore says something about the assembly in which that product is installed, not the underlying classification of the product itself.

[3] Ibid, chapters 3 to 9.
[4] Ibid, section 1.2.5, p. 14; section 3.8.1, p. 76; section 4.6.1, pp. 89–94.
[5] By way of historical reference, window wall has been manufactured by the Australian industry since prior to 1961 (see Non-Confidential Attachment 4).
[6] Ibid, section 4.6.1, p. 90.
[7] Ibid, section 4.6.1, pp. 91–92.
[8] Ibid, section 4.6.1, p. 92.
[9] Ibid, section 4.6.1, pp. 92–93.
[10] Ibid, section 4.6.1, p. 93.

This distinction also addresses the proposition advanced by some respondents that testing under AS 4284 somehow separates window wall from windows tested to AS 2047. The standards operate for different purposes and at different levels. A window may be required to comply with AS 2047 and may also form part of a broader façade assembly subjected to AS 4284 testing. The latter does not alter the character of the former.

These findings are consistent with the applicants' submissions of 16 March 2026 and 26 June 2026.[11] They also relate directly to the exemption applications, addressed in section 3 below.

The Australian industry and its capability to supply

SEF 691 finds that the Australian industry is not confined to Class 1 buildings, and that it produces and supplies AWDs across Class 1 to Class 9 buildings and across each of the residential, multi and high-rise residential and non-residential market segments.[12] The applicants agree. This finding is premised on tender, quotation and commercial evidence obtained from Australian industry members during the investigation.

SEF 691 also finds that Australian industry members retained available production capacity, and that constraints on supply were not attributable to an inability to manufacture the goods, but to available capacity not being fully used.[13] This answers the claims made by several interested parties that imports are needed because the Australian industry cannot supply larger or more complex projects. Submissions from Ventora and AGWA, G.James, Central Glass, Reynaers, Thermeco, Vitrocsa, Concept Aluminium Systems and Capral show that Australian manufacturers and system suppliers offer products ranging from standard residential windows and doors to large sliding doors, curved, slimline and high-performance architectural systems, window wall and curtain wall, supplied often through national fabrication networks.[14] A majority of the industry members responding to the Australian market questionnaire also reported available, underutilised or scalable production capacity.[15]

Standing

SEF 691 confirms that the application was supported by a sufficient part of the Australian industry. In reaching that view, the Commission considered submissions concerning standing and representation from EcoEco, Broad, Sino Window, Broad Windows and ABS Façade, and remains satisfied that the requirements were met.[16] The applicants support that conclusion. Ventora and the 21 supporting industry members named on the public record account for approximately 55 percent of estimated Australian production of like goods.[17]

Particular market situation

SEF 691 finds that a PMS existed in the Chinese domestic market for AWDs during the investigation period, arising from the influence of the Government of China over the Chinese aluminium and glass markets, and

[11] EPR 691, document nos. 426 and 440.
[12] SEF 691, section 1.2.5, p. 15; section 4.7.3, pp. 100–101.
[13] Ibid, section 4.7.3, p. 101.
[14] Ibid, section 4.7.2, pp. 97–99.
[15] Ibid, section 4.7.3, p. 101.
[16] Ibid, sections 2.4.2 and 2.4.11, pp. 29 and 44–50; section 4.3, pp. 83–84.
[17] Ibid, section 8.4, p. 170; EPR 691, document no. 450.

that domestic sales of AWDs in China are not suitable for determining normal values.[18] The applicants support those findings.

The applicants note that this is the first occasion on which the Commissioner has made a PMS finding relating to the Chinese glass industry, and the first occasion on which the Commission has used a price benchmark for glass products.[19] The finding is consistent with other recent findings concerning the Chinese glass industry, including the United States Department of Commerce's final countervailing duty determination concerning float glass from China, to which SEF 691 refers, and the findings of the United Kingdom Trade Remedies Authority concerning glass containers from China, to which the applicants referred in their submission of 17 September 2026.[20]

Aluminium extrusions and glass account for, on average, approximately 37 percent and 19 percent respectively of the selected exporters' cost to make AWDs.[21] The accuracy of the benchmarks used to replace those costs is therefore critical to the level of all normal values determined in this investigation. The applicants address the benchmarks in sections 8 to 10 below.

Dumping and subsidy margins

SEF 691 identifies the following preliminary dumping margins:[22]

- Zhuhai Yipeng Technology Co., Ltd (**Zhuhai Yipeng**): 51.6 percent;
- Yuanjiang: 34.8 percent;
- Broad Windows and Doors and Curtain Wall System Co., Ltd (**Broad**): 24.4 percent;
- Guangdong Kete Facadetech Co., Ltd (**Kete**): 12.1 percent;
- Foshan AMJ: 5.3 percent;
- Altop: negative 47.4 percent;
- residual exporters: 24.4 percent; and
- uncooperative and all other exporters: 70.4 percent.

All exporters other than Altop were found to have exported the goods at dumped prices. The subsidy margins for the selected and residual exporters were found to be negligible, and the subsidy margin for non-cooperative entities was found to be 2.9 percent.[23] The applicants address Altop's margin in section 5, and Altop's subsidy margin in section 11.

Economic condition of the Australian industry

SEF 691 finds that the Australian industry has experienced injury in the form of lost sales volume, lower production volume, price suppression, reduced market share, reduced profits and profitability, declining asset values, reduced capital investment, reduced revenue, reduced capacity and capacity utilisation, reduced return on investment (**ROI**) and reduced productivity.[24] The applicants agree with that conclusion. The factors identified include:[25]

[18] SEF 691, section 6.4, pp. 132–134; Appendix A, pp. 262–307; Appendix B, pp. 308–315.
[19] Ibid, section 6.4.1, p. 132; Appendix C7.1, p. 324.
[20] Ibid, Appendix A7.5, pp. 281–282; EPR 691, document no. 487.
[21] SEF 691, Appendix A5, p. 268 and Appendix A9, p. 286.
[22] Ibid, section 6.1, Table 12, p. 129.
[23] Ibid, section 7.1, Table 18, p. 155.
[24] Ibid, section 8.1, p. 168.
[25] Ibid, sections 8.4.1, 8.4.2 and 8.7.1, pp. 172–174 and 179, including Table 26.

- a decline of approximately 19 percent in the Australian industry's sales volume across the injury analysis period;
- a year-on-year decline in the Australian industry's market share from FY2022 to FY2025;
- Ventora's ROI in FY2025 at 57 percent of its FY2022 level; and
- Ventora's capital investment and capacity utilisation in FY2025 at 67 percent and 80 percent of their FY2022 levels respectively.

The applicants note that SEF 691 records Ventora's employment falling to 83 percent of its FY2022 level by FY2025, and that one third of the Australian industry members responding to the Australian market questionnaire reported workforce impacts, including redundancies and reduced hiring.[26]

SEF 691 does not find price depression on the basis of Ventora's aggregate unit revenue.[27] The applicants note, however, that the Commission verified examples in which Ventora was required to reduce its offer to match a lower Chinese price, with lost margins of between 6.7 and 19.5 percent, and that SEF 691 concludes that the Australian industry *…materially reduced and suppressed its selling prices…* in response to dumped and subsidised imports.[28] The applicants submit that the injury was experienced through both reduced and suppressed prices at the level of individual projects, even where aggregate unit revenue plateaued.

Material injury caused by dumping and subsidisation

The applicants support the Commissioner's conclusion that dumped and subsidised imports caused material injury. The tender and quotation evidence assessed by the Commission is extensive:[29]

- approximately 3,350 tenders, relating to projects with a total value of approximately $455 million during the investigation period;
- tenders lost to dumped and subsidised imports valued at over $350 million, together with $72.6 million in business forgone;
- price undercutting across Class 1, 2, 3, 5, 6, 7 and 9 buildings, with half of all quotes and tenders undercut by 30 percent or more, and undercutting on non-residential projects averaging 40 percent; and
- statements from 38 customers of Capral Limited describing lost tenders, reduced margins and reduced capacity utilisation across residential, multi-residential and non-residential projects.

Dumped and subsidised goods accounted for approximately 87 percent of imports during the investigation period.[30] The decline in the Australian industry's sales value during the investigation period exceeded the decline in the market, while the value of dumped and subsidised imports continued to grow.[31]

The applicants note that SEF 691 describes the range of price undercutting differently in several places, including as between 5 and 64 percent, between 9 and 73 percent, and up to 73 percent.[32] The applicants request that the final report state a single range. The applicants also note that SEF 691 describes the

[26] Ibid, section 8.7.1, Table 26, p. 179; section 8.8, Table 27, p. 180.
[27] Ibid, section 8.5.2, p. 176.
[28] Ibid, section 9.6.1, p. 189; section 9.10, p. 203.
[29] Ibid, section 9.6.1, pp. 189–193; section 9.10, pp. 203–204.
[30] Ibid, section 9.9.1, p. 198.
[31] Ibid, section 9.7, p. 195.
[32] Ibid, pp. 190, 196, 201 and 203.

increase in the Australian industry's costs as *…unrelated to Chinese imports…*,[33] while separately recognising that declining production volumes increased Ventora's fixed costs per unit.[34] With lower volumes caused by dumped imports, the resulting increase in unit costs is a consequence of the dumping, and the final report should reflect that.

Likelihood of continued dumping

SEF 691 concludes that dumping and subsidisation may continue. Exports from China by exporters found to have dumped have continued after the investigation period, and represented approximately 94 percent of total import volumes in FY2026, through to 31 August 2026.[35] The applicants agree with that conclusion.

Imposition of measures warranted

The findings in SEF 691 provide a sufficient basis for the publication of a dumping duty notice and a countervailing duty notice. The remaining issues furthered by the applicants in this submission concern the exemption applications, the variable factors and the reach of the measures. They should be considered separately from, and do not qualify, the applicants' support for the proposed measures.

3. Exemption applications

SEF 691 records six exemption requests, and that the Commissioner has not yet considered them as there was insufficient time to do so before the SEF was published.[36] The applicants maintain their opposition to the requests made by Customs and Global Trade Law (on behalf of two importers), Altop, Ironside Construction and Broad, for the reasons set out in earlier representations.

The applicants submit that the findings in SEF 691 apply to the exemption requests. Each request depends on the proposition that like or directly competitive goods are not offered for sale in Australia for the relevant products or buildings. SEF 691 finds that window wall is like goods, that the Australian industry produces and supplies AWDs across Class 1 to Class 9 buildings, and that Australian industry members retained available capacity.[37] Those findings are inconsistent with the premise on which the exemption requests are made.

For the Commission's further reference, the applicants provide at Confidential Attachment 1 a detailed assessment of the Australian industry's technical assessment of product feature-based exemption requests.

Jolong

SEF 691 records that the applicants intend to contest the project-specific exemption requested by Jolong Australia (SA) Pty Ltd (**Jolong**).[38] In summary, the applicants submit that:

- the issue is whether like or directly competitive goods are offered for sale in Australia, and either is sufficient. Jolong accepts that technical differentiation is not of itself sufficient and that

[33] Ibid, section 9.8, p. 197.
[34] Ibid, and section 9.9.4, p. 200.
[35] Ibid, section 10.2, p. 205.
[36] Ibid, section 1.2.5, p. 15; section 3.7, pp. 74–76, including Table 10.
[37] SEF 691, section 4.6.1, pp. 89–94; section 4.7.3, pp. 100–101.
[38] Ibid, section 3.7, Table 10 and footnote 236, pp. 76–77; EPR 691, document no. 495.

Australian manufacturers produce high-performance AWDs, yet seeks to measure comparability at the level of each project's full specification. That approach would make every made-to-order AWD unique, and is not the statutory test;

- Jolong relies on four projects, each described by Jolong as project-specific, and accepts that they do not establish its case across the Australian market. Custom and usage of trade is shown by an established course of business at a transactional level, not by a small number of individual instances. The project processes Jolong describes, including window schedules, shop drawings and glazing calculations, are the ordinary way in which the whole trade operates, including Australian AWD fabricators;

- the equal terms requirement concerns how Australian suppliers deal with purchasers, not whether their prices match import prices. Jolong does not identify any purchaser, region, order size or condition on which Australian goods are not offered. A price difference arising from dumping cannot satisfy that requirement; and

- Jolong identifies no dimension, performance level or configuration that the Australian industry cannot produce, and describes the goods by reference to its own product series. [***confidential text deleted:*** *applicant view on goods configurations*].

Well Smart Investment Holding

On 21 October 2026, Well Smart Investment Holding (Bris) Pty Ltd (**Well Smart**) lodged a response to SEF 691 and a new exemption application for thermally broken lift-and-slide door systems, which it imports from a single Chinese manufacturer for the Lindeman Island Resort.[39] The applicants oppose the application. In particular:

- Well Smart did not invite Australian producers to tender for the doors.[40] The absence of an Australian tender is a result of Well Smart's procurement decisions, not evidence that like or directly competitive goods are not offered;

- Well Smart states that its description of the goods is *…drawn so that it covers that system and any equivalent system, and excludes every lift-and-slide or sliding door currently offered by the Australian industry…*.[41] Its thresholds for ultimate pressure and glazing thickness sit just above the published ratings of the nearest Australian products. The specification has been built upwards from one supplier's product;

- the AS 2047 test report relied on is dated 8 July 2026, whereas Well Smart has purchased the doors since October 2024 and ordered its final guest-room batch in December 2025.[42] It would therefore appear that the doors were not procured on the applicability of the test evidence now relied on;

- on Well Smart's calculations, the design pressure within the corner zones of the guest blocks is −6.3 kPa, above the ±5.6 kPa to which the imported doors were tested. Well Smart accepts that

[39] EPR 691, document nos. 506 and 507.
[40] EPR 691, document no. 507, section 7.4.1, p. 4.
[41] Ibid, section 6.2, p. 3.
[42] Ibid, section 7.1, p. 3; EPR 691, document no. 506, section 3.5, p. 3.

the imported doors cover only the *…general façade zones…* of those buildings.[43] It would therefore appear that its own requirements may not be met by the goods it seeks to exempt;

- Well Smart proposes that the exemption be administered by the Australian Border Force identifying the lift-and-slide hardware and polyamide thermal break *…visible in the profile…*, measuring frame depth, and relying on glass certificates and test reports held by the importer.[44] As with Broad's proposal, which relied on project documents generated outside the import transaction,[45] the exemption cannot be reliably administered at the border. Visual inspection of profile features in each consignment of packed, assembled AWDs is unworkable, and a test report for a tested system does not establish that the goods in a consignment are that system. The description also extends to unglazed goods *…designed and supplied for glazing with…* laminated IGUs,[46] which would allow de-glazed frames to be imported under the exemption (see section 12); and

- Well Smart itself appears unsure that the goods are not offered in Australia. It states that the Commission's consultation of the Australian industry *…will identify one if it exists…*,[47] and offers to *…accept a narrower description…* if an Australian producer offers goods with that combination.[48] At the prima facie application stage, it is for the applicant to take a definitive and informed view that like or directly competitive goods are not offered, which is not the case here.

Like and directly competitive goods

Well Smart's documents set the performance its doors must meet: panels of approximately 2,500 mm high by 1,100 mm wide, a serviceability pressure of 1,600 Pa, an ultimate pressure of 5,100 Pa (5,600 Pa as tested), and water penetration resistance of 500 Pa.[49] Capral's AGS 900 Series system, implemented by Australian AWD fabricators, meets or exceeds that performance in full. Capral's thermally broken Futureline 994TB system is not dissimilar:

- Capral's AGS 900 Series commercial sliding door, at a height of 2,500 mm and mullion spacing of 1,250 mm, is rated to 3.9 kPa serviceability and 7.1 kPa ultimate at the heavy interlock, and 5.8 kPa serviceability and 7.4 kPa ultimate at the meeting stile. It has been tested in an OXXO[50] configuration of 2,400 mm by 3,600 mm to 6,000 Pa deflection and 7,700 Pa (positive) and 8,100 Pa (negative) ultimate strength. Well Smart's own comparison records its water penetration resistance as 700 Pa.[51] The AGS 900 has also been tested for, and passes, cyclonic debris impact, a requirement Well Smart does not mention; and

- Capral's thermally broken Futureline 994TB sliding door, at the same height and 1,200 mm mullion spacing, is rated to 4.5 kPa serviceability and 5.7 kPa ultimate at the heavy interlock. Its meeting stiles carry a lower rating, but the product shows that Australian thermally broken sliding

[43] EPR 691, document no. 507, Attachment C, p. 7.
[44] Ibid, section 8.1, p. 5.
[45] EPR 691, document no. 454, section 3.
[46] EPR 691, document no. 507, section 6.1, p. 2.
[47] Ibid, section 7.3.2, p. 4.
[48] Ibid, section 7.5.3, p. 5.
[49] EPR 691, document no. 507, sections 7.1 and 7.2.1, pp. 3–4; Attachment C, p. 7.
[50] A four-panel sliding window or bi-parting sliding door system where X represents an operable (sliding) panel and O represents a fixed (non-operable) panel, viewed from the exterior.
[51] Ibid, section 7.3.1, p. 4.

doors are engineered for pressures of this order. Well Smart's comparison omits this product and refers only to the Futureline lift-and-slide configuration.

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900 Sliding Door

Span Table

HEAVY / HEAVY INTERLOCK - EP21844 / EP21844 (EPD0230 / EPD0230 SIMILAR)



Note:
Serviceability pressures have been limited to a maximum Serviceability Pressure of 6000Pa.

Serviceability pressures have not been limited by a water performance. Where water performance is necessary, refer to Product Specifications page.

* Where panel widths exceed 1750mm, Extended Rail is required including the addition of Rail Support Blocks at 600mm centres and water performance is limited to a maximum tested Water Penetration Pressure of 200Pa.

Mullion Height (mm)		Maximum Design Pressure (kPa)						
3000	S (L/250)	2.652	2.177	1.873	1.650	1.400	1.280	1.200
	U	5.844	4.779	4.093	3.150	2.760	2.450	2.300
2950	S (L/250)	2.794	2.295	1.977	1.650	1.400	1.280	1.200
	U	6.052	4.952	4.246	3.150	2.760	2.450	2.300
2900	S (L/250)	2.946	2.423	2.089	1.650	1.400	1.280	1.200
	U	6.271	5.136	4.408	3.150	2.760	2.450	2.300
2850	S (L/250)	3.109	2.559	2.210	1.650	1.400	1.280	1.200
	U	6.502	5.330	4.580	3.150	2.760	2.450	2.300
2800	S (L/250)	3.284	2.707	2.340	1.650	1.400	1.280	1.200
	U	6.747	5.536	4.762	3.150	2.760	2.450	2.300
2750	S (L/250)	3.473	2.866	2.481	1.650	1.400	1.280	1.200
	U	7.006	5.754	4.956	3.150	2.760	2.450	2.300
2700	S (L/250)	3.678	3.038	2.634	1.650	1.400	1.280	1.200
	U	7.280	5.986	5.163	3.150	2.760	2.450	2.300
2650	S (L/250)	3.898	3.224	2.800	1.650	1.400	1.280	1.200
	U	7.572	6.232	5.383	3.150	2.760	2.450	2.300
2600	S (L/250)	4.137	3.426	2.981	1.650	1.400	1.280	1.200
	U	7.881	6.494	5.618	3.150	2.760	2.450	2.300
2550	S (L/250)	4.395	3.645	3.177	1.650	1.400	1.280	1.200
	U	8.210	6.774	5.870	3.150	2.760	2.450	2.300
2500	S (L/250)	4.676	3.884	3.392	1.650	1.400	1.280	1.200
	U	8.560	7.072	6.139	3.150	2.760	2.450	2.300
2450	S (L/250)	4.982	4.145	3.627	1.650	1.400	1.280	1.200
	U	8.934	7.392	6.428	3.150	2.760	2.450	2.300
2400	S (L/250)	5.316	4.430	3.885	1.650	1.400	1.280	1.200
	U	9.333	7.734	6.739	3.150	2.760	2.450	2.300
2350	S (L/250)	5.680	4.742	4.169	1.650	1.400	1.280	1.200
	U	9.760	8.101	7.075	3.150	2.760	2.450	2.300
2300	S (L/250)	6.000	5.085	4.482	1.650	1.400	1.280	1.200
	U	10.000	8.496	7.437	3.150	2.760	2.450	2.300
2250	S (L/250)	6.000	5.462	4.827	1.650	1.400	1.280	1.200
	U	10.000	8.921	7.830	3.150	2.760	2.450	2.300
2200	S (L/250)	6.000	5.879	5.211	1.650	1.400	1.280	1.200
	U	10.000	9.381	8.255	3.150	2.760	2.450	2.300
2150	S (L/250)	6.000	6.000	5.637	1.650	1.400	1.280	1.200
	U	10.000	9.878	8.719	3.150	2.760	2.450	2.300
2100	S (L/250)	6.000	6.000	6.000	1.650	1.400	1.280	1.200
	U	10.000	10.000	9.225	3.150	2.760	2.450	2.300
Mullion Spacing (mm)		1000	1250	1500	1750	2000	2250	2500

LEGEND: S = Serviceability Pressure, U = Ultimate Pressure
NOTE: This table is based on a combination of approved AS2047 testing data and theoretical section properties.
A maximum stress level of 110MPa has been applied when generating this table.

Please read in conjunction with Important Conditions - Index (also available on Capral website)

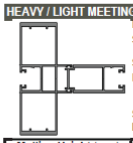
Sec9 Span Tables - Page 6 01-10-2026 ©CAPRAL

900 Sliding Door

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Span Table

HEAVY / LIGHT MEETING STILE - EP21845 / EP21835 (EPD0236 / EPD0234 SIMILAR)



Note:
Serviceability pressures have been limited to a maximum Serviceability of 6000Pa.

Serviceability pressures have not been limited by a water performance. Where water performance is necessary, refer to Product Specifications page.

* Where panel widths exceed 1750mm, Extended Rail is required including the addition of Rail Support Blocks at 600mm centres and water performance is limited to a maximum tested Water Penetration Pressure of 200Pa.

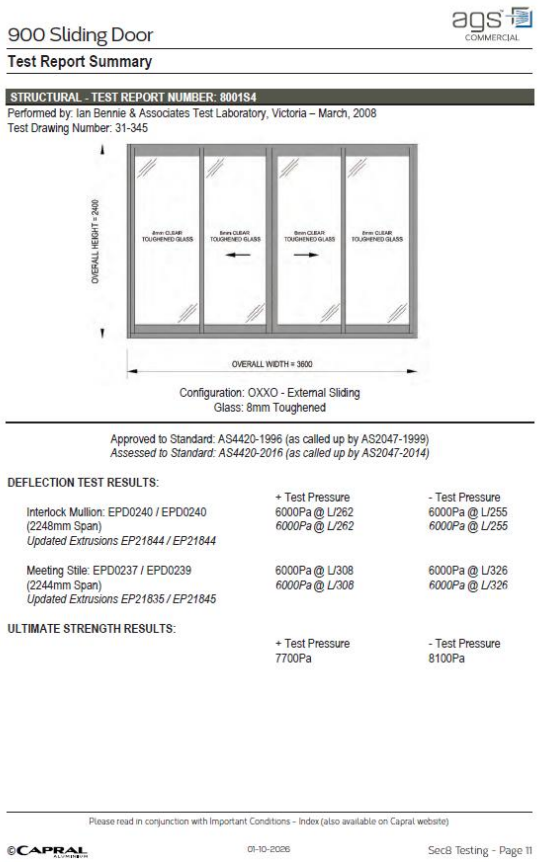
Mullion Height (mm)		Maximum Design Pressure (kPa)						
3000	S (L/250)	3.949	3.242	2.789	1.650	1.440	1.280	1.200
	U	6.095	4.984	4.269	3.150	2.760	2.450	2.300
2950	S (L/250)	4.160	3.418	2.944	1.650	1.440	1.280	1.200
	U	6.312	5.165	4.429	3.150	2.760	2.450	2.300
2900	S (L/250)	4.386	3.607	3.111	1.650	1.440	1.280	1.200
	U	6.541	5.357	4.598	3.150	2.760	2.450	2.300
2850	S (L/250)	4.629	3.811	3.290	1.650	1.440	1.280	1.200
	U	6.782	5.559	4.777	3.150	2.760	2.450	2.300
2800	S (L/250)	4.890	4.030	3.485	1.650	1.440	1.280	1.200
	U	7.037	5.774	4.967	3.150	2.760	2.450	2.300
2750	S (L/250)	5.172	4.267	3.695	1.650	1.440	1.280	1.200
	U	7.307	6.002	5.170	3.150	2.760	2.450	2.300
2700	S (L/250)	5.476	4.523	3.922	1.650	1.440	1.280	1.200
	U	7.594	6.243	5.385	3.150	2.760	2.450	2.300
2650	S (L/250)	5.804	4.800	4.169	1.650	1.440	1.280	1.200
	U	7.700	6.500	5.615	3.150	2.760	2.450	2.300
2600	S (L/250)	6.000	5.101	4.438	1.650	1.440	1.280	1.200
	U	7.700	6.774	5.860	3.150	2.760	2.450	2.300
2550	S (L/250)	6.000	5.428	4.731	1.650	1.440	1.280	1.200
	U	7.700	7.065	6.122	3.150	2.760	2.450	2.300
2500	S (L/250)	6.000	5.783	5.051	1.650	1.440	1.280	1.200
	U	7.700	7.377	6.403	3.150	2.760	2.450	2.300
2450	S (L/250)	6.000	6.000	5.401	1.650	1.440	1.280	1.200
	U	7.700	7.700	6.705	3.150	2.760	2.450	2.300
2400	S (L/250)	6.000	6.000	5.785	1.650	1.440	1.280	1.200
	U	7.700	7.700	7.035	3.150	2.760	2.450	2.300
2350	S (L/250)	6.000	6.000	6.000	1.650	1.440	1.280	1.200
	U	7.700	7.700	7.379	3.150	2.760	2.450	2.300
2300	S (L/250)	6.000	6.000	6.000	1.650	1.440	1.280	1.200
	U	7.700	7.700	7.700	3.150	2.760	2.450	2.300
2250	S (L/250)	6.000	6.000	6.000	1.650	1.440	1.280	1.200
	U	7.700	7.700	7.700	3.150	2.760	2.450	2.300
2200	S (L/250)	6.000	6.000	6.000	1.650	1.440	1.280	1.200
	U	7.700	7.700	7.700	3.150	2.760	2.450	2.300
2150	S (L/250)	6.000	6.000	6.000	1.650	1.440	1.280	1.200
	U	7.700	7.700	7.700	3.150	2.760	2.450	2.300
2100	S (L/250)	6.000	6.000	6.000	1.650	1.440	1.280	1.200
	U	7.700	7.700	7.700	3.150	2.760	2.450	2.300
Mullion Spacing (mm)		1000	1250	1500	1750	2000	2250	2500

LEGEND: S = Serviceability Pressure, U = Ultimate Pressure
NOTE: This table is based on a combination of approved AS2047 testing data and theoretical section properties.
A maximum stress level of 110MPa has been applied when generating this table.

Please read in conjunction with Important Conditions - Index (also available on Capral website)

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Non-Confidential Figures 1 and 2: Capral AGS 900 Series sliding door span tables – heavy/heavy interlock and heavy/light meeting stile



900 Sliding Door

ags COMMERCIAL

Test Report Summary

STRUCTURAL - TEST REPORT NUMBER: 8001S4

Performed by: Ian Bennie & Associates Test Laboratory, Victoria – March, 2008

Test Drawing Number: 31-345

OVERALL HEIGHT = 2400

OVERALL WIDTH = 3600

Configuration: OXXO - External Sliding

Glass: 8mm Toughened

Approved to Standard: AS4420-1996 (as called up by AS2047-1999)

Assessed to Standard: AS4420-2016 (as called up by AS2047-2014)

DEFLECTION TEST RESULTS:

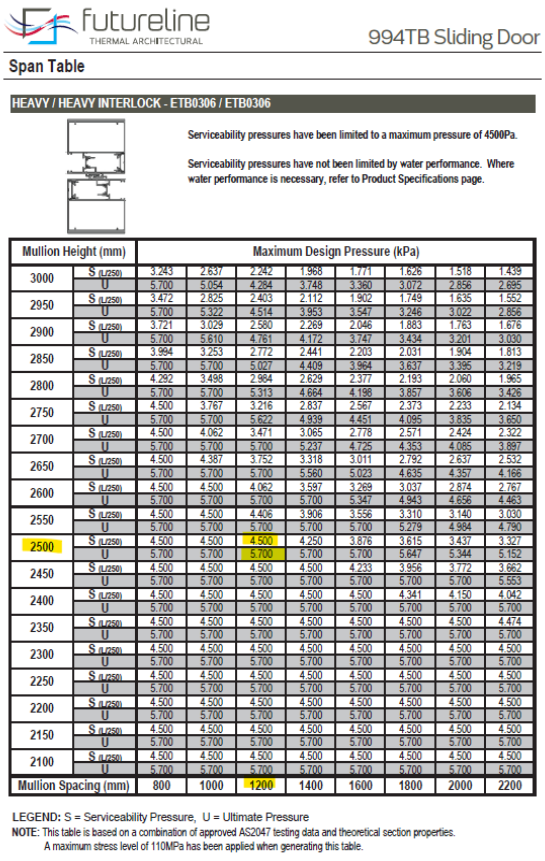
	+ Test Pressure	- Test Pressure
Interlock Mullion: EPD0240 / EPD0240 (2248mm Span) *Updated Extrusions EP21844 / EP21844*	6000Pa @ L/262 *6000Pa @ L/262*	6000Pa @ L/255 *6000Pa @ L/255*
Meeting Stile: EPD0237 / EPD0239 (2244mm Span) *Updated Extrusions EP21835 / EP21845*	6000Pa @ L/308 *6000Pa @ L/308*	6000Pa @ L/326 *6000Pa @ L/326*

ULTIMATE STRENGTH RESULTS:

+ Test Pressure	- Test Pressure
7700Pa	8100Pa

Please read in conjunction with Important Conditions – Index (also available on Capral website)

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futureline THERMAL ARCHITECTURAL

994TB Sliding Door

Span Table

HEAVY / HEAVY INTERLOCK - ETB0306 / ETB0306

Serviceability pressures have been limited to a maximum pressure of 4500Pa.

Serviceability pressures have not been limited by water performance. Where water performance is necessary, refer to Product Specifications page.

Mullion Height (mm)		Maximum Design Pressure (kPa)							
3000	S (L/250)	3.243	2.637	2.242	1.968	1.771	1.626	1.518	1.439
	U	5.700	5.054	4.264	3.748	3.360	3.072	2.856	2.695
2950	S (L/250)	3.472	2.825	2.403	2.112	1.902	1.749	1.635	1.552
	U	5.700	5.322	4.514	3.953	3.547	3.246	3.022	2.856
2900	S (L/250)	3.721	3.029	2.580	2.269	2.046	1.883	1.763	1.676
	U	5.700	5.610	4.761	4.172	3.747	3.434	3.201	3.030
2850	S (L/250)	3.994	3.253	2.772	2.441	2.203	2.031	1.904	1.813
	U	5.700	5.700	5.027	4.409	3.964	3.637	3.395	3.219
2800	S (L/250)	4.292	3.498	2.984	2.629	2.377	2.193	2.060	1.965
	U	5.700	5.700	5.313	4.664	4.198	3.857	3.606	3.426
2750	S (L/250)	4.500	3.767	3.216	2.837	2.567	2.373	2.233	2.134
	U	5.700	5.700	5.622	4.939	4.451	4.095	3.835	3.650
2700	S (L/250)	4.500	4.062	3.471	3.065	2.778	2.571	2.424	2.322
	U	5.700	5.700	5.700	5.237	4.725	4.353	4.085	3.897
2650	S (L/250)	4.500	4.387	3.752	3.318	3.011	2.792	2.637	2.532
	U	5.700	5.700	5.700	5.560	5.023	4.635	4.357	4.166
2600	S (L/250)	4.500	4.500	4.062	3.597	3.269	3.037	2.874	2.767
	U	5.700	5.700	5.700	5.700	5.347	4.943	4.656	4.463
2550	S (L/250)	4.500	4.500	4.406	3.906	3.556	3.310	3.140	3.030
	U	5.700	5.700	5.700	5.700	5.700	5.279	4.984	4.790
2500	S (L/250)	4.500	4.500	4.500	4.250	3.876	3.615	3.437	3.327
	U	5.700	5.700	5.700	5.700	5.700	5.647	5.344	5.152
2450	S (L/250)	4.500	4.500	4.500	4.500	4.233	3.956	3.772	3.662
	U	5.700	5.700	5.700	5.700	5.700	5.700	5.700	5.563
2400	S (L/250)	4.500	4.500	4.500	4.500	4.500	4.341	4.150	4.042
	U	5.700	5.700	5.700	5.700	5.700	5.700	5.700	5.700
2350	S (L/250)	4.500	4.500	4.500	4.500	4.500	4.500	4.500	4.474
	U	5.700	5.700	5.700	5.700	5.700	5.700	5.700	5.700
2300	S (L/250)	4.500	4.500	4.500	4.500	4.500	4.500	4.500	4.500
	U	5.700	5.700	5.700	5.700	5.700	5.700	5.700	5.700
2250	S (L/250)	4.500	4.500	4.500	4.500	4.500	4.500	4.500	4.500
	U	5.700	5.700	5.700	5.700	5.700	5.700	5.700	5.700
2200	S (L/250)	4.500	4.500	4.500	4.500	4.500	4.500	4.500	4.500
	U	5.700	5.700	5.700	5.700	5.700	5.700	5.700	5.700
2150	S (L/250)	4.500	4.500	4.500	4.500	4.500	4.500	4.500	4.500
	U	5.700	5.700	5.700	5.700	5.700	5.700	5.700	5.700
2100	S (L/250)	4.500	4.500	4.500	4.500	4.500	4.500	4.500	4.500
	U	5.700	5.700	5.700	5.700	5.700	5.700	5.700	5.700
Mullion Spacing (mm)		800	1000	1200	1400	1600	1800	2000	2200

LEGEND: S = Serviceability Pressure, U = Ultimate Pressure

NOTE: This table is based on a combination of approved AS2047 testing data and theoretical section properties. A maximum stress level of 110MPa has been applied when generating this table.

Non-Confidential Figures 3 and 4: Capral AGS 900 Series test report summary (8001S4) and Futureline 994TB sliding door span table – heavy/heavy interlock

The applicant's technical assessment is provided at Confidential Attachment 2.

Neither the lift-and-slide mechanism nor a 39 mm glazing unit is a performance requirement. Doors are selected on performance (structural, water, energy, acoustic and, where relevant, debris impact), and conventional sliding doors achieve the same outcomes. Glazing thickness is a matter of specification where the required energy, acoustic and wind performance can be achieved with other configurations. The thermal performance claimed for the imported doors is calculated to ISO 10077-1, a European method with different boundary conditions and rating protocols, at a single size and configuration. It is not directly comparable with the Australian Fenestration Rating Council ratings used in Australia, and Well Smart does not identify any project-specific energy requirement that the Australian products would fail to meet. The AS 2047 test report relied on also does not identify the configuration or size of the specimen tested.

The goods have characteristics closely resembling those of Australian-produced AWDs, and at a minimum rival them for the same projects. They are like or directly competitive goods.

Custom and usage of trade

The custom and usage of trade for AWDs supplied to projects of this kind is a tendering process. SEF 691 records that competitive tender processes are *…a feature observed consistently in AWD project-based*

supply…,[52] and Well Smart itself states that façade packages are *…tendered as a package…* and that a producer *…competes by tendering a compliant product…*.[53] The lost tenders examined by the Commission include Class 3 buildings, the class of the Lindeman Island guest blocks.[54]

It appears that Well Smart did not follow such custom as it did not tender. [***Confidential text deleted:*** *applicant views on sourcing*]. The custom and usage of trade is not satisfied where a purchaser locks out the Australian industry and then relies on the absence of Australian offers. Like or directly competitive goods are offered for sale in Australia to all purchasers who seek them through the ordinary tendering process. As the Commission's consultation found, and the SEF confirmed, it is not uncommon for suppliers to amend, update and/or refine products to meet project tender requires.

Further exemption requests

The applicants expect that further exemption requests may be made in responses to SEF 691. SEF 691 records that the six applications already lodged were not considered because there was insufficient time before the SEF was published.[55] Applications lodged at this late stage cannot be properly tested, including through consultation with the Australian industry, before the final report.

The applicants submit that they should be considered through the ordinary exemption process after measures are imposed, and should not have retrospective effect. Considering exemption requests made in SEF responses as part of the final report may also delay the imposition of interim dumping and countervailing duties, prolonging the injury the Commission has found. The applicants reserve the right to respond to any further exemption applications.

4. Model matching – clarification sought

SEF 691 states that the Commission proposed and used the model control code (**MCC**) structure published at initiation, and that Altop and Kete made amendments to that structure, which the Commission accepted and which are noted in their verification reports.[56] SEF 691 does not explain how the MCC structure, or any amended structure, was then used to match the goods exported to Australia with the normal values determined for each exporter. Chapter 6 states only that export prices were compared with corresponding normal values.[57]

The record indicates that the approach may have differed between exporters:

- Foshan AMJ's sales and cost data complied with the published MCC structure, which the Commission did not recommend amending. At verification, the Commission applied a specification adjustment using three surrogate export MCCs where exported models were absent from Foshan AMJ's export cost to make data;[58]

- Kete's normal value includes an adjustment for specification differences;[59]

[52] SEF 691, section 5.5.2, pp. 120–121.
[53] EPR 691, document no. 507, section 7.6.1, p. 5.
[54] SEF 691, section 9.6.1, p. 190.
[55] Ibid, section 3.7, pp. 74–76.
[56] SEF 691, section 3.5, pp. 71–73 and footnote 218.
[57] Ibid, section 6.2.3, p. 131.
[58] EPR 691, document no. 463, section 3.3.7 (Table 2) and section 4.3.1.
[59] SEF 691, section 6.7.3, Table 15, p. 143.

- Altop's comparative analysis assessment, which SEF 691 cites as recording Altop's amendments, contains no reference to the MCC structure or to any amendment. It records that domestic sales volumes by model, and adjustments to compare export price and normal value, were not assessed. The Commission also removed Altop's export sales carrying a height sub-identifier of "H6", which does not exist in the published structure;[60]

- the second document cited in SEF 691 for the amendments, EPR document no. 459, is identified elsewhere in SEF 691 as Yuanjiang's verification report rather than Kete's;[61]

- the Commission's assessment of Zhuhai Yipeng records that its sales and costs were managed, and its dumping margin analysed, on a project basis;[62] and

- Appendix B refers to the Commission having compared sales *…for comparable projects…*.[63]

A related matter is the level at which the goods were recorded. AWDs for larger projects are commonly scheduled and quoted by reference to the overall architectural opening by location or elevation, rather than the individual windows and doors from which that item is made. A single scheduled item can describe an elevation many metres wide, made up of numerous individually framed windows and doors, each of which falls within the goods description. Examples of Australian project schedules are provided at Confidential Attachment 5.

Where exporters' sales or cost data were recorded at the level of the scheduled item, goods within the goods description may appear to exceed dimensional parameters, and may have been excluded, or grouped with larger window wall or façade assemblies. The Commission removed from Altop's and Broad's Australian sales listings goods exceeding 3.0 metres in height, and from Broad's listing goods exceeding 7.0 metres in width. Broad also re-submitted its data on a project basis, without MCC information. Any such misclassification would affect the export prices, normal values and volumes on which the Commission's findings are based.

Model matching identifies the goods that are either identical to, or most closely resemble, the goods exported, so that a fair comparison can be made.[64] Where normal values are constructed, a like-for-like comparison depends on the cost to make being that of the models exported, or on an adjustment for any differences where it is not. The applicants therefore request that the final report state, for each selected exporter:

- whether the goods exported were matched to normal values using the published MCC structure, an amended structure, project-level matching, market segments, or an average across all goods;
- what the amendments made by Altop and Kete were, and how they affected that matching;
- whether specification adjustments were considered and, if not, why not; and

[60] EPR 691, document no. 457, sections 1.1.1, 1.3.6.1 and 1.3.7.
[61] SEF 691, footnotes 195, 197 and 218.
[62] EPR 691, document no. 458, sections 1.1.1 (p. 3).
[63] SEF 691, Appendix B5, p. 313.
[64] Anti-Dumping Commission, Dumping and Subsidy Manual (December 2021), chapter 7, p. 26 and chapter 14, p. 48; see also SEF 691, footnote 216.

- whether the dimensions used to classify, match or exclude exported goods were those of the individual windows and doors manufactured and supplied, or those of the overall architectural item as scheduled or invoiced.

These matters affect the comparisons addressed in sections 5 to 8 below.

5. Altop – proposed termination

SEF 691 proposes to terminate the dumping investigation in respect of Altop on the basis of a preliminary dumping margin of negative 47.4 percent.[65] The applicants oppose this recommendation.

Altop's margin assessment

Altop's margin is a step change from every other result in this investigation. Each of the other selected exporters was found to have dumped, at margins of between 5.3 and 51.6 percent. A margin of negative 47.4 percent means that Altop's export prices were almost double its normal values.

Altop operates in the same Chinese market, and under the same market situation, as the other selected exporters, and supplies the same Australian market. Its margin sits between approximately 53 and 99 percentage points apart from every other selected exporter. The applicants respectfully submit that a result of this kind cannot be reconciled with the findings for every other exporter, and is far more likely to reflect a difference in what was compared than a genuine difference in Altop's pricing.

SEF 691 observes that selected exporters generally achieved higher margins on export sales than on domestic sales, but that observation was made in assessing the PMS and applied to exporters generally.[66] It does not explain a result of this magnitude, which is not seen for any other exporter. The applicants submit that the Commission cannot rely on this result to terminate the investigation without first being satisfied that the comparison was made between like goods, with adjustments for any differences affecting price comparability.

No specification adjustment

The adjustments made to Altop's normal value are limited to export inland transport, export port handling charges and export credit terms.[67] Kete, which also amended the MCC structure, received an adjustment for specification differences, and a specification adjustment was applied to Foshan AMJ at verification.[68] Altop's goods are made to customer and project requirements.[69] Without a specification adjustment, the comparison can only be like-for-like if Altop's normal values were constructed from the cost to make of the models it exported. SEF 691 does not say that they were.

The applicants also note that the adjustments listed for Altop are identical to those listed for Foshan AMJ, while Foshan AMJ's verification report records different adjustments (section 6 below). The applicants request that the Commission confirm the adjustments actually applied to Altop.

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[65] SEF 691, sections 6.1.1 and 6.5.4, pp. 129 and 137.
[66] Ibid, Appendix B5, p. 313.
[67] Ibid, section 6.5.3, Table 13, p. 137.
[68] Ibid, Table 15, p. 143; EPR 691, document no. 463, section 3.3.7.
[69] EPR 691, document no. 457, section 1.3.1.1.

Examination of Altop's information

Altop was not verified onsite or virtually. Instead, the Commission assessed Altop's response by comparison (comparative analysis) with the information of other exporters.[70] That assessment did not identify any differences between Altop's domestic and export goods. Its likeness findings are expressed in general terms, it records that domestic sales volumes by model were not assessed (the relevant paragraph in the comparative analysis ends part-way through a sentence), and it records that adjustments to compare export price and normal value were not examined.[71] The Commission did, however, remove from Altop's export sales goods exceeding 3.0 metres in height, which are outside the goods description.[72] As noted in section 4, the applicants request that the Commission confirm that this exclusion was made by reference to the dimensions of the individual windows and doors exported, rather than the overall scheduled item. The inquiry record therefore contains no exporter-specific examination of whether Altop's domestic and export goods are comparable.

Altop's export goods

Altop is a façade supplier, and its exemption request concerns specialised AWD systems and window wall systems with integrated punch window components.[73] The applicants understand that [***confidential text deleted:*** *applicant understanding of export sales*].

Façade products of this kind are engineered, high-cost goods. The applicants believe that Altop's Australian export prices during the investigation period are either explained by this comparison or must have included elements that go well beyond the price of the AWDs themselves. Façade supply contracts for projects of this kind commonly include design, engineering, testing, installation, site supervision, servicing and warranty, and may also include curtain wall, spandrel and bracket elements, which are outside the goods. [***confidential text deleted:*** *applicant understanding of export sales*]. None of these elements has a counterpart in a normal value constructed from Altop's cost to make AWDs.

Altop was not physically verified, and its information was assessed only by comparison with that of other exporters. The risk therefore exists that these elements were not identified in the Commission's comparative assessment. The Commission removed testing, installation and new-die costs from Zhuhai Yipeng's invoice values, and removed Altop's sales of goods exceeding 3.0 metres in height.[74] No equivalent adjustment for services or non-goods elements is recorded for Altop, even though, as a primarily commercial façade supplier, Altop is more likely than any other selected exporter to have supplied them. Where such elements are included in export prices, the export price is overstated relative to the normal value, and a negative margin is the expected result.

Constructed normal value and the required adjustment

Altop's normal value has been constructed from its cost to make (**CTM**), with aluminium extrusion costs adjusted to the benchmark, together with amounts for selling, general and administrative expenses (**SG&A**) and profit.[75] Because the normal value is constructed rather than based on domestic selling prices, its comparability with Altop's export prices depends on the cost used being the cost of the goods exported.

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[70] SEF 691, section 2.4.3 and footnote 69, p. 38; EPR 691, document no. 457, p. 1.
[71] EPR 691, document no. 457, sections 1.3.1, 1.3.6.1 and 1.3.7.
[72] Ibid, document no. 457, section 1.1.1, material revision 1.
[73] SEF 691, section 3.7, Table 10, p. 76; EPR 691, document no. 430.
[74] EPR 691, document no. 457, section 1.1.1; EPR 691, document no. 458, section 1.1.1.
[75] SEF 691, section 6.5.2, pp. 135–137.

The applicants therefore request that the Commission:

- confirm whether Altop's normal value for each exported model was constructed from the CTM of that model;
- confirm that the Commission's assessment has been made with reference to the dimensions of the individual windows and doors exported, rather than the overall scheduled item;
- where the normal value was constructed from domestic models, surrogate models or an average of all goods, make an appropriate specification adjustment so that the normal value reflects the specification of the goods exported;
- confirm whether Altop's export prices include design, engineering, installation, servicing or other services, or curtain wall and other non-goods elements, and remove any such amounts;
- adjust Altop's glass costs to the benchmark, for the reasons set out in section 10 below; and
- recalculate Altop's dumping margin and, unless the recalculated margin is negligible, not terminate the investigation in respect of Altop.

6. Foshan AMJ – export price, SG&A and adjustments

Related party sales

SEF 691 finds that all of Foshan AMJ's export sales, to related and unrelated customers, were made at arm's length.[76] For related customers, the finding is expressed only as the absence of the matters listed in the arm's length provisions. By contrast, for Altop the Commission compared the pricing and profitability of related and unrelated sales before finding that related sales were at arm's length.[77] No comparable assessment is recorded for Foshan AMJ.

Foshan AMJ's verification report found that Foshan AMJ sells the goods to related parties in Australia and domestically, and that its related domestic customer, Shenzhen AMJ Technology Co., Ltd (**Shenzhen AMJ**), purchases AWDs from Foshan AMJ and exports most of them to Australia.[78] The Australian sales listing was revised to show all sales made by Shenzhen AMJ to the Australian customer, and the cost of export sales sold by the trader was transferred from domestic to export cost to make.[79] The report states that the arm's length assessment of related customers is outlined in section 3.3.2.1, however that section concerns domestic sales to unrelated customers.[80]

Foshan AMJ's arrangements therefore resemble Yuanjiang's. In each case, a related domestic trader exports the goods to Australia. For Yuanjiang, the Commission found that the sales to its trader were not at arm's length, and determined the export price from the trader's resale price.[81] For Foshan AMJ, the export price was determined under the ordinary method without any explanation of how the related-party arrangements were assessed.

The applicants therefore request that the Commission:

[76] Ibid, section 6.6.1, p. 138.
[77] Ibid, section 6.5.1, p. 135.
[78] EPR 691, document no. 463, section 4.4.3.2.
[79] EPR 691, document no. 463, section 4.2, material revisions 1 and 3.
[80] EPR 691, document no. 463, sections 3.2.3.2, 3.3.2.1 and 4.4.3.2.
[81] SEF 691, section 6.8.1, pp. 144–145.

- explain the basis for [***confidential text deleted:*** *confidential arms length assessment*];[82]
- identify whether [***confidential text deleted:*** *confidential arms length assessment*]; and
- confirm whether [***confidential text deleted:*** *confidential arms length assessment*].

Selling costs

The applicants understand that [***confidential text deleted:*** *confidential arms length assessment*].[83] The verification report details that the Commission reconciled Foshan AMJ's own SG&A listing.[84] There is no indication that [***confidential text deleted:*** *confidential arms length assessment*].

[***Confidential text deleted:*** *confidential arms length assessment*]. The applicants request that the Commission [***confidential text deleted:*** *confidential arms length assessment*].[85]

Adjustments

SEF 691 lists adjustments to Foshan AMJ's normal value for export inland transport, export port handling charges and export credit terms.[86] The verification report records that no export credit adjustment was required, because no credit terms were provided to Australian customers, and records adjustments for specification differences and timing that are not listed in SEF 691.[87] The applicants request that the Commission confirm the adjustments applied.

7. Yuanjiang – export price

SEF 691 finds that Yuanjiang sold the goods to a related domestic trading company, Foshan Aocheng Economic and Trade Co., Ltd (**Aocheng**), at discounted prices, and that Aocheng then sold the goods to Australian customers at higher prices. The Commission found that the sales between Yuanjiang and Aocheng were not at arm's length, and used the price at which Aocheng sold the goods to Australian customers as Yuanjiang's export price.[88]

SEF 691 does not record how Yuanjiang's prices to Aocheng compared with the prices at which other selected exporters sold comparable goods directly to unrelated Australian customers. For Altop, the Commission accepted related-party sales as being at arm's length because their prices were closely aligned with unrelated sales.[89] The applicants submit that the same objective comparison can be made here, using other selected exporters' direct export prices for comparable goods. If Yuanjiang's prices to Aocheng are consistent with those prices, the applicants submit that they are the best evidence of the price at which Yuanjiang exported the goods, and should be used as Yuanjiang's export price.

In the alternative, if the Commission continues to use Aocheng's resale prices, those prices include an amount for Aocheng's own selling costs and profit, including for invoicing and collecting payment from Australian customers. SEF 691 does not indicate that any deduction was made. For Kete, the Commission

[82] [***Confidential text deleted:*** *arms length assessment*].
[83] [***Confidential text deleted:*** *arms length assessment*].
[84] EPR 691, document no. 463, section 4.5.3.
[85] SEF 691, section 6.7.1, pp. 140–141.
[86] Ibid, section 6.6.3, Table 14, p. 140.
[87] EPR 691, document no. 463, section 3.3.7, Table 2.
[88] SEF 691, section 6.8.1 and footnote 499, pp. 144–145.
[89] Ibid, section 6.5.1, p. 135.

deducted the SG&A of its related trading entity and an amount for profit from the resale price.[90] The applicants request that the same approach be applied to Aocheng's resale prices.

Yuanjiang's export prices also feed into the weighted average export price of the selected exporters, which is used for Broad and as the basis for residual exporters, and into the lowest verified export price used for uncooperative exporters.[91] Any change to Yuanjiang's export prices will therefore flow through to those rates.

8. Glass benchmark

The applicants support the Commission's use of a glass benchmark. The applicants submit, however, that the benchmark understates a competitive market cost for glass in China.

Turkish export prices used as domestic prices

SEF 691 describes the benchmark both as Turkish domestic prices and as Turkish export prices.[92] The benchmark has been calculated from Turkish export prices reported in *Trade Data Monitor* (**TDM**). Export prices are not necessarily representative of prices in the Turkish domestic market.

Turkey maintains anti-dumping measures on imports of uncoloured float glass from Russia (8 – 10 percent) and tempered and laminated safety glass from China (generally 59.6 – 66.1 percent) and Israel (generally 32.05 – 39.5 percent), while its earlier measures on Israeli uncoloured float glass appear to have expired in 2021.[93] The safety-glass measures are scheduled for review or expiry in February 2027.[94] By protecting domestic producers from dumped imports, these measures can support domestic prices, while export prices remain subject to competitive pressures in third-country markets.

SEF 691 also acknowledges that certain Turkish glass products have been subject to trade remedy measures in overseas markets, but does not identify those measures or assess their implications for the reliability of the benchmark.[95] Israel imposed definitive anti-dumping duties on imports of float glass from Turkey in 2016 and extended those measures in January 2018.[96] The duties were 26.5 percent for Şişecam Dış Ticaret A.Ş. and Trakya Cam Sanayii A.Ş., and 70.7 percent for other Turkish producers.[97] The measures were terminated effective 19 May 2020, following the cessation of float-glass production by the Israeli domestic manufacturer.[98]

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[90] Ibid, section 6.7.1, pp. 140–141.
[91] Ibid, sections 6.10.1, 6.11.1 and 6.12.1, pp. 149–151.
[92] Ibid, Appendix C1, p. 316; Appendix C6.3, p. 323; Appendix C7.3, p. 327; Appendix C7.4, p. 328.
[93] PwC Türkiye, Communiqué on Prevention of Unfair Competition in Imports No: 2024/3; Ministry of Trade, NGGS – Communiqué No: 2021/16 – Colorless Float Glass – Israel; GMMD, Communiqué No. 2022/7 on the continuation of the existing anti-dumping measure on imports of tempered or laminated safety glass originating from the People's Republic of China and Israel.
[94] Ibid, Communiqué No. 2022/7, Article 5; Resmî Gazete, 14 August 2026, Notification No. 2026/28 (measures scheduled to expire in the first half of 2027).
[95] SEF 691, Appendix C7.2, p. 326.
[96] Global Trade Alert, Israel: Extension of definitive antidumping duty on imports of float glass from Türkiye; Global Trade Alert, intervention record.
[97] Trade Levies and Protective Measures Order (Dumping Levy on Imports of Float Glass Sheets from Turkey) (Temporary Provision), 5778-2018, 22 January 2018.
[98] Tel Aviv and Central Chamber of Commerce, Notice of Closing the Procedure for Examining the Extension of the Validity of the Trade and Protection Levies Order (Dumping Levy on the Import of Floating Glass Panels from Turkey) (Temporary Order), 5778-2018, 20 May 2020.

The Israeli investigation nonetheless provides relevant historical evidence of price discrimination by Turkish float-glass exporters. Israeli authorities found that Turkish float glass had been exported at dumped prices, with the dumping margin for the investigated exporter reported to exceed 47 percent, although the duty imposed was limited to 26.5 percent under Israel's lesser-duty rule.[99] This distinction is material: the anti-dumping duty does not necessarily represent the full difference between export prices and normal value in Turkey.

The applicants submit that the Israeli findings call into question the reliability of Turkish export prices as a proxy for undistorted market prices. At a minimum, the benchmark assessment should consider the Israeli dumping findings, the relevant dumping margins and the extent to which the underlying pricing behaviour remains representative. For float glass, the applicants submit that an upward adjustment should be considered to reflect the difference between dumped export prices and normal value, rather than accepting potentially dumped export prices as evidence of market-based pricing without further examination.

SEF 691 also observes that the European Union benchmark prices were consistently and substantially higher than the Turkish prices across all four glass categories.[100] The applicants submit that the difference is consistent with Turkish export prices understating a competitive market price, and supports the adjustment sought.

Tariff classifications for laminated glass

SEF 691 identifies laminated glass by reference to subheadings 7007.11 and 7007.19, which are the same subheadings used for tempered and toughened glass.[101] Those subheadings cover toughened (tempered) safety glass. Laminated safety glass is classified to subheadings 7007.21 and 7007.29.

Insulated glass units

The benchmark for insulated glass units (**IGUs**) is based on Turkish exports under heading 7008, measured in square metres. Heading 7008 covers all multiple-walled insulating units, regardless of the size, type and thickness of glass, spacer type and width, the coatings used or the gas fill. A price per square metre is only comparable with the selected exporters' IGU purchases if the Turkish units are on average of comparable construction.

The applicant's understand that Şişecam markets IGUs in Turkey under its Isıcam system, produced by authorised producers in standard double-glazed configurations of 4+12+4 and 4+16+4 millimetres, filled with dry air or argon.[102] Available information indicates that Turkish IGU exports are directed primarily to regional markets. For example, Turkey is reported to be the largest supplier by value of IGUs to Iraq, where the average import price across all suppliers was approximately US$22 per square metre in 2024.[103]

By contrast, IGUs used in AWDs supplied to Australia must meet the energy efficiency and safety glazing requirements of the National Construction Code, AS 2047 and AS 1288. They commonly incorporate low emissivity coatings, toughened or laminated panes and thicker glass.

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[99] World Trade Organization, Trade Policy Review: Israel – Report by the Secretariat, WT/TPR/S/376, 12 June 2018.
[100] SEF 691, Appendix C7.2, pp. 326–327.
[101] Ibid, Appendix C7.2, Table 32, p. 325.
[102] Şişecam Düzcam, Şişecam Isıcam Systems.
[103] IndexBox, Iraq – Multiple-Walled Insulating Units of Glass – Market Analysis, Forecast, Size, Trends and Insights. The applicants refer to this source as indicative only.

The applicants request that the Commission test the comparability of the Turkish IGU data using the TDM information it holds, in particular:

- the weight per square metre of Turkish exports under heading 7008, which indicates their typical construction. Glass weighs approximately 2.5 kilograms per square metre for each millimetre of thickness, so that a 4+16+4 unit weighs approximately 20 kilograms per square metre and a 6+12+6 unit approximately 30 kilograms per square metre, with laminated panes adding further weight and further cost;

- the destinations of those exports; and

- the construction of the IGUs purchased by the selected exporters, as shown in their purchase records and in the glaze, coating and safety categories of the MCC data reported for their export sales.

Where Turkish units are of a lower specification than those purchased by the selected exporters, the applicants request that the IGU benchmark be adjusted to account for the difference.

Effect of changes to the glass benchmark

The glass benchmark determines the adjustment made to the glass costs of Foshan AMJ, Kete and Yuanjiang. It also determines whether Altop's and Zhuhai Yipeng's glass costs were found to have been formed in normal and ordinary circumstances (section 10). The normal values for Broad, residual exporters and uncooperative exporters are in turn based on the weighted average normal values of the selected exporters.[104] Any understatement in the glass benchmark therefore understates every dumping margin determined in this investigation.

9. Aluminium extrusion benchmark

The applicants support the Commission's use of a benchmark based on the London Metal Exchange price and the Main Japanese Ports premium, consistent with Anti-Dumping Commission Report No. 657 (**REP 657**).[105] The applicants request that the Commission confirm the following:

- the billet premium is calculated from information reported by a single residual exporter, Guangdong Jinxiecheng AL. Manufacturing Co., Ltd, whose costs are formed in the same market conditions the benchmark is intended to remove. The applicants request that the Commission confirm that the premium is consistent with billet premiums in regional markets unaffected by those conditions;[106]

- the extrusion conversion amount is derived from the cost to make, SG&A and profit of the Chinese exporters examined in REP 657, whose energy and financing costs are themselves affected by the matters identified in Appendix A. The conversion amount is also a weighted average across extrusion finishes. AWD profiles are commonly powder coated, anodised or

[104] SEF 691, sections 6.10.2, 6.11.2 and 6.12.2, pp. 150–153.
[105] Ibid, Appendix C8, pp. 330–335.
[106] Ibid, Appendix C8.2, p. 332.

thermally broken. The applicants request that the Commission confirm that the conversion amount reflects market-based costs and the finishes used in AWDs;[107] and

- where an exporter's quarterly purchase prices exceeded the benchmark, the adjustment does not reduce its recorded costs for that quarter.[108]

10. Consistency of the normal and ordinary assessment

SEF 691 finds that the influence of the Government of China resulted in artificially low prices for aluminium extrusions and glass in China, and that there are compelling reasons for finding that the circumstances in which the selected exporters' costs for those inputs were formed were not normal and ordinary.[109] The Commission then compared each exporter's purchase prices with the benchmarks. This comparison has produced different outcomes for similar evidence:

- Foshan AMJ's glass purchase prices were above the benchmark in aggregate, but its glass costs were found to be affected, because of below-benchmark purchases in particular quarters and transactions;[110]

- Altop's glass purchase prices were also above the benchmark in aggregate. The Commission identified transactions materially below the benchmark throughout the investigation period, including in quarters with higher purchase volumes, and observed that float glass was generally purchased materially below the benchmark. Altop's glass costs were nonetheless found to be normal and ordinary;[111]

- Zhuhai Yipeng's glass purchase prices were below the benchmark in one quarter, and its IGUs were purchased materially below the benchmark, but its glass costs were found to be normal and ordinary;[112]

- Yuanjiang's aluminium extrusion purchase prices were above the benchmark in aggregate, but its aluminium costs were found to be affected;[113] and

- Zhuhai Yipeng's aluminium extrusion purchase prices were above the benchmark in aggregate, with below-benchmark purchases throughout the period, and its aluminium costs were found to be normal and ordinary.[114]

The applicants submit that the test should be applied consistently. If below-benchmark purchases throughout the period are sufficient for Foshan AMJ's glass costs and Yuanjiang's aluminium costs to be found affected, they are sufficient for Altop's glass costs and Zhuhai Yipeng's glass and aluminium costs. The Commission's findings concerning the Chinese aluminium and glass markets apply to the market as a

[107] Ibid, Appendix C8.2, pp. 332–333; Appendix A13.2 and A13.3, pp. 299–302.
[108] Ibid, Appendix C9.2, p. 343; Appendix C10, p. 347.
[109] Ibid, Appendices C4 and C6.1, pp. 318–320.
[110] Ibid, Appendix C9.1, pp. 339–340.
[111] Ibid, Appendix C9.1, p. 338.
[112] Ibid, Appendix C9.1, pp. 337–338.
[113] Ibid, Appendix C9.2, pp. 344–345.
[114] Ibid, Appendix C9.2, pp. 345–346.

whole. The benchmark comparison measures the extent to which those conditions affected each exporter's costs, rather than whether the conditions existed.

The applicants also note that the findings concerning Zhuhai Yipeng are expressed inconsistently, stating both that its recorded costs do not reflect competitive market costs and that they are not affected by circumstances that are not normal and ordinary.[115]

The applicants request that the Commission adjust Altop's glass costs, and Zhuhai Yipeng's glass and aluminium extrusion costs, by reference to the benchmarks, consistently with its treatment of the other selected exporters.

11. Other matters

Residual exporter and Broad rates

SEF 691 states that the normal value for uncooperative exporters is based on the weighted average normal value of all selected exporters, excluding those found not to have dumped.[116] SEF 691 does not state whether Altop was excluded from the weighted average export prices and normal values used for residual exporters and Broad.[117] The applicants request that the Commission confirm that Altop was excluded, consistently with the approach for uncooperative exporters and with the practice of disregarding zero and negative margins in determining rates for exporters not individually examined.

SEF 691 treats Broad both as a selected exporter and as a residual exporter.[118] The Commission found that Broad's sales and cost information was unreliable, and was unable to verify aspects of its export sales, including reported quantities.[119] As a result, Broad receives a rate of 24.4 percent, which is lower than the rates for Yuanjiang and Zhuhai Yipeng, whose information was examined. The applicants maintain that [***confidential text deleted:*** *applicant assessment of Broad's position under the SEF findings*].[120]

Altop's subsidy margin

Altop's subsidy margin of 1.5 percent is close to the negligible level of 2 percent.[121] The Commission found that aluminium was provided at less than adequate remuneration only in respect of Kete, which was the only selected exporter to report that its supplier, or its supplier's supplier, was a state-owned or state-invested enterprise.[122] Altop's aluminium extrusion purchase prices were below the benchmark in aggregate, and Altop was not verified.[123]

The applicants request that the Commission examine whether the aluminium extrusions purchased by Altop and the other selected exporters were sourced, directly or indirectly, from state-owned or state-invested enterprises, including by reference to the suppliers examined in REP 657, and assess whether any benefit was passed through, as it did for Kete. If Altop's subsidy margin exceeds the negligible level, its

[115] Ibid, section 6.9.2, p. 148; Appendix C9.2, p. 346.
[116] Ibid, section 6.12.2, p. 153.
[117] Ibid, sections 6.10 and 6.11, pp. 149–150.
[118] Ibid, section 6.3.1, p. 131; section 2.4.13.1, p. 65; Appendix C3, footnote 726, p. 317.
[119] Ibid, section 2.4.13.1, pp. 64–65.
[120] EPR 691, document no. 487; SEF 691, p. 65.
[121] Ibid, section 7.6, p. 160.
[122] Ibid, Appendix D4.2, pp. 351–352.
[123] Ibid, Appendix C9.2, p. 344.

exports should be subject to the countervailing duty notice, regardless of the outcome of the dumping investigation in respect of Altop.

The applicants also note that the subsidy margin for the aluminium program for non-cooperative entities is based on Kete's margin.[124] Having regard to the Commission's findings in REP 657, the applicants request that the Commission consider whether that amount reflects the facts available.

Broad's subsidy margin

SEF 691 finds that Broad's sales and cost information was unreliable, but that the Commission considers *…some parts of Broad's data to be reliable, including its selling and general administrative costs (SG&A) and subsidy listing…*.[125] The verification report reflects the same. It records Broad's subsidy data as complete, relevant and accurate, with material revisions, and identifies 17 benefits received by Broad, each attributed to the whole company and allocated by value.[126] Those benefits include employment and insurance premium subsidies, export credit insurance assistance, a bank interest subsidy, an R&D subsidy and an R&D tax deduction. Many correspond to programs the Commission has found countervailable for other selected exporters, including Altop, Kete and Yuanjiang.[127]

Despite this, SEF 691 states that Broad had not furnished sufficient reliable information to calculate its subsidy margin, and applies the weighted average subsidy margin of the selected exporters, 0.7 percent.[128] SEF 691 refers to section 2.4.3 as the basis for this finding, but that section finds Broad's subsidy listing to be reliable. SEF 691 also does not assess whether any of the programs identified at verification are countervailable, although the verification report states that this assessment would be made in the SEF.[129]

Calculating Broad's subsidy margin requires the amount of each benefit and the value over which it is allocated. Both were verified. The subsidy listing was found reliable, and Broad's revenue was reconciled to its financial statements, tax return and trial balance.[130] The deficiencies identified at verification concerned Broad's Australian sales listing and cost to make, neither of which is needed to calculate a subsidy margin. A weighted average of other exporters' margins is a substitute for an exporter's own information where that information is unavailable or unreliable. The applicants submit that it is not an appropriate basis where the exporter's own information has been verified and found reliable.

The applicants therefore request that the Commission:

- assess whether each of the programs identified in Broad's verification report are countervailable;
- calculate Broad's subsidy margin from its own verified information, attributing any benefits contingent on export, such as the export credit insurance assistance, to Broad's export sales; and
- if Broad's subsidy margin exceeds the negligible level, include Broad in the countervailing duty notice.

[124] Ibid, Appendix D4.8, pp. 355–356.
[125] SEF 691, section 2.4.3, pp. 38–39.
[126] EPR 691, document no. 473, section 2, p. 4; section 3.4, Table 1, pp. 8–10.
[127] SEF 691, section 7.4, Table 19, p. 159; sections 7.6 to 7.9, pp. 160–162.
[128] Ibid, section 7.11, p. 163.
[129] EPR 691, document no. 473, section 3.4, p. 10.
[130] Ibid, section 4.5.1, p. 16.

Residual exporter list

SEF 691 refers to 120 residual exporters, but Table 6 lists 112.[131] Several entities listed appear to be Australian companies, including Dalian Mustang Technology Pty Ltd, LY Windows (Foshan) Pty Ltd, Neospec Facades Pty Ltd, Shan Dong Auwin Windows and Doors Pty Ltd and Xingfa Aluminium Australia Pty Ltd. The list also includes Jiangsu Jingtai Glass Co., Ltd and Jiangsu Jintai Glass Co., Ltd, and an entry for "Guangdong Xingqu Aluminium Co., Ltd / Added". The applicants request that the final report confirm the definitive list of residual exporters, and that each is an exporter of the goods from China.

12. Form of measures

SEF 691 proposes that IDD be calculated using the ad valorem duty method, and that ICD be calculated as a proportion of the export price.[132] The Commissioner considered the fixed duty and floor price duty methods to be unsuitable, as they *…will not capture any changes in prices for imported goods…*, and chose between the ad valorem and combination duty methods having regard to the Guidelines on the Application of Forms of Dumping Duty (**the Guidelines**) plus two factors, these being:[133]

- variation in product specification and price, being the *…significant variation of product specifications and a range of unique models…* exported by the selected exporters, including a wide range of high-priced goods; and

- company structures, being the range of corporate structures under which the selected exporters operate, including trading intermediaries that sold the goods to related Australian importers and, in some cases, supply chains in which all entities were related. The Commission considered that exports of the goods involve *…complex company structures with related parties….*

The applicants recognise the reasons for the Commissioner's preference. AWDs are largely made to project specifications, and the Guidelines identify the ad valorem method as having an advantage where there are many models or types with significant price variation. The second factor, however, should compel the Commission to take a different approach. The Guidelines identify the combination method as *…suited to circumstances where there are complex company structures with related parties and where circumvention of measures is likely…*, and identify as a disadvantage of the ad valorem method that *…exporters might lower export prices to avoid the effects of this duty….*[134] SEF 691 makes a finding on each factor, but does not explain why the first outweighs the second.

Accelerated reviews in the absence of exports

The applicants also submit that the choice of form should anticipate how the measures will operate in accelerated reviews. An exporter that did not export the goods to Australia during the investigation period would be subject to the rate of 73.3 percent proposed for uncooperative and all other exporters, yet may still apply for an accelerated review. Interim duty is not collected while the review is conducted, although securities may be taken.

[131] SEF 691, section 1.2.13, p. 20; section 2.4.3, Table 6, pp. 30–36.
[132] SEF 691, section 1.2.13, p. 19; section 12.4, p. 215.
[133] Ibid, sections 12.2 and 12.2.5, pp. 212–214.
[134] Ibid, section 12.2.5, pp. 213–214.

The Commission's two most recent accelerated reviews of the measures on aluminium extrusions from China show how such a review is conducted where the applicant did not export the goods in the review period:[135]

- in REP 700, Foshan Nanhai Niuyuan Hardware Product Co., Ltd did not export the goods during the review period. The Commission found that there was *…no basis upon which an export price could be ascertained under subsection 269TAB(1)…*, and determined the export price under section 269TAB(3) using exports made after the review period, adjusted for movements in the London Metal Exchange price. The dumping margin was negative 6.6 percent;[136]

- in REP 701, neither Guangdong Guangyuan Aluminum Co., Ltd nor its related company exported the goods during the review period, and there was no evidence of quotations or forward orders. The Commission determined the export price under section 269TAB(3) from Guangyuan's own cost of production, SG&A and profit, and *…has taken the ascertained export price to be equal to the ascertained normal value…*. The dumping margin was therefore zero;[137] and

- in both reviews, the form of IDD for the exporter was changed from the combination method (at the rate for all other exporters) to the floor price method, with the floor price set at the exporter's ascertained normal value. IDD would be payable only if the goods are exported below that floor.[138] The same form applies to the residual exporters under those measures, whose dumping margin was negative.[139]

SEF 691 does not indicate how an ad valorem measure on AWDs would be applied in these circumstances, and whilst recognised that it is not a required mandate to consider such in this inquiry, the applicants submit that the facts of this inquiry necessarily require its consideration.

If the export price were taken as equal to the normal value, as in REP 701, the ad valorem rate would be zero, and the exporter's subsequent exports would not be subject to any dumping duty, whatever the price at which they are later exported. If the Commission instead followed its practice of moving to a floor price, the measure would take a form that the Commissioner has found unsuitable for AWDs. As the Guidelines note, an ascertained floor may not be meaningful where models show significant price variation.[140] A floor price based on an exporter's average normal value would not identify dumping in the pricing of individual projects, where specifications and prices vary widely.

These matters are of particular relevance for AWDs. AWDs are supplied on a project basis, through quotation and tendering processes,[141] so an exporter may have no exports in a 12-month review period while actively quoting for Australian projects. The difference between the rate for all other exporters and the outcome of an accelerated review with no exports also provides a strong incentive for new exporting entities to be established, in an industry that SEF 691 has found to involve complex structures with related parties.

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[135] Anti-Dumping Commission Report No. 700 (REP 700), EPR 700, document no. 5; Anti-Dumping Commission Report No. 701 (REP 701), EPR 701, document no. 7.
[136] REP 700, section 1.4, Table 1, p. 5; section 3.2, pp. 13–14.
[137] REP 701, section 3.2, pp. 17–18; section 5, p. 25.
[138] REP 700, section 8, p. 27; REP 701, section 8, p. 32.
[139] REP 700, section 2.3, Table 4, p. 10.
[140] SEF 691, section 12.2.5, p. 213.
[141] Ibid, section 5.5.2, pp. 120–121.

Outcome of future accelerated reviews

The various forms of dumping duty all have the purpose of removing the injurious effects of dumping.[142] The applicants submit that the form of measures must be chosen so that the outcome of any future accelerated review is equitable, contemporary and consistent with the findings of this investigation, and so that the injury caused by dumping remains addressed. In particular:

- an exporter that has not exported the goods should not be placed in a better position than the selected exporters whose exports were examined in this investigation, and which were found to have dumped at margins of between 5.3 and 51.6 percent.[143] An outcome in which the absence of exports results in a nil rate of duty would give that advantage to exporters that enter the Australian market after the investigation;

- the export price should reflect the prices at which the exporter is currently supplying, or offering to supply, the goods to Australian projects, including its quotations and tender prices, as the Commission did in REP 700 by using the exporter's exports after the review period. It should not be derived from the exporter's own costs in a way that makes it equal to the normal value by construction, as in REP 701; and

- the normal value should be determined using the same findings concerning the PMS and the glass and aluminium benchmarks, as the Commission did by reference to REP 657 in REP 700 and REP 701.[144] The resulting measures should reflect the level of dumping found in this investigation, unless the exporter's own export prices demonstrate otherwise.

Without this, the measures could be substantially reduced for new exporters within a short time of their imposition, without any evidence that those exporters' prices to Australia are not dumped, and the injury the measures are intended to remedy would not be addressed.

Circumvention of an ad valorem measure

An ad valorem measure is also open to circumvention in ways particular to AWDs, because duty is collected as a proportion of the declared export price.

The first way is [***confidential text deleted:*** *circumvention activity*]. Under an ad valorem measure, the duty paid on such goods can be [***confidential text deleted:*** *circumvention activity*].

The second way is [***confidential text deleted:*** *circumvention activity*] and related-party supply chains of the kind that SEF 691 identifies.[145]

Under the combination method, the ascertained export price operates as a floor. Where the declared export price falls below it, the variable element collects the difference, so lowering the declared price of the goods, whether by [***confidential text deleted:*** *circumvention activity*], does not reduce the duty payable. Anti-circumvention inquiries may address these practices after the event, but the form of

[142] Ibid, section 12.2, p. 212.
[143] Ibid, section 12.4, Table 29, p. 215.
[144] REP 700, section 4.3, pp. 18–19; REP 701, section 2.6.2, Table 5, p. 15.
[145] SEF 691, section 12.2.5, p. 214.

measures can prevent them at the outset. The applicants request that the ascertained export prices be set with these risks in mind.

Combination method preferred

The applicants submit that the combination method is the more appropriate form of IDD for AWDs, because:

- it is suited to the complex company structures and related-party supply chains that SEF 691 has found, and its variable element addresses the risk that exporters lower export prices to reduce the effect of the duty, including by the means described above;

- the fixed element may take the form of an ad valorem rate applied to the ascertained export price,[146] which retains much of the simplicity of the ad valorem method;

- the Commission has applied the combination method to aluminium extrusions from China, which also comprise many profiles, alloys and finishes at varying prices, and which are the principal input to AWDs;[147] and

- in an accelerated review, the ascertained export prices established in this investigation would provide a framework against which an exporter's future exports could be assessed, rather than a different form of measure having to be devised within the 100 days available for an accelerated review.[148]

In the alternative, if the ad valorem method is maintained, the applicants request that the final report set out how the measures would operate in an accelerated review where the applicant has not exported the goods in the review period, including:

- the information that would be used to determine export price under section 269TAB(3). For AWDs, quotations and tender prices for Australian projects are likely to be the most relevant evidence of the price at which an exporter would supply the goods, and the export price should not be taken to be equal to the normal value where such evidence, or other relevant information, is available;[149] and

- the form of measures that would then apply, and how it would be administered for goods supplied to project specifications.

13. Conclusion

The applicants submit that the findings in SEF 691 provide a sufficient basis for the publication of dumping and countervailing duty notices on the goods exported to Australia from China, and support the proposed measures.

The applicants further submit that the final report should:

[146] SEF 691, section 12.2.4, p. 213.
[147] REP 700, section 2.3, Table 4, p. 10.
[148] Ibid, section 2.2, p. 9.
[149] REP 701, section 3.2, p. 18.

- maintain the findings that window wall is within the goods description and that the Australian industry supplies AWDs across Class 1 to Class 9 buildings, and reject the exemption requests contested by the applicants, including Well Smart's application, and consider any further exemption requests through the ordinary exemption process after measures are imposed;

- explain, for each selected exporter, how the goods exported were matched to normal values and whether specification adjustments were considered;

- reassess Altop's dumping margin, including through an appropriate specification adjustment and the removal of any non-goods elements from its export prices, and not terminate the investigation in respect of Altop unless the reassessed margin is negligible;

- explain the [***confidential text deleted:*** *confidential arms length assessment*].

- reassess Yuanjiang's export price having regard to its prices to Aocheng or, in the alternative, deduct Aocheng's selling costs and profit;

- assess, correct and adjust the glass benchmark, the effect of dumping by Turkish exporters and the comparability of the IGU data;

- confirm the matters identified concerning the aluminium extrusion benchmark;

- apply the normal and ordinary assessment consistently, including to Altop's glass costs and Zhuhai Yipeng's glass and aluminium costs;

- confirm the composition of the residual and Broad rates, and reconsider Broad's rate;

- examine the pass-through of aluminium subsidies to Altop and the other selected exporters;

- calculate Broad's subsidy margin from its verified subsidy information, and include Broad in the countervailing duty notice if that margin is not negligible;

- confirm the definitive list of residual exporters; and

- adopt the combination method for IDD or, if the ad valorem method is maintained, set out how the measures would operate in an accelerated review, so that any such outcome is equitable, contemporary and consistent with this investigation, and injury remains addressed.

The applicants respectfully request that the Commission address each of these matters in the final report.

For and on behalf of the Australian Industry Applicants