INVESTIGATION 691

ECOECO WINDOWS & DOORS PTY LTD

COMPREHENSIVE RESPONSE TO THE STATEMENT OF ESSENTIAL FACTS

PUBLIC / NON-CONFIDENTIAL | 9 NOVEMBER 2026

To: *Commissioner, Australian Trade Remedies Commission*

From: *EcoEco Windows & Doors Pty Ltd, by Edward Stelling, Director*

Subject: *Rebuttal of the proposed findings concerning injury, causation, the residual rate, industry support, exporter treatment and procedural fairness*

Case: *Aluminium windows and doors exported from the People's Republic of China, Investigation 691*

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ACCOMPANYING EXPERT EVIDENCE (COMBINED PUBLIC PDF ONLY)

ECOECO/1 - Statistical Considerations, 9 November 2026 (signed)

Annexure B - Dr John Henstridge, curriculum vitae (July 2026)

Annexure A is confidential and excluded from the public bundle.

CONTEXT, PURPOSE AND THE ISSUES TO BE DETERMINED

Investigation 691 concerns allegations that specified aluminium windows and doors exported from China were dumped or subsidised and caused material injury to an Australian industry.

The application was lodged by Ventora Group Pty Ltd and the Australian Glass and Window Association (AGWA) on 10 October 2025. AGWA subsequently acknowledged that its anti-dumping case had been developed over approximately 18 months. The Commission formally initiated Investigation 691 on 25 November 2025.

EcoEco first became aware of the investigation on 25 November 2025 through an AGWA circular, having received no prior direct notification from the Commission. On 26 November, the Commission acknowledged that it might not have held EcoEco's contact details when notifying importers. EcoEco's initial importer questionnaire was due on 2 December 2025, just seven days after it first learnt of the investigation.

This chronology is significant to EcoEco's concerns regarding the opportunity afforded to affected businesses to understand, examine and respond to the applicants' case.

On 14 October 2026, the Commission issued its Statement of Essential Facts (EPR 501) and preliminary affirmative determination (EPR 502). This is EcoEco's formal rebuttal of those findings, submitted under its approved extension to 9 November 2026, before the Commission's final recommendation.

EcoEco is an Australian business that designs, develops, tests, sells and supports windows and doors for Australian construction. Its proprietary EcoTech systems were developed for Australian building and performance requirements. EcoEco owns the relevant extrusion tooling and has engaged Hennissy for approximately ten years to manufacture to EcoEco's designs, specifications and negotiated commercial arrangements. The goods are made in China, but they are not generic Chinese domestic-market products; that distinction is material to product comparison, price formation and Hennissy's request for individual examination.

The decisive question is not whether Ventora experienced deterioration. It is whether the Commission has established, by verified evidence, material injury to the legally defined Australian industry caused by dumped or subsidised imports, rather than by other material causes. The proposed 24.4% residual rate affects Hennissy without an individually calculated margin. Provisional securities have applied to affected imports since 15 October 2026, imposing immediate exposure on EcoEco under existing supplier and fixed-price customer commitments before the contested findings become final.

EcoEco has filed extensive evidence and arguments challenging the claimed 55% production support; the coverage of Australian producers; Ventora's sales, costs and corporate accounts; movements of major customers between Australian suppliers; the divergent exporter results; and Hennissy's examination record. Independent statistician Dr John Henstridge has issued ECOECO/1 - Statistical Considerations, dated 9 November 2026, examining the sampling design and limits of statistical inference in the investigation. The published SEF does not provide an identifiable answer to every material challenge. EcoEco therefore puts 22 specific evidentiary questions to the Commission, demands identifiable findings and corrective action where necessary, and requests institutional assurance that its evidence received substantive consideration by appropriately qualified personnel. This is a rebuttal of the findings, not EcoEco's separate product-exemption application.

THE COMMISSION MUST SHOW ITS WORK.

Ventora's deterioration is not proof of dumping-caused injury. A 24.4% residual rate is not proof that every unexamined exporter dumped at 24.4%. AGWA's endorsement is not a substitute for a verified production calculation. Receipt of EcoEco's evidence is not proof it was considered. Our own investigation shows a history of self-harm in the marketplace by Ventora which would better explain the "injury".

Independent Expert Evidence — Dr John Henstridge

EcoEco commissioned an independent statistical examination by Dr John Henstridge, PhD, CStat, AStat, Chief Statistician of Data Analysis Australia, former National President and Honorary Life Member of the Statistical Society of Australia.

Dr Henstridge's independent expert report, ECOECO/1 — Statistical Considerations, dated 9 November 2026, accompanies this response, together with his professional curriculum vitae.

Dr Henstridge confirms that his opinions are his own and that, in preparing his evidence, he has followed the Federal Court Expert Evidence Practice Note.

His examination identifies substantial concerns regarding the definition and coverage of the Australian producer population, the selection of Chinese exporters, the variability of independently calculated dumping margins and the reliability of inferences extending beyond the examined exporters.

In paragraph 30, he concludes that the sampling procedures examined are likely to introduce systematic biases whose magnitude and direction cannot be reliably evaluated.

His report does not determine the statutory validity of the Commission's dumping calculations, independently reconstruct the confidential residual-rate calculation or establish a substitute dumping rate. It provides independent expert evidence concerning the statistical reliability and limitations of the methods examined.

EcoEco wishes to express its sincere appreciation to Dr Henstridge for the professional care, independence and analytical rigour he has brought to this important examination.

EcoEco respectfully requests substantive consideration of his findings by personnel with appropriate statistical expertise, together with an identifiable, reasoned response to the material concerns raised.

EXECUTIVE REBUTTAL AND FINDINGS REQUIRED

The Commission has documented deterioration in Ventora's commercial performance, increased imports from China and materially different dumping margins among examined exporters. **These observations do not, by themselves, establish dumping-caused injury.** The Commission's published reasoning has not adequately demonstrated how Ventora's deterioration has been distinguished from the effects of domestic competition, rising operating costs, business restructuring, lost customers and its own commercial decisions. Nor has it demonstrated a sufficiently reliable basis for applying a residual margin of 24.4% to Hennissy without an individually calculated margin. **EcoEco expressly disputes the adequacy of these findings and the evidentiary conclusions drawn from them.**

EcoEco has submitted substantial evidence challenging the foundations of the proposed determination. The unresolved matters are not peripheral: the identification and measurement of qualifying Australian production; the reliability of the claimed 55% industry support; the representativeness of the injury evidence; Ventora's reported increase of approximately 25% in its unit cost to make and sell; substantial changes in customer relationships; domestic competitive gains; and the unexplained attribution of financial deterioration to investigated imports. **The Commission must establish where material lost business went, why it was lost, and which costs and losses were genuinely caused by dumped or subsidised imports.** It must also explain the statistical and methodological foundation for the 24.4% residual rate. The public record does not yet provide sufficiently reasoned answers to these material challenges. EcoEco requires those answers before the Commission reaches its final conclusions.

Independent statistician Dr John Henstridge of Data Analysis Australia has examined the statistical foundations of Investigation 691. His report, *ECOECO/1 – Statistical Considerations*, dated 9 November 2026, identifies serious deficiencies in sampling design, population definition, exporter selection, representativeness and the treatment of statistical uncertainty. His findings challenge whether the available data justify the breadth of the Commission's conclusions concerning Australian industry representation and unexamined Chinese exporters. **These are substantive statistical objections, not differences of opinion about commercial policy.** Dr Henstridge does not purport to determine the legal outcome or the commercial causes of Ventora's deterioration. His independent findings reinforce EcoEco's demand that conclusions affecting unexamined exporters and the wider Australian industry must rest upon demonstrably reliable evidence and methodology. [Henstridge, ECOECO/1, 9 November 2026, paragraphs 10–12 and 16–30.]

The Commission's responsibility is to establish whether dumping or countervailable subsidisation caused material injury to the relevant Australian industry, not to preserve an incumbent producer's historical market share, operating structure or profitability against legitimate competition. **Injury to Ventora is not automatically injury to the Australian industry.** A contract lost to another Australian manufacturer is not automatically displacement by Chinese imports. Rising costs, declining utilisation, restructuring expenses and commercial failures cannot be attributed to dumping merely because they coincide with increased imports. Their contribution must be investigated and distinguished from any injury properly attributable to dumped or subsidised goods. **EcoEco therefore calls upon the Commission to reconsider its findings on industry representation, injury causation and the residual exporter rate; to provide identifiable, evidence-based answers to the material challenges raised; and to withdraw or revise proposed conclusions that cannot be adequately substantiated. The Commission must demonstrate its conclusions, not simply declare them.**

EcoEco calls for seven determinations before the final recommendation:

1. **Identify the eligible producer population and reconstruct the original standing calculation**, using qualifying like-goods production, a stated period, consistent units and safeguards against inappropriate duplication. Explain the reported 55% and distinguish statutory support from industry-wide injury evidence.
2. **Audit the injury and causation conclusions against the verified data**, including Ventora's corrected price and revenue series, changes in CTMS, quantity, utilisation, demand, producer-to-producer transfers, product mix and corporate costs; show what injury, if any, was attributable to investigated imports rather than other factors.

3. **Explain the 24.4% residual calculation**: eligible exporters and transactions, exclusions, normal values, export prices, weighting, relevant statutory authority and the distinction between a common statutory rate and proof of individual exporter conduct.
4. **Determine Hennissy's actual participation record and statutory examination request**: notices, recipients, dates, materials supplied, the 3 September application, the September contact and the actual basis for not extending examination under section 269TACAA(2).
5. **Require full accountability for the Commission's reliance upon AGWA.**

   Identify the capacity in which AGWA acted, the authority and governance processes underpinning its representations, the extent of consultation with affected members, the provenance and verification of member-derived production data, and any material conflicts of interest affecting the reliability or representativeness of its evidence.

   Determine whether AGWA's representations accurately reflected the positions of qualifying Australian producers, distinguish association endorsement from independently verified statutory support, and explain how dissenting or unconsulted members were accounted for.

   To the extent that the Commission relied upon AGWA's authority, representations, data or endorsement, the Commission bears responsibility for establishing their reliability and statutory relevance. That responsibility cannot be delegated to AGWA, nor discharged merely by accepting its assertions.
6. For every material challenge raised in EcoEco's submissions, identify the evidence examined, the assessment undertaken, the conclusion reached, and the reasons for accepting or rejecting the contrary evidence. This includes reported customer movements between Australian suppliers, Capral's pricing propositions and the independent statistical criticisms. Where no substantive assessment was undertaken, identify the deficiency and explain how it will be corrected before final determination. Receipt, registration or publication of a submission is not an evidentiary answer.
7. **Require the Commission to accept institutional responsibility for the competent and substantive examination of EcoEco's evidence.**

   The Commission must accept responsibility for ensuring that each of EcoEco's material submissions received substantive examination by appropriately qualified personnel with sufficient authority to recognise its significance, determine whether further investigation was required and bring material findings to the attention of the responsible decision-maker.

   EcoEco does not seek disclosure of individual officers' identities or internal staffing arrangements. It requires the Commission to accept accountability for the adequacy of its examination and the conclusions reached.

   For each of the 22 formal questions in Section E, the Commission must identify the finding reached, the controlling evidence, the treatment of contrary material, the reasons for accepting or rejecting that material, and its consequence for the final recommendation.

   Where substantive examination has not occurred, the Commission must acknowledge the deficiency and ensure it is corrected before the recommendation is finalised.

   Receipt, registration, circulation or publication of evidence does not establish substantive consideration. The Commission is responsible for the integrity of its findings and must correct or withdraw any conclusion that cannot withstand the statutory and evidentiary test. Measures dependent upon such conclusions must not be recommended.

These are requests for determinations and corrective action, not an invitation to acknowledge receipt. A contested finding must stand on identified evidence and the applicable law. If it cannot, it must change.

FORMAL NOTICE OF MATERIAL CHALLENGE AND CORRECTIVE ACTION

EcoEco formally challenges the evidentiary basis of the proposed final recommendation in respect of industry support, the identity and coverage of Australian producers, injury and causation, the 24.4% residual rate, Hennissy's individual circumstances and the Commission's treatment of material contrary evidence. The 22 numbered questions in Section E state the particulars. Each requires an answer directed to the actual evidence and findings, not a general assurance that submissions were considered.

Before recommending measures, EcoEco calls upon the Commission to identify the evidence examined and the reasoning adopted for each material question; reconcile and correct established factual or numerical errors; identify which preliminary conclusions have changed; and disclose, consistently with confidentiality rules, an informative explanation of the calculations and findings relied upon.

Where the evidence does not establish an essential statutory requirement, the Commission must not maintain the unsupported finding or recommend duties dependent upon it. Where the evidence supports a narrower conclusion, EcoEco calls for the Commission to confine any recommendation to the scope lawfully justified. The absence of a quantified alternative explanation cannot, without positive causal evidence, fill a gap in proof of injury caused by investigated imports.

Where a material challenge has not been substantively examined, the Commission must acknowledge that deficiency and complete the examination. If a contention is rejected, it should identify the contrary evidence and reasoning. If the Commission considers a requested remedy unavailable within this investigation, it should identify the governing provision and the available statutory route rather than leaving the issue unanswered.

EcoEco requires the Commission to accept institutional responsibility for ensuring that every material submission has been substantively examined by appropriately qualified personnel with sufficient authority to recognise its significance, initiate necessary further examination and ensure that its findings are reflected in the final recommendation. If the Commission proceeds without addressing material deficiencies, EcoEco will pursue available review, information-access and other lawful accountability processes. No conclusion of misconduct or unlawful conduct is asserted without proof.

THE COMMISSION HAS THE AUTHORITY TO RECOMMEND MEASURES WITH SERIOUS FINANCIAL CONSEQUENCES. IT MUST BE ABLE TO DEMONSTRATE THE EVIDENTIARY AND LEGAL BASIS FOR DOING SO.

A. THE RECORD, THE LAW AND THE ISSUE TO BE DECIDED

1. The investigation is defined by its goods, periods and legal tests

The public case record identifies the applicants as Ventora Group Pty Ltd and the Australian Glass and Window Association (AGWA). The inquiry period is 1 July 2024 to 30 June 2025. The injury examination period commences on 1 July 2021. The goods include specified complete and partially assembled aluminium windows and doors, while curtain-wall products are excluded. Those definitions control every production count, price comparison, injury calculation and causation inference. Broader industry statistics and a company's consolidated accounts may raise serious questions, but cannot silently replace the legally defined product perimeter. [EPR case page; EPR 501; initiation material.]

The relevant requirements must remain separate: legally sufficient applicant support; identification of an Australian industry manufacturing like goods; a dumping or subsidy determination under the applicable route; material injury to that industry; and causation with proper non-attribution of injury caused by other known factors. The mere fact that the investigation has advanced to a Statement of

Essential Facts does not absolve the Commission of the obligation to examine contradictory evidence received before its final recommendation.

The distinction between a verified factual finding, a calculated statutory result, an estimate, a commercial inference and an unverified third-party account is maintained throughout this response.

These distinctions are fundamental to the integrity of the investigation. The Commission must not elevate estimates, assumptions or unverified assertions into established findings merely because they have been repeated or incorporated into the Statement of Essential Facts. Every material conclusion must withstand independent examination against the evidence and the applicable law.

2. EcoEco has supplied evidence, not merely objections

EcoEco's relevant earlier submissions include EPR 422, 437, 448, 452, 453, 456, 462, 469, 470, 472, 486, 490, 496, 498 and 499, along with related evidence, correspondence and meeting records. The Commission's own records include EPR 413 (exporter selection), EPR 444 (Ventora verification), EPR 450 (industry support), EPR 451 (meeting note), EPR 501 (SEF) and EPR 502 (preliminary affirmative determination). The Commission has also received competing industry submissions, including Capral's EPR 439, 455 and 581, the CCCMC material at EPR 423 and subsequent responses, and the Housing Industry Association's EPR 576. [Investigation 691 EPR index, examined through 8 November 2026.]

EcoEco's September comprehensive submission presented 35 substantive chapters and a detailed schedule of questions. Its subsequent October submissions, including EPR 499 identifying ten issues requiring findings and EPR 498 addressing domestic production and like goods, developed and reinforced those challenges.

EcoEco expressly maintains all material objections, evidence and requests for findings advanced in its earlier submissions, except where expressly corrected or superseded. None is withdrawn merely because this response concentrates upon deficiencies remaining in the Statement of Essential Facts. The Commission remains responsible for addressing the substance of those material challenges before reaching its final recommendation.

The Commission is required to answer the substance, not the weight of the paper. The public record shows that EcoEco supplied material; what remains to be demonstrated is how material competing evidence affected the Commission's analysis.

B. THE APPLICATION, THE INDUSTRY AND THE ACCOUNTING OF INJURY

3. Industry standing: the 55% requires a reproducible production calculation

EPR 450 records the Commission's assessment that Ventora and supporting producers accounted for approximately 55% of estimated total Australian production of like goods. That is an important claim, not a self-proving fact. Under section 269TB(6) of the Customs Act 1901, the support test has two limbs: supporters must account for more than 50% of the like-goods production of those producers expressing support or opposition, and not less than 25% of total qualifying Australian like-goods production. A correctly established 55% of total qualifying production would satisfy both tests. EcoEco's challenge is therefore to the **population, measurements and calculation**, not to the elementary arithmetic of two thresholds. [Customs Act 1901, s 269TB(6); EPR 450; EcoEco EPR 452, 469, 498.]

An association membership list, a list of 21 names, or a count of businesses contacted is not the production denominator. It is necessary to establish: which enterprises produced qualifying goods in Australia; which production was complete or substantially carried out in Australia; the measured period; the unit of measurement; how imported finished goods were excluded; whether the output of

successive manufacturing stages was counted on a consistent basis; how vertically integrated groups and related fabricators were treated; and the production of neutral, non-AGWA, opposing, regional and small producers.

The public record should disclose sufficiently informative aggregate quantities or indices and the methodology. EcoEco is not seeking the public release of protected unit-by-unit production data. Confidentiality can protect commercial amounts while leaving enough information to test whether the calculation was legally and arithmetically sound. If data were estimated, state how; if eligible producers were omitted, determine whether the denominator and the reported 55% change; if the calculation remains valid, demonstrate it.

The independent statistical opinion identifies a further problem of inference, distinct from the statutory standing calculation. Dr Henstridge notes that the published material does not quantify the full Australian producer population sufficiently to demonstrate a usable sampling frame; the injury information is described as coming from Ventora and 25 supporting participants, with uncertain representation of non-applicants. He concludes that this may introduce substantial self-selection bias, which a larger sample of the same type cannot cure. The Commission should distinguish a valid statutory production-support calculation, if established, from a separate claim that the examined businesses reliably represent injury across the defined industry. [Henstridge, ECOECO/1, 9 November 2026, paras 10, 16-20.]

EcoEco's earlier position in EPR 453 concerning initiation support was subsequently reconsidered and expressly challenged in its comprehensive September submission, consistently with the issues raised in EPR 452 and EPR 469.

EcoEco now formally disputes the adequacy of the qualifying production evidence underpinning the reported 55% and requires the Commission to determine that challenge on its merits. Earlier acceptance of the reported figure cannot substitute for examination of the evidence subsequently placed before the Commission. [EcoEco comprehensive submission, 29 September 2026, paragraphs 25.1–25.6.]

Finding required: Publish an aggregate support reconciliation showing the two statutory numerators and denominators, the qualifying production basis, the contemporaneous initiation evidence and any corrections made. If the initiating calculation fails when properly reconstructed, identify the statutory consequence for continuation of the case.

4. A majority of production supporting a filing is not a finding that the whole industry suffered injury

Support for the application, the number of producers examined for injury, the proportion of Australian production represented by reliable economic data, and a finding of injury to the Australian industry are four distinct matters. EPR 444 principally concerns Ventora's verified economic indicators. Additional questionnaires and supporting statements appear elsewhere on the record. **The Commission must identify, in appropriately aggregated form, whose production and economic performance underlie each reported industry indicator, what proportion of the qualifying Australian industry that evidence represents, and the evidentiary basis for extending those findings beyond the businesses actually examined.** [EPR 444, 450, 501; EcoEco EPR 498.]

A sample does not become representative merely because it contains numerous supporters of an application. Respondents may share manufacturing systems, ownership structures, business models, regional exposures or commercial incentives that distinguish them from the wider industry. A sample concentrated in one class of manufacturers may accurately describe that class while providing an unreliable basis for conclusions about others. Dr Henstridge identifies deficiencies in the sampling frame and the risk of selection bias arising from voluntary participation. **The Commission must establish the reliability of its industry-wide inferences independently of whether the statutory**

initiation-support threshold was satisfied. [Henstridge, ECOECO/1, 9 November 2026, paragraphs 16–20.]

The sampling problem can be illustrated simply. Suppose 2,000 London telephone numbers are selected exclusively from the M/Mc section of a directory, and 45% of respondents report eating porridge. The arithmetic may be impeccable, but the result cannot reliably be presented as representative of Londoners generally without evidence that the selection method supports that inference. Increasing the number of responses from the same restricted population does not eliminate the underlying selection bias.

The relevant question in Investigation 691 is equally direct: who was included, who was excluded, and what evidence justifies treating the resulting observations as representative of the Australian industry? Dr Henstridge identifies precisely this deficiency in the published statistical foundations of the investigation. [Hypothetical illustration; Henstridge, ECOECO/1, 9 November 2026, paragraphs 10–12 and 16–20.]

EcoEco requires four separate and identifiable findings:

1. Whether the statutory production-based initiation-support test was satisfied.
2. What Ventora's verified economic indicators establish about Ventora.
3. What reliable evidence from other qualifying Australian producers establishes about their economic performance.
4. What evidentiary and analytical basis justifies the Commission's conclusions concerning injury to the relevant Australian industry.

The Commission must not treat evidence sufficient to establish one proposition as proof of another. A numerically correct calculation drawn from an inadequately established population does not, merely by its arithmetic accuracy, establish a reliable industry-wide conclusion.

5. AGWA: by whose authority did the association take sides between members?

AGWA is a co-applicant, not an independent regulator or a substitute for the Australian industry's production records. Its membership spans businesses that manufacture in Australia and businesses that import windows, doors or components. A trade association can possess a general constitutional power to advocate without having a mandate to speak for all members on a contested commercial measure that may benefit one group and harm another. AGWA's published constitution authorises advocacy but also sets out corporate objects and procedures concerning directors' material conflicts of interest. [AGWA Constitution, clauses 5.1 and 49; Investigation 691 case record.]

The precise question is this: Who authorised AGWA to advance the commercial interests of one section of its membership by seeking duties potentially imposed at the expense of another? Was this a board resolution, a member vote or a delegated decision? On which date? Who participated? What actual member mandate, if any, was claimed? Were affected importing members informed or consulted before the co-application? Were relevant director interests identified and managed under the applicable constitutional rules? What information collected from members was used, and for what purpose was that information originally supplied?

EcoEco does not need to allege an undeclared conflict to demand the source records. These are factual governance questions AGWA can answer with its authorising resolution, relevant minutes, consultation material and a clear statement of the capacity in which it acted. If the response is that AGWA advocated on its own institutional behalf, that limitation should be stated; it should not be transformed into evidence that its entire diverse membership endorsed the application.

Nor does AGWA's agreement with Ventora create an independent second evidentiary source merely by repetition. If AGWA verified independent data, the Commission should specify the data and the

method. If it merely endorsed applicant-supplied material, distinguish endorsement from independent corroboration. Later public solicitation of support does not itself establish that all affected members were consulted before the decision to co-apply. Equally, it does not prove that no earlier private consultation took place. [EcoEco comprehensive submission 29 September 2026, chapters 19-25.]

Two separate and accountable responses are required. AGWA must explain the authority under which it joined this application, whose interests it claimed to represent, what consultation or authorisation supported that representation, and the provenance of any member-derived evidence supplied.

The Commission must identify precisely what it relied upon from AGWA, what independent verification it undertook, and what evidentiary weight it attached to AGWA's representations. Association endorsement cannot substitute for qualifying producer support established under section 269TB(6), nor can it establish injury to the Australian industry.

The Commission chose to receive and rely upon AGWA's participation. It must therefore accept responsibility for the evidentiary consequences of that reliance. AGWA's institutional authority is not proof of its members' individual support, and repetition of Ventora's assertions is not independent corroboration. The Commission's statutory responsibility for its findings remains entirely its own.

6. Reconstruct the actual Australian producer population

The historical IBISWorld evidence describes a broad, fragmented window and door industry. Its June 2020 report estimated that the four largest firms together represented less than 15% of the broader industry's revenue; JELD-WEN was identified at approximately 7.4%. Its May 2026 report estimates shares of 8.5% for Capral, 6.4% for Platinum Equity/Ventora and 4.8% for G.James. Those are not the statutory production shares of aluminium windows and doors in Investigation 691. They are evidence of market structure requiring reconciliation, not a substitute standing denominator. [IBISWorld, C2223, June 2020 and May 2026; EcoEco September comprehensive submission, chapters 8–10, source schedules S3–S4.]

The published wider-industry revenue estimates of A$306.1 million for JELD-WEN in the June 2020 report and A$338.0 million for Platinum Equity/Ventora in the May 2026 report cannot properly be presented as a same-period, like-for-like growth series. The reports differ in industry definition and price basis, while the comparability of their company perimeters remains unestablished. **These limitations do not diminish the central issue: Ventora's performance cannot be treated as representative of the entire Australian industry without evidence justifying that inference.**

The Commission must account for the completeness of the Australian producer population upon which its findings depend. It must identify what steps were taken to locate qualifying manufacturers beyond the publicly identified applicants and supporters, including non-AGWA businesses, independent and licensed fabricators, regional producers and vertically integrated manufacturers. It must establish how eligibility was determined, how upstream production was distinguished from qualifying window and door manufacture, and how multiple manufacturing stages were prevented from producing inconsistent or duplicated production counts.

The Commission must reconcile the resulting producer population with both the statutory standing calculation and the injury evidence actually examined. It must identify material omissions, quantify their consequences where possible, and correct any findings that cannot be supported by the properly established population and evidence.

The Commission holds the underlying production records. It must demonstrate that its conclusions are supported by those records, rather than rely upon the absence of publicly available information to leave EcoEco's challenge unanswered.

7. The verified injury pattern is not a continuous collapse caused by falling selling prices

The Commission's EPR 444 verification report records material deterioration in several Ventora indicators. **However, its own reported figures do not establish a continuous decline throughout the examination period.** The CY2021–CY2024 revenue indices are **100, 111, 114 and 99**, respectively. Revenue therefore increased through CY2023 before declining in CY2024. The subsequent index of **49 relates to January–June 2025 alone**, not a complete calendar year.

A six-month revenue observation cannot be treated as directly comparable with twelve-month observations without explicitly accounting for the difference in reporting periods. Equally, EPR 444 records selling prices increasing materially earlier in the period before broadly plateauing. The principal allegation is therefore price suppression relative to rising costs, not a continuous fall in actual selling prices. [EPR 444, sections 8.4–8.6 and Table 4; EcoEco comprehensive submission, 29 September 2026, chapters 3 and 6–7.]

Period	Revenue index	Reporting period
CY2021	100	Full calendar year
CY2022	111	Full calendar year
CY2023	114	Full calendar year
CY2024	99	Full calendar year
January–June 2025	49	**Six months only**

The chronology matters. Revenue increased from an index of 100 in CY2021 to 114 in CY2023 before falling to 99 in CY2024. The January–June 2025 value must be identified as a half-year observation. Neither an assumption of continuous deterioration nor an unqualified comparison of unequal reporting periods provides a reliable foundation for attributing injury.

The Commission must reconcile its narrative of commercial deterioration with the actual chronology of its reported indicators. It must identify when each alleged injury mechanism arose, when each relevant indicator changed, and what competing commercial developments occurred during those same periods. **A causal conclusion cannot be established merely by placing increased imports beside deteriorating financial results without demonstrating the relationship between them.**

EPR 444 also contains customer negotiation material referring to Chinese import pricing, including material discussed in section 9.3. EcoEco recognises that this is evidence relevant to a possible price-effect mechanism. **It is not, by itself, proof of the magnitude of dumping-caused injury.**

The Commission must establish which products, prices and contractual terms were compared; whether the negotiations were representative; how the cited import prices related to investigated dumped or subsidised goods; what prices Ventora ultimately realised; and what material effect those transactions had upon the relevant Australian industry.

Price suppression must also be distinguished from price depression. **A producer's inability to recover rising costs through higher selling prices does not establish that dumped imports caused those costs, prevented the necessary increases, or accounted for the resulting deterioration in profitability.** The Commission must examine the contribution of domestic competition, changing demand, product mix, fixed-price contracts, operational costs and other known factors before attributing the relevant injury to investigated imports. [EPR 444, section 9.3.]

Finding required: Identify the controlling revenue and price series, their reporting periods and the chronology of each material injury indicator. Reconcile the published figures with the Commission's narrative conclusions. Distinguish price depression from price suppression, identify the evidence supporting the counterfactual prices allegedly prevented by investigated imports, and establish the resulting material injury attributable to dumping or subsidisation rather than other known causes.

The Commission must demonstrate the causal connection from verified transactions to its proposed industry-wide injury findings. Temporal coincidence and commercial deterioration are not substitutes for that demonstration.

8. Indexed sales figures reveal a price-per-unit question the Commission must answer

The applicants' own public submission provides separate indices for the value and quantity of Ventora's Australian-market sales of like goods. These are indexed sales figures, not absolute dollar turnover amounts. Nevertheless, because the two series use a common FY2022 base and relate to the same reported sales category, **dividing the sales value index by the sales quantity index establishes an implied index of average sales value per reported unit.** This calculation does not establish a constant-product selling price, but it exposes a material question that the Commission must answer. [EPR 1, public application, Section A-6.]

Financial year	Sales value index	Sales quantity index	Implied value-per-unit index (FY2022 = 100)
FY2022	100.00	100.00	100.00
FY2023	116.67	96.91	120.39
FY2024	102.57	85.84	119.49
FY2025	95.53	79.64	119.95

From FY2022 to FY2025, the reported sales value index declined by **4.47%**, while the sales quantity index declined by **20.36%**. Over the same period, the implied average sales value per reported unit **increased by approximately 19.95%**.

This is not an estimate or an assumed market trend. **It is the direct arithmetic consequence of the indexed figures supplied by the applicants themselves.** The calculation is 95.53 divided by 79.64, multiplied by 100, producing an implied FY2025 value-per-unit index of approximately 119.95.

The increase does not, by itself, disprove price suppression. It may reflect changes in product mix, sizes, specifications, customer composition or other factors, while production and selling costs may also have increased. **What it does establish is that declining sales quantity, declining sales value and alleged price suppression cannot be treated as interchangeable explanations of injury.** Each requires its own evidentiary foundation.

The Commission must therefore reconcile these indexed movements with its price-effect conclusions. It must identify whether the analysis controls for differences in windows and doors, dimensions, glazing, thermal performance, hardware, project type, customer terms and manufacturing stage. It must distinguish the implied average value of a reported unit from the selling price of a consistently matched like good and from the unit cost to make and sell.

The Commission must also reconcile these financial-year indices with the calendar-year and part-year indicators reported in EPR 444. **Different reporting periods, business perimeters or measurement bases must not be silently treated as equivalent.**

Finding required: Reconcile the applicants' indexed sales value and quantity figures with the Commission's findings on price depression, price suppression, costs and profitability. Identify the product-matched price evidence, the movement in unit costs, and the counterfactual prices allegedly

prevented by dumped or subsidised imports. Explain how the evidence establishes a material causal contribution from investigated imports rather than changes in sales volume, product mix, domestic competition or other known factors.

The Commission cannot resolve this discrepancy by repeating that Ventora suffered declining sales or profitability. It must explain what caused those movements and demonstrate the connection between its price findings and the injury attributed to investigated imports.

9. Ventora's cost increases require a cause, not a label

The Commission's own Statement of Essential Facts records that Ventora's cost to make and sell (CTMS) per unit increased by approximately **25% over the injury analysis period**, with the largest increases arising from raw materials, labour and fixed manufacturing overhead. Significantly, the Commission reports that **the bulk of this increase occurred in FY2022**, with a further increase of approximately 5% during the investigation period, principally attributable to selling costs. It also acknowledges that declining production volumes increased fixed overhead per unit. [EPR 501, section 9.9.4, pages 199–201; EPR 444.]

These findings are material evidence of cost pressures, but they do not establish that dumped or subsidised imports caused them. Lower profitability is an economic outcome. It is not a causal diagnosis.

The Commission has considered comparative production costs and acknowledges that Chinese manufacturers may enjoy legitimate competitive advantages through lower input costs, labour costs, energy costs, automation, productivity, manufacturing efficiency and economies of scale. These differences are commercially significant. **A legitimate manufacturing advantage does not become injury caused by dumping simply because the resulting products are more competitive.**

The Commission nevertheless concludes that dumping and subsidisation have contributed to price suppression and lost sales, referring to significant price undercutting. EcoEco directly challenges the adequacy of that causal explanation. **The existence of price undercutting does not, without an adequate causal analysis, establish how much of Ventora's deteriorating performance resulted from dumped or subsidised imports rather than lawful competitive advantages, rising costs, reduced efficiency, changing demand or other material factors.**

EcoEco has identified material competing explanations involving Ventora's commercial decisions, cost structures, production efficiency, customer retention, delivery performance, business restructuring and movements of substantial customer accounts. These matters are supported by the Commission's recorded cost and throughput changes and by evidence and questions previously submitted by EcoEco. **They require substantive examination, not dismissal merely because imported goods were also competing in the market.**

EcoEco does not claim to have quantified the extent of injury attributable to Ventora's own commercial performance. **It expressly disputes any attribution of that deterioration to dumped imports without an adequately demonstrated causal connection.** Reduced production may itself result partly from import competition; alternatively, customer losses, operational shortcomings or demand changes may have contributed to reduced throughput. The Commission must establish the direction and relative significance of these relationships rather than assume them.

The integrity of the underlying cost allocation also requires examination. EPR 444, Table 3, describes revenue-based allocation of certain materials and labour costs for three of the four entities. The Commission must explain whether changes in selling prices, product mix, output or the allocation methodology materially affected reported unit costs. **An accounting allocation may be arithmetically correct while still requiring examination before being used to establish commercial causation.**

Finding required: The Commission must provide an intelligible reconciliation from the verified base-period CTMS to subsequent CTMS, identifying the contribution of raw materials, labour, energy, manufacturing overhead, selling costs, product mix, utilisation, restructuring and material allocation changes, to the extent the evidence permits.

It must separately establish:

1. The causes and timing of Ventora's increasing unit costs, including the concentration of increases in FY2022.
2. The causes of declining throughput and the resulting increase in fixed overhead absorption per unit.
3. The treatment of customer losses, domestic competition, operational efficiency and other known non-import causes.
4. The evidence establishing the selling prices Ventora would otherwise have achieved in the absence of dumping or subsidisation.
5. The material contribution of investigated imports to any established price suppression, lost sales and resulting injury, without attributing the effects of other known factors to those imports or counting consequential cost effects twice.

The Commission must reconcile its acknowledged alternative causes with its affirmative causation finding. Where the evidence does not support the attribution made, the finding must be revised.

Ventora's increasing costs and deteriorating margins establish a commercial problem. They do not, without a demonstrated causal connection, establish that dumped imports were responsible for that problem. The Commission must identify the cause, substantiate the attribution and correct any conclusion that extends beyond the evidence.

10. The audited group accounts present a material reconciliation challenge

The publicly lodged audited consolidated financial statements of Aristotle Holding Pty Limited for the year ended 31 December 2024 identify substantial expenditure associated with depreciation, financing, restructuring and business acquisitions. **These figures are established accounting facts, not allegations. Their relationship to the injury attributed to dumped imports requires examination.** [EPR 423, CCCMC Exhibit C-1, Aristotle Holding audited consolidated financial statements, CY2024; EcoEco September comprehensive submission, chapter 4.]

Aristotle Holding consolidated CY2024 expense	A$ million
Depreciation and amortisation	55.499
Restructuring expenses	30.676
Finance costs	32.160
Acquisition expense on business combinations	3.322
Four-item subtotal	**121.657**

The same audited accounts report consolidated revenue of **A$831.247 million** and a group after-tax loss of **A$10.678 million**.

These are wider-group figures, not independently established financial results for the aluminium windows and doors investigated in this proceeding. They cannot simply be deducted from Ventora's reported injury or treated as expenses necessarily attributable to the 2023 acquisition. Depreciation and finance costs include ordinary business expenditure, and the extent of any acquisition-related or restructuring effects requires examination.

However, their substantial magnitude makes the reconciliation of group financial results to the product-specific injury indicators a material evidentiary question.

Note 24 of the audited accounts also discloses approximately **A$4.609 million in Platinum Equity monitoring fees and A$0.457 million in related-party cost recharges** during 2024. Those disclosures raise further questions concerning group costs and their allocation. These amounts are identified separately and are not added to the four-item subtotal without establishing their accounting treatment. [Aristotle Holding audited consolidated financial statements, CY2024, Note 24.]

JELD-WEN's United States securities filings independently establish the historical operating results of its Australasian business before the July 2023 disposal. These results concern the wider Australasian business, not solely the Australian aluminium windows and doors subject to Investigation 691.

Reporting period	Net revenue (US$m)	Operating income (US$m)	Scope
CY2021	610.737	51.578	Full-year Australasian business
CY2022	611.048	46.880	Full-year Australasian business
1 January–2 July 2023	301.876	28.038	Pre-sale period only

[JELD-WEN Holding, Inc., Form 10-K for the year ended 31 December 2023, Note 2, Discontinued Operations.]

These results establish that the wider Australasian business reported positive operating income during the periods shown before its acquisition by Platinum Equity.

They do not establish the profitability of the investigated Australian AWD products, nor can they be directly compared with Aristotle Holding's subsequent consolidated after-tax results. The accounting entities, product coverage, currencies, reporting periods and measures of profitability differ.

Those differences make a proper reconciliation necessary; they do not justify ignoring the historical evidence.

JELD-WEN announced the sale of its Australasian business to Platinum Equity for approximately **A$688 million**, completing the transaction on **2 July 2023**, within the injury examination period. Aristotle Holding's own accounts identify the acquisition, substantial financing arrangements and subsequent changes in group capital structure. Its 2023 comparative accounts cover a shorter reporting period and must not be treated as a complete annual comparison with 2024. [JELD-WEN transaction disclosures, April and July 2023; Aristotle Holding audited financial statements, CY2024.]

The Commission must therefore determine whether, and to what extent, the acquisition, financing arrangements, restructuring decisions, management charges and accounting allocations affected the economic indicators relied upon to establish injury.

Financial deterioration associated with acquisition financing or corporate restructuring cannot properly be attributed to dumped imports merely because it occurred during the injury examination period.

Equally, EcoEco does not suggest that the existence of substantial group expenditure automatically disproves injury caused by dumping. The Commission must establish what entered the relevant AWD accounts, what remained outside them and what effect the material costs actually had.

Finding required: Reconcile Aristotle Holding's audited consolidated financial statements and JELD-WEN's pre-acquisition disclosures with the Australian entities and product-specific economic indicators relied upon in Investigation 691.

The reconciliation must identify:

1. Which group expenses were included in, excluded from or allocated to the investigated AWD products.
2. The allocation methodologies applied and any material changes following the acquisition.
3. The effects, if any, of restructuring, financing, depreciation, management fees and related-party charges on reported profitability, costs, assets and returns.
4. The treatment of offsetting savings, operational improvements and other benefits.
5. Whether any injury attributed to investigated imports instead arose, wholly or partly, from corporate decisions, accounting changes or other known causes.

Where the Commission concludes that these matters had no material effect upon its injury findings, it must identify the reconciled evidence supporting that conclusion. Where material effects are established, they must be distinguished from injury attributable to dumped or subsidised imports.

The Commission cannot attribute financial deterioration to dumping without first establishing what the relevant accounts measure, what materially affected those results and which effects can properly be attributed to the investigated imports.

11. Broader market evidence does not establish dumping-caused injury

The May 2026 IBISWorld C2223 report provides a consistent, same-edition series of revenue estimates for the broader Australian window and door manufacturing industry. Its reported annual revenue figures are:

Financial year	Broader industry revenue (A$m)
FY2021–22	5,539.0
FY2022–23	5,431.7
FY2023–24	5,084.5
FY2024–25	5,258.5

These figures reveal a broader industry that contracted and subsequently experienced a partial recovery. Its performance cannot be inferred solely from the deterioration reported by Ventora.

The figures concern an industry definition broader than the goods investigated in Investigation 691. They are not measurements of domestic demand for statutory like goods, nor do they independently establish the causes of changes in production, revenue or profitability.

Their significance is that the Commission must reconcile its findings concerning Ventora with the economic condition of the relevant Australian industry and the wider competitive market. The performance of one substantial producer cannot automatically be treated as the performance of every qualifying Australian manufacturer. [IBISWorld C2223, May 2026; EcoEco September comprehensive submission, chapters 8–10.]

The same IBISWorld report estimates that imports from all countries represented **12.6% of broader domestic demand by value in FY2020–21**, increasing to **16.2% in FY2025–26**. The latter figure, published in May 2026 before the financial year ended, must be treated as an estimate rather than a completed annual observation.

The report also identifies China as accounting for approximately **81.7% of all-origin imports by value in FY2024–25**.

These figures have different denominators, reporting periods and product coverage. They must not be combined or presented as though they establish the share of investigated goods that were dumped or subsidised.

The arithmetic complement of the 16.2% import share is 83.8%, but that figure is not a verified measure of eligible Australian production, an industry-standing calculation or a direct measure of output from Australian factories.

The Commission must distinguish between increased import penetration, increased Chinese import penetration, the specific goods found dumped or subsidised, and the actual displacement of qualifying Australian production.

Increased imports establish increased market participation. They do not, without further evidence, establish that Ventora's particular customer losses, reduced utilisation or deteriorating profitability were caused by dumped or subsidised goods.

EcoEco does not dispute that imported goods can influence market prices without securing every individual order. However, the existence of competitive price pressure is not itself a measurement of dumping-caused injury.

The Commission must establish the causal connection between investigated imports and the material injury alleged, distinguishing that effect from lawful import competition, imports from other countries, domestic competition, changes in demand, product mix and the commercial performance of individual producers.

Finding required: Reconcile the Commission's market-wide findings with the broader industry evidence, using clearly identified product definitions, reporting periods, measures of value and volume, and sources of information.

Identify what the available evidence establishes concerning overall demand, Australian production, import penetration, producer market-share movements and the causes of material lost sales.

The Commission must explain how it distinguished injury caused by dumped or subsidised imports from deterioration arising through other known factors. Where the evidence does not support a proposed attribution, that conclusion must be corrected.

A changing market is not, by itself, proof of dumping-caused injury. The Commission must demonstrate which changes were caused by investigated imports and why those effects justify the measures proposed.

12. Trace domestic winners as well as losers: customer-movement evidence already submitted

EcoEco's comprehensive September submission, paragraphs 9.13–9.16, identified a specific, substantial customer account reported to have transferred between Australian window manufacturers. The information was communicated directly to EcoEco representatives during an ordinary commercial discussion, with quality and on-time, in-full (OTIF) delivery performance identified among the reported reasons for the transfer.

The underlying contract history, precise financial amounts and reasons for the supplier change have not been independently verified. **That does not render the evidence irrelevant. It identifies a concrete, independently verifiable commercial history directly relevant to the Commission's analysis of lost sales and alternative causes of injury.**

EcoEco has also received more recent information directly from another customer concerning movement of business between Australian suppliers. This further illustrates why the destination of lost sales must be investigated rather than presumed. [EcoEco comprehensive September submission, paragraphs 9.13–9.16; separately held customer-history material.]

The public submission deliberately protects the identities of the individuals who communicated this information and the particulars capable of identifying the customers or accounts. EcoEco requests that any examination of supporting material be conducted through appropriate confidentiality safeguards, with relevant supplier and procurement records examined where practicable before unnecessary disclosure of individual commercial sources.

The Commission must distinguish injury caused by Chinese imports from losses arising through competition between Australian manufacturers.

For each material customer movement relevant to its causation findings, the Commission should establish the following:

1. Whether the customer continued purchasing windows and doors, and from which suppliers.
2. When the customer transferred business, and whether the change occurred before, during or after the injury examination period.
3. Whether the business moved to another Australian manufacturer, an importer, a different overseas supplier or a combination of suppliers.
4. The contractual quantities and values transferred, and the corresponding effects on qualifying Australian production.
5. Whether quality, delivery performance, price, technical requirements, warranty, installation, capacity or other commercial considerations materially influenced the decision.
6. Whether the customer subsequently returned to its original supplier and what that movement reveals about the competing explanations for its earlier departure.

These questions are not theoretical. They concern identifiable commercial transactions capable of examination against customer procurement records, supplier contracts, invoices and the manufacturers' own sales histories.

The chronology must be respected. A customer loss preceding the injury examination period cannot be counted as an additional loss occurring within that period. It may, however, help explain the historical starting position and subsequent movements in production, utilisation and profitability.

Similarly, a customer return or subsequent supplier change after FY2025 cannot be applied retrospectively as proof of injury within FY2022–FY2025. It may nevertheless provide relevant context concerning customer behaviour, supplier performance and the plausibility of alternative causal explanations.

The Commission must establish the relevant timing and economic consequences rather than disregard the evidence or attribute losses to investigated imports without verification.

Finding required: Identify where and how the customer-movement evidence previously presented by EcoEco was substantively assessed in EPR 501. State whether the relevant supplier transfers, reasons and economic consequences were examined and whether they affected the Commission's conclusions concerning injury and causation.

Where the account history was not investigated, the Commission must explain how it nevertheless established that its injury findings did not attribute the effects of material domestic competition to dumped or subsidised imports.

The Commission must also identify the extent to which sales lost by Ventora or another Australian producer were gained by other qualifying Australian manufacturers, and how such movements were reflected in its assessment of the Australian industry as a whole.

INJURY TO ONE AUSTRALIAN MANUFACTURER IS NOT AUTOMATICALLY INJURY TO THE AUSTRALIAN INDUSTRY.

A substantial customer transfer between Australian producers may diminish one firm's sales, production and profitability without representing equivalent displacement of Australian manufacturing by imports. Any separate price effects of investigated imports must be demonstrated on their own evidence.

The Commission must trace the business, establish the reasons for its movement and distinguish domestic competitive redistribution from injury actually caused by dumped or subsidised imports.

A lost Ventora customer is not automatically a Chinese dumping event.

13. A single substantial customer movement can materially affect the reported revenue trend

The public sales-value indices in EPR 1 decline from **100 in FY2022 to 95.53 in FY2025**, representing a net reduction of **4.47% of the FY2022 base**.

The underlying Australian-dollar sales value for the investigated goods is confidential. EcoEco therefore does not claim to know the absolute dollar amount of the decline.

Nevertheless, the published indices permit a precise sensitivity calculation demonstrating how a single substantial customer movement could materially affect the interpretation of the aggregate result. [EPR 1, Section A-6.]

The following scenarios are expressly hypothetical. They do not purport to establish Ventora's actual AWD revenue, the value of any identified customer contract or the cause of any reported loss.

Hypothetical FY2022 AWD revenue	4.47% net revenue decline	A$10m annual account movement as a percentage of that decline
A$150m	A$6.705m	149.1%
A$200m	A$8.940m	111.9%
A$300m	A$13.410m	74.6%

For a hypothetical annual account movement of **A$10 million**, the FY2022 revenue base at which that amount equals the reported 4.47% net decline is approximately **A$223.7 million**.

The calculation is straightforward:

A$10 million ÷ 0.0447 = A$223.7 million.

These calculations are not estimates of Ventora's actual turnover or customer losses. They demonstrate the scale of an individual annual customer movement relative to the net change between two reported annual sales figures.

The essential distinction is between gross customer losses, offsetting customer gains and the resulting net movement in reported revenue.

A producer could lose a substantial account while simultaneously gaining other business, producing a relatively small net revenue decline. Alternatively, a fall in total sales could arise from numerous smaller transactions, reduced demand or other causes. The published aggregate index does not distinguish those possibilities.

Nor does the sensitivity calculation establish that any identified customer transfer occurred during FY2022–FY2025, involved A$10 million annually, represented a complete loss of supply or caused the reported net decline. The timing, value, product coverage and destination of any such movement must be verified.

The Commission must examine what happened beneath the aggregate figures rather than treat the aggregate movement as sufficient evidence of its cause.

The Commission has access to confidential investigation material unavailable to EcoEco and can seek the underlying sales, contract and procurement information necessary to assess material customer movements.

It must distinguish:

1. The gross annual value of material customer accounts lost by an individual Australian manufacturer.
2. The value of new or recovered accounts that offset those losses.
3. The resulting net change in that manufacturer's sales.
4. The extent to which lost business transferred to other qualifying Australian manufacturers.
5. The extent to which business was displaced by investigated dumped or subsidised imports, other imports or changes in demand.
6. Any separate price effects attributable to investigated imports, regardless of which supplier ultimately won the account.

Finding required: Reconcile the reported 4.47% net sales-value decline with the material customer gains and losses underlying it, using comparable financial years and the relevant investigated goods.

Identify whether material lost accounts were retained within Australian manufacturing, transferred to imports or otherwise affected by changes in demand. Distinguish direct sales displacement from any independently established price-suppression effects.

The Commission must demonstrate how the actual transactions support its attribution of injury rather than infer the cause of gross customer losses from a net aggregate percentage.

A net decline of 4.47% establishes the magnitude of a reported change. It does not establish the cause. The underlying customer movements must be examined before that decline can reliably be attributed to dumped or subsidised imports.

14. Capral's upstream price arguments require verified finished-window calculations

Capral's interventions include EPR 439, EPR 455 and its response to the Statement of Essential Facts at EPR 581. EcoEco responded in EPR 448 and EPR 456 and addressed these matters again in its comprehensive September submission, chapters 27–30.

Capral previously advanced the proposition that an Australian-fabricated window could not approach the landed price of a Chinese manufactured window even if the aluminium input were provided without charge.

That proposition requires a worked, independently examinable and genuinely comparable calculation. It cannot simply be accepted as proof of dumping or of the cause of the price difference. [EPR 439, 448, 455, 456 and 581; EcoEco September comprehensive submission, chapters 27–30.]

The first question is fundamental: **What exactly was assumed to be free?**

Was it primary aluminium, billet, mill-finish extrusion, powder-coated extrusion, fabricated frame components or complete, system-ready profiles delivered to the Australian fabricator?

These are materially different products with materially different costs.

The Commission must also establish the specifications of the finished windows being compared: dimensions, glazing, hardware, structural performance, wind and water resistance, thermal performance, finish, order quantity, manufacturing requirements, delivery terms, installation scope and commercial trade level.

Without matching the products and identifying the actual costs, a comparison between an upstream aluminium input and an imported completed window cannot establish the cause of the finished-product price difference.

Nor does it establish a dumping margin. Dumping must be assessed through the applicable comparison of export price and normal value, with the adjustments and methods required by law. A difference between an Australian manufacturer's production cost and a Chinese supplier's landed price is a separate economic observation.

A Chinese window can be less expensive than an Australian window without necessarily being dumped. Equally, dumped pricing may coexist with genuine manufacturing efficiencies. The Commission must distinguish the two.

A complete cost comparison must identify the economic contribution and margins arising at each relevant stage, including system ownership, extrusion, surface finishing, fabrication, glazing, distribution and installation.

These stages may be undertaken by separate businesses or integrated within a single manufacturer.

Legitimate expenditure on intellectual property, engineering, testing, certification, tooling, technical support, warranty and manufacturing expertise must be recognised. An independent Australian fabricator's arm's-length purchase price is a real commercial cost, including its supplier's legitimate profit.

However, legitimate value creation does not justify accepting duplicated costs, unexplained related-party transfers or inappropriate overhead allocations without examination.

The question is not whether Australian manufacturers should be permitted to recover their costs and earn profits. Of course they should.

The question is whether the Commission has distinguished genuinely necessary production costs from the additional costs created by particular commercial structures, and whether it has established that the remaining price difference is actually attributable to dumping or subsidisation.

The distinction can be illustrated by a simple commercial parable.

Consider a country whose families enjoy warm, attractive and affordable imported woolly jumpers.

Local cottage knitters produce excellent jumpers too, but they purchase their wool and licensed patterns through a particular commercial supply system. The wool alone costs as much as a finished imported jumper.

The pattern owner complains that imports are unfair, and duties are introduced to protect the knitters.

Families pay more for their jumpers. The knitters still face the same wool and pattern costs. And the pattern owner lives happily ever after.

The parable does not establish the costs, motives or conduct of Capral or any other participant. It illustrates why protection against an external price difference does not, by itself, identify or correct the internal cost structure responsible for that difference.

That distinction is directly relevant to Investigation 691.

Capral's position in the upstream aluminium and window-system supply chain does not make its commercial experience a verified proxy for the production costs, prices or profitability of all Australian finished-window manufacturers.

Its published results may provide relevant evidence about aluminium demand, extrusion economics and competition. They do not establish that Capral captured finished-window sales lost by Ventora,

nor can its performance be treated as a direct measurement of the injury suffered by qualifying Australian window manufacturers.

Any such assertion must be demonstrated through actual production, customer and transaction evidence. [EcoEco September comprehensive submission, chapters 9 and 27–30.]

Finding required: The Commission must identify whether it relied upon Capral's zero-cost aluminium proposition or related upstream cost comparisons in reaching its conclusions.

If it did, it must identify:

1. The actual worked calculations and source data supplied by Capral.
2. The aluminium input and completed-window specifications assumed in each comparison.
3. The treatment of manufacturing stages, system-owner margins, legitimate component costs, related-party transactions and overhead allocations.
4. The extent to which the compared products, quantities, contractual terms and delivery conditions were genuinely equivalent.
5. The Commission's substantive assessment of EcoEco's response in EPR 456.
6. The evidentiary basis for attributing any resulting price difference to dumping or subsidisation rather than legitimate manufacturing efficiencies, product differences or supply-chain structure.

An unsupported upstream illustration cannot establish a finished-window dumping margin, cannot quantify dumping-caused injury and cannot substitute for a verified comparison of relevant transactions.

If Capral's illustration lacks a substantiated, comparable factual basis, the Commission must not rely upon it as positive evidence of a specified causal price gap.

THE COST OF MAKING A WINDOW IN AUSTRALIA IS NOT THE LEGAL TEST FOR WHETHER A WINDOW MADE IN CHINA WAS DUMPED.

The Commission must establish the dumping and injury findings from the applicable statutory evidence, not from an unexplained difference between two manufacturing systems.

15. Like goods and material product differences cannot be averaged away

Investigation 691 encompasses an exceptionally diverse range of aluminium windows and doors, including residential and commercial configurations, different performance classes, glazing systems, energy ratings, proprietary designs, completed units and specified partially assembled components.

A common classification as aluminium windows and doors does not establish that every product, quotation, manufacturing cost or commercial transaction is directly comparable.

The Commission must distinguish between the statutory determination that goods are *like goods* and the separate evidentiary requirement to ensure that relevant price and cost comparisons account for material product and commercial differences.

A finding of likeness is not a finding of identical specification, identical production cost or equal competitive circumstances. [EPR 501, sections 3.3–3.6; EcoEco EPR 490, 498 and 499; EcoEco September comprehensive submission, chapters 14 and 30.]

EPR 501, section 3.5, identifies the Commission's model control code (MCC), which includes nine characteristic categories covering door/window classification, assembly status, type, height, width, thermal break, glazing, coating and safety characteristics.

EcoEco acknowledges that these controls provide a framework for matching products.

The unresolved question is whether they adequately capture all differences capable of materially affecting price, manufacturing cost and comparability.

The published MCC does not expressly identify every potential difference in:

- Certified thermal, acoustic, structural and water-penetration performance.
- Frame design, profile dimensions, material content, hardware and system configuration.
- Glazing specifications beyond the published broad categories.
- Proprietary tooling, engineering, testing and certification requirements.
- Project volume, production complexity, delivery arrangements, warranties and commercial trade level.

The Commission must establish whether such differences were immaterial, adequately represented by the existing MCC, separately adjusted for, or left unresolved.

Where materially different products fall within the same control categories, their prices cannot automatically be treated as equivalent merely because their codes match.

Three statutory exercises must also remain distinct.

First, dumping: The Commission must determine the relevant export price and normal value using the statutory methodology, with appropriate comparisons and adjustments.

Second, injury and causation: The Commission must establish the effects of investigated imports upon the Australian industry, including relevant price effects, lost sales, production, profitability and other economic indicators, while distinguishing injury caused by other known factors.

Third, subsidisation: The Commission must separately establish any countervailable subsidy, the relevant benefit and its attribution or allocation, together with the applicable injury-and-causation findings.

A lower landed price is not itself a calculated dumping margin. Australian cost inflation is not proof of a Chinese subsidy. Australian ownership of intellectual property does not negate the Chinese origin of goods manufactured in China.

These distinctions are essential to the integrity of Investigation 691.

Partially assembled goods raise additional questions.

The published goods description includes specified fabricated aluminium frame, panel and sash assemblies, whether or not glazed, thermally broken or fitted with hardware. The Commission has also explained that an individual aluminium extrusion does not become a partially assembled window or door merely because it is intended for subsequent use in one.

EcoEco acknowledges that clarification. **The remaining task is to establish how the stated boundary applies consistently to actual imported products and how those products are treated in the injury and price comparisons.**

The Commission must distinguish fabricated unglazed frames, individual panels and sashes, unassembled kits, cut or machined profiles, loose extrusions and products subsequently completed in Australia, applying the published goods description and relevant legal criteria.

The investigation's express exclusion of curtain-wall products must also be maintained. EPR 501 preliminarily treats window-wall products as distinct from curtain wall and potentially within scope. **That distinction requires objective application to the actual construction and imported characteristics of the goods, not simply their project description or marketing terminology.**

The Commission must explain what Australian like goods each relevant imported assembly competes with, the manufacturing activities undertaken after importation and the treatment of quantity, product value and costs in its comparisons.

The same economic activity must not be counted inconsistently merely because a product passes through separate manufacturing or assembly stages. [EPR 501, sections 3.3, 3.8 and 4.5; EPR 499, issues 1–2 and 7–8.]

The commercial market itself contains materially different segments.

A standard residential builder package, a high-performance proprietary window system and specialised high-rise glazing assemblies may all involve aluminium windows. That does not establish that they are interchangeable in actual tenders or that their prices can be compared without appropriate controls.

A reported average undercutting margin does not establish that every materially distinct product segment experienced equivalent undercutting or that all products competed under equivalent commercial conditions.

Finding required: The Commission must identify the product-matching methodology actually used in each relevant dumping, subsidy and injury-price assessment and explain how material differences were handled.

It must establish:

1. Which specifications were controlled directly through the published MCC and which were addressed by separate adjustments or methods.
2. Whether material performance, configuration and contractual differences remained within matched product categories.
3. Whether the relevant Australian and imported goods competed within the same practical market segments and contractual circumstances.
4. How partially assembled goods were classified, counted and compared with qualifying Australian like goods.
5. How the curtain-wall exclusion and proposed inclusion of window-wall products were consistently applied.
6. Whether any reported average price effects were materially influenced by product mix, unmatched transactions or differences in commercial terms.

Where the Commission cannot establish a sufficiently comparable basis for a particular inference, it must identify the limitation and must not give an unsupported comparison evidentiary weight beyond what it can reliably establish.

THE FACT THAT TWO PRODUCTS ARE BOTH ALUMINIUM WINDOWS DOES NOT ESTABLISH THAT THEY ARE ECONOMICALLY INTERCHANGEABLE OR THAT THEIR PRICE DIFFERENCE WAS CAUSED BY DUMPING.

The Commission must demonstrate comparability before relying upon a price difference as evidence of dumping-related injury.

C. EXPORTER SELECTION, HENNISSY AND THE 24.4% RATE

16. The exporter selection frame does not establish statistical representativeness

The Commission's exporter-selection methodology raises a fundamental distinction between **selection permitted by statute and statistical conclusions that may properly be drawn from the exporters selected**.

EPR 413 and the Statement of Essential Facts describe a selection process based principally upon export volume. Dr John Henstridge, in his independent statistical report ECOECO/1 dated 9 November

2026, identifies substantial concerns about the composition of the exporter population, the selection process and the reliability of inferences concerning exporters not individually examined. [EPR 413; EPR 501, sections 1 and 2; Henstridge, ECOECO/1, paragraphs 21–24.]

The published material records the following:

Stage	Reported position
ABF import records	More than 2,000 identified exporters during the investigation period
Initial preliminary-information process	122 exporters identified in the sampling material discussed by Dr Henstridge
Supplementary information requests	18 larger exporters
Exporters selected for individual examination	6
Completed exporter questionnaires	8, including 2 non-selected residual exporters
Selected-exporter value coverage	Approximately 38% of PIR respondents' export value
Selected-exporter share of total Chinese exports	Approximately 29% by value

The SEF subsequently identifies six selected exporters and 120 residual exporters in its published account of participating exporters. **The relationship between the initial 122 identified exporters, the later published categories and the much larger ABF population requires a clear explanation.**

The Commission must distinguish between database entries, unique exporting entities, preliminary-information respondents, selected exporters, non-selected respondents and exporters ultimately assigned individual or residual outcomes.

These are different populations. They cannot be treated as interchangeable merely because each appears in the investigation record.

Section 269TACAA(1) expressly permits selection based upon the largest volume of exports that can reasonably be examined.

EcoEco does not contend that a non-random, largest-volume selection is automatically unlawful.

The objection is more precise.

A selection method authorised for practical individual examination does not automatically provide a statistically representative sample of the wider exporter population.

Large exporters may differ materially from smaller and specialist manufacturers in production systems, scale, product mix, ownership of proprietary designs, customer bargaining arrangements, fixed costs, domestic-market sales and methods of establishing normal value.

Unless the relationship between these characteristics and dumping or subsidy outcomes is examined, the individual results obtained from the selected exporters cannot automatically be interpreted as describing the distribution of those outcomes among unexamined exporters.

Dr Henstridge directly identifies this limitation. His report explains that the selection procedure is concentrated upon larger exporters and that the published material does not establish whether exporter size is unrelated to the outcomes being investigated. He also notes the substantial variation between the individually reported results.

The concern is not simply that the selected exporters differ in size. It is that the statistical implications of those differences have not been adequately established before conclusions

concerning the wider population are drawn. [Henstridge, ECOECO/1, 9 November 2026, paragraphs 21–24.]

There is a further important distinction in the coverage figures.

The selected exporters represent approximately **38% of the export value attributed to PIR respondents**, but only approximately **29% of the total Chinese export value recorded for the investigation period**.

The 38% figure must not be presented as coverage of the entire relevant exporter population.

The Commission must separately identify the participating population, the selected population, the treatment of non-participating exporters and the basis upon which the selected exporters' results informed its decisions affecting other exporters.

EcoEco recognises that the legislation provides mechanisms for determining rates applicable to exporters not individually examined. **The existence of such a statutory mechanism must be distinguished from any claim that the selected exporters' calculated margins constitute a statistically reliable estimate of the actual margins of all other exporters.**

The former is a question of statutory authority and correct calculation. The latter is a question of evidentiary and statistical reliability.

Neither question is answered merely by invoking the largest-volume selection provision.

Finding required: The Commission must provide a coherent and reproducible account of the exporter-selection process, including:

1. The reporting period and identity criteria used to identify the more than 2,000 exporters in the ABF records.
2. The treatment of duplicate entries, alternative trading names, related companies and exporters appearing under multiple identifiers.
3. The reconciliation between the 122 exporters identified in the initial PIR material and the subsequent selected and residual exporter categories.
4. The criteria used to narrow the population to 18 larger exporters and then six exporters selected for individual examination.
5. The precise denominators used to calculate the published 38% and 29% coverage figures.
6. The extent to which exporter size, product mix and commercial structure may materially affect the results being applied or discussed.
7. The distinction between conclusions established for individually examined exporters, conclusions drawn about unexamined exporters and rates calculated under the applicable statutory provisions.

Where the Commission relies upon the selected exporters' results to support a wider factual inference, it must identify the evidence justifying that inference and its limitations. Where it relies instead upon a statutory method for assigning a residual rate, it must identify that method and demonstrate its correct application.

A LAWFULLY SELECTED GROUP OF EXPORTERS IS NOT AUTOMATICALLY A STATISTICALLY REPRESENTATIVE SAMPLE OF ALL EXPORTERS.

The Commission must distinguish what it has measured, what it has inferred and what it has assigned by operation of law. Those are three different propositions, and each must be justified on its own terms.

17. Five measured margins, one assigned result: the arithmetic does not disappear

The Commission's Statement of Essential Facts reports five exporter dumping margins calculated through separate exporter assessments. It also reports a margin of **24.4% for Broad**, determined using information from other selected exporters because the Commission considered Broad's own sales and cost information insufficiently reliable for the necessary calculations.

Broad's assigned result is therefore not a sixth independent measurement of dumping based upon verified complete data for Broad. [EPR 501, sections 6.1 and 6.10.]

The five separately assessed dumping margins are:

Exporter	Reported calculated dumping margin
Altop	−47.4%
Foshan AMJ	5.3%
Guangdong Kete	12.1%
Yuanjiang	34.8%
Zhuhai Yipeng	51.6%
Unweighted mean of five — descriptive only	**11.28%**
Median of five — descriptive only	**12.1%**
Sample standard deviation — descriptive only	**37.61 percentage points**

The range between the lowest and highest calculated margins is **99.0 percentage points**.

Three of the five separately calculated results are below 24.4%, while two are above it.

If Altop's negative calculated margin is excluded, the remaining four positive calculated margins have an unweighted mean of **25.95%**, with two below and two above 24.4%.

These are mathematical descriptions of the reported outcomes. They are not estimates of the unexamined exporter population and are not proposed replacements for the statutory calculation.

Altop's negative calculated dumping margin of 47.4 percentage points below zero must also be distinguished from the absence of a positive preliminary duty rate for Altop. [EPR 501, Tables 2 and 12; EcoEco calculations, Appendix B.]

The results nevertheless demonstrate substantial variation among the individually assessed exporters.

They provide no statistical justification, without further evidence, for assuming that unexamined exporters share a common underlying dumping margin or comparable commercial behaviour.

The treatment of Broad introduces a separate question.

EPR 501, section 6.10, records that Broad's export price and normal value were determined by reference to weighted average information from selected exporters after the Commission found material deficiencies in Broad's own reported information.

The resulting margin was **24.4%**.

The residual margin reported in section 6.11 is also **24.4%**.

The numerical equality of those outcomes is not independent corroboration of the residual margin.

For illustration, if all six reported results, including Broad's assigned 24.4%, are arranged in ascending order, their descriptive median is 18.25%.

If Altop's negative result is excluded, the median of the remaining five reported outcomes becomes 24.4% — precisely because Broad's assigned 24.4% occupies the middle position.

That apparent agreement is not independent statistical validation. One of the observations was itself constructed from other information.

EcoEco does not allege that the Commission calculated its residual rate using either median, nor does it assert that the matching numerical outcomes alone establish a computational error.

The question is how the Commission actually derived the common 24.4% outcome, including which observations entered the calculation and whether any assigned values were reused in a manner requiring explanation.

EPR 501, section 6.11, identifies the relevant statutory framework. It states that the residual export price was calculated under section 269TACAB(2)(c) and the residual normal value under section 269TACAB(2)(d).

Those provisions concern the determination of export price and normal value by reference to weighted average values and applicable statutory limits.

That method is not equivalent to taking the unweighted mean or median of individually reported dumping percentages.

The public SEF identifies the governing provisions and the resulting rate, but places the detailed calculation in **Confidential Attachment 31**.

Consequently, EcoEco cannot independently reproduce the 24.4% rate from the published summary alone.

EcoEco does not claim that the rate is necessarily incorrect. It challenges the absence of sufficient publicly available explanation to test its calculation, inputs, exclusions and application to unexamined exporters.

A reproducible explanation can be provided without disclosing protected individual transaction details. The Commission should identify the calculation sequence, the relevant inclusion and exclusion criteria, the treatment of materially different products and the operation of the statutory limits, together with suitable non-confidential numerical explanations where lawful and practicable.

The Commission must also distinguish the mathematical precision of a calculated rate from the evidence supporting its application to exporters whose own circumstances have not been individually examined.

The substantial variation in the independently assessed margins raises a legitimate question about the usefulness of those results for characterising unexamined exporters. The non-random, volume-based selection process further limits the statistical inferences that can properly be made.

EcoEco does not advance a conventional confidence interval as a reliable population estimate because the exporters were not selected through a probability sampling design. It likewise does not advance the 11.28% descriptive mean as an alternative lawful residual rate.

These qualifications do not weaken the challenge. They identify precisely what the evidence can establish and what remains unsupported.

Finding required: The Commission must provide a reasoned, reproducible explanation of the 24.4% residual calculation, consistent with lawful confidentiality protections, identifying:

1. The selected exporters and product comparisons included in the relevant weighted average export prices and normal values.

2. The weighting methods, relevant quantities and treatment of differences in products and transaction circumstances.
3. The treatment of Altop's negative calculated margin and the applicable statutory rules concerning its inclusion or exclusion.
4. The treatment of Broad's constructed export price and normal value, including whether and how its assigned values entered any further calculations.
5. The application of sections 269TACAB(2)(c) and (d), including the relevant statutory limits and any adjustments.
6. The numerical and methodological explanation for the residual outcome of 24.4%, including the extent to which that explanation can be disclosed in non-confidential form.
7. The distinction between a legally calculated common residual rate and any wider factual inference concerning the individual dumping behaviour of unexamined exporters.

Where the Commission's published explanation is insufficient to permit meaningful examination of the calculation, it must provide a further reasoned account of the method and the evidentiary basis for its application.

A COMMON RESIDUAL RATE IS NOT EVIDENCE THAT EVERY UNEXAMINED EXPORTER ACTUALLY DUMPED AT THAT RATE.

The Commission must distinguish an independently calculated exporter margin, a rate determined using substituted information, and a residual rate applied under the statute. They are not interchangeable evidence of individual dumping conduct.

18. Reconstruct the residual calculation: show the inputs, weights and exclusions

The Commission's Statement of Essential Facts assigns a dumping margin of **24.4% to residual exporters**, including exporters whose circumstances were not individually examined.

EPR 501, section 6.11, identifies sections 269TACAB(2)(c) and (d) as the statutory basis for determining residual export price and normal value. The detailed calculation is contained in **Confidential Attachment 31**.

The public identification of a statutory provision and a resulting percentage does not, by itself, demonstrate that the calculation has been correctly performed or permit meaningful examination of its component decisions.

EcoEco does not demand public disclosure of confidential exporter transaction prices. It demands a sufficiently informative explanation of the calculation pathway, using non-confidential aggregates, anonymised examples or other lawful forms of disclosure where necessary.

A calculation affecting a substantial population of unexamined exporters must have an identifiable and auditable methodological foundation. [EPR 501, sections 6.10–6.12; EPR 502.]

EcoEco does not propose substituting the arithmetic mean or median of the individually reported dumping margins for the statutory calculation.

It requests the Commission's own calculation, properly explained.

The Commission must identify:

1. **The exporter inputs:** Which selected exporters contributed to the residual calculation, and which were excluded, with reasons.
2. **The transaction inputs:** Which models, transactions, prices and quantities were used, and how materially different products and commercial circumstances were addressed.

3. **The weighting methodology:** Whether weighted averages were constructed by quantity, value or another legally applicable method; at what level the weighting was applied; and how the resulting export prices and normal values were combined.
4. **The statutory operation:** How sections 269TACAB(2)(c) and (d), including their respective limitations upon residual export price and normal value, were applied to the actual data.
5. **The treatment of Altop:** Whether its negative calculated dumping margin affected the inputs, exclusions or calculations, and the statutory justification for that treatment.
6. **The treatment of Broad:** Whether its constructed export price or normal value entered any further weighted average, how its unreliable underlying information was excluded or replaced, and whether any circular use of assigned values was avoided.
7. **Incomplete examinations:** How verified, partly verified, substituted and rejected exporter information was distinguished, and what consequences those decisions had for the residual calculation.
8. **The final calculation:** The sequence of numerical operations leading to 24.4%, with sufficient non-confidential information to demonstrate how the result arose and why the statutory requirements were satisfied.

EcoEco does not allege that the confidential calculation is necessarily incorrect. It submits that the published explanation is insufficient to reproduce or independently assess the result.

The Commission must also distinguish between the different exporter categories and different forms of duty.

Under EPR 501, the residual dumping margin is **24.4%**, while the separately calculated dumping margin for uncooperative exporters is **70.4%**.

For subsidisation, EPR 501, section 7.12.1, reports a residual subsidy margin of **0.7%**, calculated using the weighted average subsidy margin of selected exporters. The corresponding detailed calculations are contained in Confidential Attachment 38.

The Commission proposes terminating the subsidy investigation for selected and residual exporters because the relevant margins are negligible. The separate subsidy margin reported for non-cooperative entities is **2.9%**. [EPR 501, sections 6.11–6.12, 7.12 and the preliminary findings.]

These results arise under distinct statutory provisions and evidentiary treatments. They must not be conflated.

In particular, **an exporter not selected for individual examination is not, for that reason alone, an uncooperative exporter**.

The Commission must distinguish the status of an exporter that responded to the preliminary information process but was not selected from that of an exporter legally determined to be uncooperative. It must separately explain the implications of any incomplete questionnaire response or unsuccessful verification.

Likewise, where a normal value is constructed or otherwise determined under a statutory alternative method, the Commission must identify the applicable basis and explain how that determination enters the relevant calculation.

Finding required: The Commission must supply a reasoned, reproducible account of the 24.4% residual dumping calculation to the fullest extent permitted by confidentiality law.

It must distinguish the selected-exporter data, substituted values, excluded observations, weighted averages, statutory limits and final mathematical operations.

Where particular numerical information cannot lawfully be disclosed, the Commission should explain the restriction and provide the most informative lawful non-confidential account of the method and result.

The Commission must also explain why its application of the residual-rate provisions to non-selected exporters is legally justified, without treating the rate as independent evidence of those exporters' actual individual dumping conduct.

THE RATE MUST BE EXPLAINED BY THE CALCULATION. THE CALCULATION MUST NOT BE JUSTIFIED MERELY BY REPEATING THE RATE.

EcoEco asks neither for conjecture nor for a favourable arithmetic substitute. It asks the Commission to demonstrate how its own statutory calculation produced 24.4%, what information it relied upon and why that result was lawfully applied.

19. Hennissy's buyer-led system requires a factual examination, not an assumption

For more than a decade, Guangdong Tengying Household Product Co., Ltd (Hennissy) has manufactured EcoEco's proprietary aluminium window and door systems under a longstanding buyer-directed contractual relationship.

These products were designed and developed by EcoEco in Australia for Australian buildings, Australian performance requirements and Australian customers.

EcoEco owns or has funded proprietary extrusion tooling, controls the relevant designs and technical specifications, directs product development and performance requirements, and determines the authorised commercial route to market.

Hennissy manufactures the products to EcoEco's requirements. This is not an ordinary arrangement in which a Chinese manufacturer independently develops a product for its domestic market and subsequently offers that product for export to an Australian distributor.

The manufacturer and the owner of the product system perform different economic functions. Those functions matter when examining costs, prices and comparability. [EcoEco proprietary tooling, design and supply evidence; EPR 470; EcoEco comprehensive September submission, chapters 14, 15 and 31.]

EcoEco does not suggest that Australian ownership of intellectual property changes the Chinese origin of the manufactured goods.

Nor does it claim that proprietary design, exclusive distribution or the absence of identical domestic Chinese sales creates an automatic exemption from anti-dumping law.

The question is whether the actual economic circumstances of this manufacturing relationship have been identified and correctly treated under the applicable statutory methodology.

Hennissy's manufacturing costs and export prices must be examined with proper regard to the economic contributions of both parties wherever individual examination is undertaken or another legally relevant assessment requires those facts.

The material questions include:

1. Who developed, funded and owns the proprietary window designs, extrusion dies, engineering documentation, testing and certification?
2. Which tooling, materials, intellectual-property rights and other inputs were supplied or funded by EcoEco, and how are their costs reflected in Hennissy's manufacturing accounts?
3. Which development, engineering, testing and commercial costs are incurred in Australia rather than by Hennissy?

4. Which costs and margins arise after importation, including Australian handling, finishing, glazing where applicable, delivery, warranty and customer service?
5. Whether Hennissy sells identical or sufficiently comparable products in the Chinese domestic market and, if not, what alternative normal-value method is legally appropriate.
6. Whether any constructed normal value or other lawful comparison method adequately accounts for the actual production costs, customer-supplied contributions and materially different product specifications, without omission or double counting.
7. Whether the resulting comparison supports a positive dumping margin for Hennissy's actual transactions, and if so, on what verified evidence.

These are not hypothetical questions about the Chinese manufacturing industry generally. They concern a specific manufacturer, an identifiable contractual relationship and proprietary Australian-developed products.

EcoEco submits that the manufacturing arrangements, product ownership, tooling contributions and commercial conditions may differ materially from those of the exporters individually examined by the Commission.

The independently calculated margins of other exporters do not establish Hennissy's actual individual dumping margin.

That proposition does not, by itself, invalidate a residual rate determined under the legislation. It identifies why EcoEco sought individual examination and why the statutory basis for refusing that examination must be properly established.

EPR 501, section 2.4.13, records that Hennissy provided preliminary and supplementary information responses but was not selected for individual examination.

The Commission states that Hennissy did not submit a completed exporter questionnaire by 16 February 2026. It also records publication of the procedure and its position that exporters, including Hennissy, were contacted concerning the relevant notice.

The Commission subsequently concluded that individual examination under section 269TACAA(2) would prevent timely completion of the investigation and therefore treated Hennissy as a residual exporter.

EcoEco acknowledges those stated findings. It challenges whether the underlying participation record, notification evidence, work required for individual examination and reasons concerning timely completion have been sufficiently established and explained.

The Commission must distinguish between recognising Hennissy's particular commercial circumstances, determining whether the requirements for individual examination have been met, and applying a residual rate where that is the lawful outcome.

Those are separate decisions requiring separate explanations.

The fact that a residual rate is authorised does not transform that rate into an independently verified finding concerning Hennissy's actual costs, normal value or export pricing.

Finding required: The Commission must identify the information actually received from Hennissy, the legal and factual basis for its residual classification, and the evidence underlying its conclusion that individual examination would prevent timely completion.

It must address the material circumstances of Hennissy's buyer-led manufacturing arrangement to the extent relevant to the decisions under consideration, including the treatment of customer-funded tooling, proprietary product characteristics, manufacturing contributions and the absence, to EcoEco's knowledge, of identical domestic-market sales.

If individual examination is refused, the Commission must identify the legally available procedures, if any, through which Hennissy may obtain an individual assessment or other appropriate treatment, and explain the applicable requirements and limitations.

EcoEco maintains its request for examination of Hennissy's actual circumstances wherever the legislation permits.

ECOECO DOES NOT ASK THE COMMISSION TO ASSUME THAT HENNISSY HAS A ZERO DUMPING MARGIN. IT ASKS THAT HENNISSY'S ACTUAL CONDUCT NOT BE ASSUMED FROM THE RESULTS OF OTHER EXPORTERS.

An assigned residual rate is a legal outcome. It is not a substitute for evidence of what Hennissy itself manufactured, what it charged, what its products cost or whether its actual transactions involved dumping.

The Commission must establish the lawful basis for Hennissy's treatment and give a reasoned response to the evidence distinguishing this manufacturer from those individually examined.

20. Hennissy's questionnaire and individual-examination request require a complete, dated and verifiable decision record

The Commission's treatment of Hennissy requires an accurate reconstruction of the information requests, notifications, responses and decisions affecting its opportunity for individual examination.

EcoEco does not dispute the Commission's entitlement to establish deadlines or to apply the statutory requirements governing exporter examination. It challenges whether the facts and reasons relied upon in Hennissy's particular case have been sufficiently established and explained.

The relevant chronology includes:

1. **December 2025:** Hennissy participated in the preliminary information process. EcoEco understands that supplementary information was also provided, with the precise dates, contents and receipt records requiring confirmation.
2. **January 2026:** ADN 2026/004, dated 9 January 2026, notified exporters of the selection decision and the opportunity for non-selected exporters to submit a completed exporter questionnaire. EPR 501 describes the relevant publication as occurring on 8 January 2026. The official dates should be reconciled.
3. **16 February 2026:** The stated deadline for completed exporter questionnaires. EPR 501 records the Commission's finding that Hennissy did not submit a completed questionnaire by this date.
4. **2–3 September 2026:** EcoEco requested individual examination of Hennissy under section 269TACAA(2). EPR 501 records the request as made on 2 September; EcoEco's subsequent materials refer to 3 September. The dated lodgement record should establish the precise chronology.
5. **9 September 2026:** The Commission communicated with Hennissy's consultant, Mr Jianyin Lu. The content, purpose and practical consequences of that communication require clarification.
6. **October 2026:** EcoEco reiterated its request and sought further clarification concerning notification, participation, questionnaire requirements and the possibility of individual examination.

[EPR 413, EPR 470, EPR 496, EPR 499 and EPR 501, section 2.4.13; relevant Commission/Hennissy correspondence.]

The principal unresolved issue is not whether the Commission published a questionnaire or established a deadline. It is whether Hennissy's actual participation and subsequent request were assessed against a complete and accurate procedural record.

EPR 501 acknowledges Hennissy's responses to the preliminary and supplementary information requests. It records that the Commission contacted exporters concerning ADN 2026/004, including Hennissy, and that a completed exporter questionnaire was not received by 16 February 2026.

EcoEco acknowledges those findings but requests the underlying record identifying the relevant communications, recipients and documents.

Proof that a notice was published, evidence that a communication was transmitted, evidence of delivery and evidence that the intended recipient received or understood its contents are distinct matters.

EcoEco does not suggest that actual reading of a notice is necessarily a statutory condition. It asks the Commission to identify precisely what notification it relies upon and the legal significance attributed to it.

Section 269TACAA(2) provides for extension of an investigation to an exporter not initially selected where information is submitted for that purpose, unless such an extension would prevent timely completion.

The Commission has expressly relied upon the timely-completion exception in Hennissy's case.

EPR 501 states that individual examination would require assessment of Hennissy's exporter questionnaire and determination of individual variable factors, and that this work would prevent timely completion of the investigation.

That identifies the Commission's conclusion. It does not fully explain the factual timetable, work requirements and resource constraints upon which the conclusion depends.

EcoEco had proposed a compressed response timetable of approximately **7–10 business days**, together with cooperation in verification.

The Commission must explain whether that proposal was assessed, what examination remained necessary, what practical alternatives were considered and why the work could not be accommodated within the investigation timetable.

EcoEco does not assert that the Commission was legally obliged to accept the proposed compressed procedure. It requests the evidence and reasoning supporting the decision to reject or not adopt it.

There is also a threshold legal question.

What information did the Commission consider necessary to engage section 269TACAA(2), and how did it treat the information actually submitted by Hennissy?

A preliminary information response or supplementary information response is not automatically equivalent to a completed exporter questionnaire.

Equally, Hennissy's participation must not be inaccurately described or disregarded when determining its cooperation status and the procedural options lawfully available.

Finding required: The Commission must identify and explain:

1. Every material response received from Hennissy, including its date, contents, receiving officer or system, and classification as PIR, SIR or exporter-questionnaire material.
2. The January questionnaire notification, its publication date, the recipients and addresses used, the method of communication and the available transmission or delivery records.

3. The basis for the Commission's conclusion that Hennissy did not submit a completed exporter questionnaire by 16 February 2026, distinguishing non-submission from any incomplete or otherwise deficient material.
4. The purpose and contents of the Commission's communication with Mr Jianyin Lu on 9 September 2026, including whether it invited further information or merely explained the earlier deadline.
5. Whether EcoEco's proposed compressed questionnaire and verification process was considered and, if so, what conclusion was reached.
6. The dated work programme, information requirements and practical timetable supporting the finding that individual examination would prevent timely completion.
7. The interpretation and application of section 269TACAA(2), including which statutory conditions the Commission considered satisfied or unsatisfied.
8. The decision-maker, decision date and recorded reasons for maintaining Hennissy's residual treatment, together with any further legally available avenue for reconsideration or individual assessment.

EcoEco seeks a reasoned procedural determination, not an exemption from the rules governing other exporters.

The Commission must distinguish the fact that Hennissy was not initially selected, its actual cooperation in the preliminary information process, its failure to submit a completed questionnaire by the stated deadline, and the separate decision that individual examination would prevent timely completion.

Those facts may justify residual treatment under the legislation. But the justification must rest upon the actual record and the correctly applied statutory provisions.

A DEADLINE MUST BE ESTABLISHED. A NOTIFICATION MUST BE IDENTIFIED. A REFUSAL MUST BE SUPPORTED BY REASONS THAT ADDRESS THE EXAMINATION ACTUALLY REQUESTED.

EcoEco asks the Commission to demonstrate, from its own dated records, why Hennissy's request for individual examination could not lawfully or practicably be accommodated.

21. Dumping and subsidisation must each be demonstrated on their own terms

Investigation 691 concerns both alleged dumping and subsidisation of aluminium windows and doors exported from China.

These are distinct statutory questions. Evidence supporting one cannot automatically establish the other.

Dumping requires the applicable comparison between export price and normal value. Countervailable subsidisation requires the identification of a qualifying financial contribution or other statutory support, a benefit, the applicable specificity requirements and a properly determined subsidy amount.

The resulting injury and causation findings must also satisfy the relevant statutory requirements.

A price difference is not proof of a subsidy. A subsidy to an upstream manufacturer is not automatically proof of a countervailable benefit of the same amount to every downstream window manufacturer. [EPR 501, chapters 6–7; EcoEco EPR 499, issue 8.]

The Commission's own findings make these distinctions particularly important.

EPR 501, section 7.1, preliminarily finds negligible subsidisation for the selected and residual exporters and proposes terminating the subsidy investigation concerning those exporters.

The reported residual subsidy margin is **0.7%**, while the separately determined subsidy margin for non-cooperative entities is **2.9%**.

The Commission's preliminary subsidy findings therefore do not support a general assertion that every Chinese exporter of the investigated goods received a material countervailable subsidy.

The Commission must maintain this distinction when determining the appropriate final measures.

The examination of upstream aluminium inputs requires particular care.

EPR 501 refers to findings from previous investigations concerning Chinese aluminium extrusions, including REP 657. The Commission considers those findings relevant because aluminium extrusions are a major input into the goods under investigation.

EcoEco acknowledges that an upstream subsidy may be relevant to a downstream manufactured product where the statutory requirements are established.

However, the existence of an upstream programme does not dispense with the need to identify the relevant benefit, recipient, transmission or attribution mechanism and amount applicable to the investigated goods.

The Commission must distinguish between:

- Benefits received directly by a finished-window manufacturer.
- Benefits received by an upstream supplier that may be reflected in downstream input prices.
- Ordinary commercial advantages arising from procurement, manufacturing scale, integration, productivity and lower operating costs.
- Cost adjustments undertaken for a dumping investigation under a separately applicable statutory methodology.

These are economically and legally different matters.

An integrated manufacturer may achieve lower costs by eliminating transactions, handling, duplication and separate commercial margins between production stages.

Such efficiencies are not, without the necessary evidence, countervailable subsidies or proof of dumping.

Likewise, EcoEco's ownership of proprietary designs and manufacturing tooling does not automatically negate a subsidy finding. Nor does Chinese manufacture or the use of Chinese aluminium establish that Hennissy actually received a particular subsidy benefit.

The Commission must apply the evidence to the relevant goods and commercial circumstances.

EcoEco also recognises that the legislation permits reliance upon facts available and reasonable assumptions in specified circumstances involving missing information or non-cooperation.

Those powers do not eliminate the need to identify the legal basis, information considered and reasoning supporting the assumptions actually made.

Where the Commission applies findings from previous aluminium-extrusion investigations to non-cooperative exporters of finished windows and doors, it must explain the relevance of those earlier programmes, their applicable periods, the assumed beneficiaries and the method by which benefits were attributed to the investigated goods.

The resulting amount must be supported by the applicable calculation and allocation methodology.

Finding required: The Commission must identify and explain:

1. Each subsidy programme relied upon in the final assessment, including its statutory classification, recipient, specificity and relevant investigation period.

2. The evidence establishing any direct or indirect benefit in relation to the aluminium windows and doors under investigation.
3. The treatment of upstream aluminium or extrusion benefits, including the applicable attribution, allocation or pass-through analysis where relevant.
4. The distinction between government-conferred benefits and legitimate manufacturing efficiencies.
5. The calculation methodology for each applicable exporter category, particularly the 0.7% residual finding and the 2.9% non-cooperative finding.
6. The statutory and evidentiary basis for any use of facts available, assumptions or findings from earlier investigations.
7. The injury and causation findings relied upon for any proposed countervailing measures, together with the treatment of other known causes of injury.
8. The separation of dumping and countervailing calculations, including the avoidance of any double counting prohibited by the applicable legislation.

The Commission must also confirm the proposed termination of the subsidy investigation for selected and residual exporters or provide a reasoned explanation supported by new or reconsidered evidence for any departure from that preliminary position.

ECOECO DOES NOT CONTEND THAT CHINESE WINDOWS CANNOT BE DUMPED OR SUBSIDISED. IT CONTENDS THAT EACH FINDING MUST BE ESTABLISHED UNDER ITS OWN LEGAL TEST, USING EVIDENCE RELEVANT TO THE GOODS AND EXPORTERS CONCERNED.

An allegation concerning cheap aluminium is not a substitute for a verified finished-window subsidy calculation. An allegation concerning low export prices is not a substitute for a dumping calculation. Neither establishes injury causation without the required evidence.

D. PROCEDURE, ACCOUNTABILITY AND THE CONSEQUENCES OF GETTING THIS WRONG

22. The outstanding question is not whether the Commission received EcoEco's work, but what it actually did with it

EcoEco has made extensive submissions throughout Investigation 691, presenting commercial evidence, mathematical analysis, statutory arguments, factual corrections and specific requests for findings.

The published record includes EcoEco's submissions at EPR 422, 437, 448, 452, 453, 456, 462, 469, 470, 472, 486, 490, 496, 498 and 499.

Their receipt and publication demonstrate that material was placed before the Commission. They do not, by themselves, establish how that material was evaluated or whether each material challenge was substantively addressed.

EcoEco acknowledges that EPR 501 expressly discusses and responds to certain submissions, including issues concerning industry standing, participation and Hennissy's request for individual examination.

It would therefore be incorrect to allege that the Commission provided no responses or that its officers necessarily ignored EcoEco's submissions.

The narrower and more serious question is whether the Commission's responses demonstrate substantive examination of the particular evidence and propositions capable of affecting its findings.

A submission can be received, registered, published, summarised and acknowledged without every material proposition within it necessarily having been evaluated.

Equally, the fact that EcoEco disputes a conclusion does not establish that the Commission failed to consider the contrary evidence.

The decisive issue is the identifiable reasoning connecting the evidence received to the findings reached.

EcoEco therefore requests an institutional response confirming that its material submissions and supporting evidence were substantively examined by appropriately qualified personnel, and explaining how that examination informed the findings reached.

Where substantive assessment is relied upon, the Commission should identify the issue, the material examined, the analysis undertaken and the conclusion reached.

Where assessment occurred through summaries, allocated workstreams or other review arrangements, EcoEco requests an explanation of how the completeness, accuracy and technical competence of the assessment were assured.

EcoEco does not seek the identities or personal attestations of individual assessing officers. It seeks institutional assurance of competent examination and accountable, reasoned findings.

The Commission should provide a reasoned account, by material issue, identifying:

1. **The evidence received:** The relevant EcoEco submission, exhibit, calculation or question.
2. **The matter assessed:** The precise proposition or challenge considered, rather than merely the general subject heading.
3. **The evidence tested:** The competing documents, verified information, calculations or statutory provisions relied upon.
4. **The assessment reached:** Whether EcoEco's position was accepted, rejected, partly accepted or considered insufficiently established.
5. **The reasons:** The factual and legal basis for that treatment, identifying material evidence preferred or rejected.
6. **The consequences:** Whether the assessment affected any finding, calculation, exporter treatment, injury analysis or proposed recommendation.
7. **The outstanding matters:** Any material issue not yet examined or not capable of resolution on the available evidence, together with the proposed treatment of that limitation.

EcoEco is not asking the Commission to reproduce every internal discussion or write a response to every sentence ever submitted.

It seeks a sufficiently clear explanation of the treatment of material contrary evidence, particularly where accepting that evidence could affect the Commission's conclusions.

The distinction is important.

Where EPR 501 states that an issue was considered, **EcoEco asks what evidence was examined, which competing proposition prevailed and why**.

Where a submission raises several distinct questions but the SEF addresses only the general topic, EcoEco asks the Commission to identify which questions were actually resolved and which remain outstanding.

Where confidential information supports a finding, EcoEco requests the fullest informative non-confidential explanation permitted by law.

Where relevant internal assessment records exist, EcoEco requests that the Commission identify and disclose those records to the extent lawfully available, or explain the applicable confidentiality or disclosure restrictions. Any separate request for documents through statutory information-access procedures is reserved.

Finding required: Before the final recommendation, the Commission should provide an accountable response identifying how EcoEco's material evidence and challenges were assessed, with institutional assurance that appropriate professional expertise and technical review were applied.

In particular, that response should address the material challenges concerning statutory standing, the completeness of the Australian producer population, injury and causation, customer migration, product comparability, exporter selection, the calculation of the 24.4% residual margin and Hennissy's individual-examination request.

Where the Commission maintains that a material challenge has already been answered, **identify the precise passage of the SEF or other assessment record that answers it**.

Where an issue has been considered but rejected, **identify the evidence and reasoning supporting that rejection**.

Where an issue remains unexamined, **state that position accurately and undertake the assessment necessary before relying upon a conclusion affected by it**.

ECOECO IS NOT ASKING WHETHER ITS SUBMISSIONS WERE RECEIVED. IT IS ASKING WHETHER ITS EVIDENCE WAS EXAMINED, TESTED AND GIVEN THE CONSIDERATION ITS MATERIALITY REQUIRED.

Publication is an administrative event. Substantive consideration is an evaluative process. The existence of the first does not, without more, demonstrate the second.

The Commission's final findings must be supported by reasons that reveal how material competing evidence was treated, not merely by the fact that the evidence appeared on the public record.

23. Communication, unequal preparation time and the obligation to keep material findings open to reconsideration

EcoEco has repeatedly raised concerns about the communication history of Investigation 691 and the substantial practical disadvantage experienced by parties who were not involved in preparing the original application.

AGWA's published material refers to approximately **18 months of preparation** before the application was accepted for investigation.

That preparation period gave the applicants substantial time to assemble their arguments, obtain supporting material and develop their position before other affected businesses had a comparable opportunity to examine the allegations.

EcoEco does not allege that a statutory investigation was secretly conducted throughout those 18 months, nor does it assert an automatic right to notification before the application was lodged.

The issue is whether the Commission's subsequent procedures provided a meaningful opportunity for affected parties to examine, test and answer the case being advanced against their commercial interests.

[AGWA published FAQ; EcoEco supplementary submission concerning EPR 444 and EPR 446, 30 July 2026; relevant correspondence.]

EcoEco was required to undertake a substantial retrospective investigation while simultaneously operating its business.

That work included identifying the relevant Australian manufacturing population, examining industry standing, obtaining financial evidence, investigating alternative causes of injury, evaluating competing submissions, analysing exporter selection and reconstructing calculations underlying proposed duties.

The preparation burden was not merely the drafting of submissions. It was the reconstruction and testing of a technically complex evidentiary case that had already been developed over an extended period by other interested parties.

From 15 October 2026, provisional securities added immediate commercial consequences while the investigation remained incomplete and disputed.

EcoEco recognises that commercial disadvantage does not itself establish a denial of procedural fairness.

Nevertheless, **the practical ability to respond to material adverse evidence is relevant when assessing whether participation was meaningful rather than merely formal**.

Providing an electronic submission facility does not resolve questions concerning the adequacy of disclosure, the time available to examine complex material or the substantive consideration given to contrary evidence.

The Commission must demonstrate that material adverse evidence was disclosed to the extent required by law, that interested parties had an appropriate opportunity to respond, and that material responses were evaluated before conclusions were finalised.

A preliminary conclusion must remain capable of reconsideration where subsequent evidence materially challenges its foundation.

This issue is particularly important in relation to the Commission's treatment of injury and causation.

EPR 451 is the Commission's public note of its meeting with EcoEco, identified by EcoEco as occurring on **12 August 2026** and published on **13 August 2026**.

EcoEco separately recalls an officer expressing an unequivocal view that injury had occurred.

EcoEco does not present that recollection as an established verbatim quotation from the official meeting note. The precise words, speaker, context and date require confirmation from the contemporaneous record.

Nor does EcoEco contend that the expression of a preliminary opinion concerning injury necessarily demonstrates prejudgment.

Injury and causation are separate inquiries.

A finding or preliminary assessment that an Australian producer has suffered injury does not, without further analysis, establish that the injury was caused by dumped imports.

The distinction is fundamental.

Businesses may experience declining profitability, lost customers, increased costs or reduced production for several reasons. The Commission must establish the injury attributable to the investigated imports while separately considering other known causes.

The relevant procedural question is therefore not simply whether an officer believed injury existed. It is whether that belief was provisional, whether the distinction between injury and causation was maintained, and whether subsequent contrary evidence was capable of changing the Commission's assessment.

EcoEco subsequently submitted material concerning domestic customer transfers, Australian manufacturing costs, product comparability, the composition of the Australian industry, exporter selection and competing explanations for reported economic deterioration.

Those matters were capable of affecting the explanation of injury and its cause. They therefore required genuine examination, regardless of any preliminary view expressed at the August meeting.

EcoEco does not allege that the Commission refused to reconsider its findings. It requests the documentary record demonstrating what reconsideration occurred.

Finding required: The Commission should identify and explain:

1. The complete contemporaneous record of the meeting identified as taking place on 12 August 2026, including EPR 451 and any additional notes or records lawfully available.
2. The identity or function of the officer who expressed the reported injury opinion, the words recorded, the scope of the opinion and whether it represented a preliminary assessment or a concluded finding.
3. Whether the discussion expressly distinguished the existence of injury from the separate question of causation by dumped or subsidised imports.
4. What evidence supported the injury assessment at the time of the meeting.
5. What materially contrary evidence was received subsequently and how it was evaluated.
6. Whether that later evidence caused any preliminary proposition, calculation or finding to be reconsidered, amended or confirmed, and the reasons for the resulting treatment.
7. What steps were taken to provide meaningful access to material evidence and an effective opportunity to respond, including appropriate non-confidential explanations where protected information was involved.
8. Whether material matters raised by EcoEco remain unresolved before the final recommendation and, if so, how the Commission intends to address them.

EcoEco seeks these answers as questions of evidence, process and accountability.

It does not seek to substitute an allegation about an officer's attitude for proof of what the Commission actually did.

The Commission is entitled to reach conclusions adverse to EcoEco where the applicable law and evidence support them.

It is not entitled to treat the opportunity to submit material as a substitute for the substantive assessment of material that could affect those conclusions.

A PRELIMINARY VIEW IS NOT NECESSARILY PREJUDGMENT. BUT A PRELIMINARY VIEW MUST REMAIN OPEN TO CORRECTION WHEN THE EVIDENCE WARRANTS IT.

The Commission should demonstrate, from the documentary record and its reasoned findings, that Investigation 691 remained an examination of competing evidence rather than a process of defending conclusions already reached.

24. Independent statistical scrutiny must produce a substantive response, not a ceremonial acknowledgement

EcoEco has raised serious and specific concerns about the statistical foundations of Investigation 691.

These concerns address the identification of the Australian manufacturing population, the assessment of qualifying production, the selection of Chinese exporters, the interpretation of variable dumping margins and the reliability of inferences drawn about businesses not individually examined.

They are not objections based merely upon disagreement with the Commission's proposed findings. They are questions about the quality, completeness and interpretation of the evidence upon which those findings depend.

EcoEco has engaged **Dr John Henstridge**, a PhD statistician, Chartered Statistician, Accredited Statistician and former President of the Statistical Society of Australia, to undertake independent statistical examination of material aspects of the investigation.

Dr Henstridge's completed, signed independent report, ECOECO/1 — Statistical Considerations, dated 9 November 2026, accompanies this submission. His opinions are his own and are presented within their professional statistical scope.

The statistical challenges set out below are maintained by EcoEco alongside that independent professional opinion.

EcoEco requests substantive examination of the report under the Commission's applicable procedures before the final determination.

The existing public record already establishes questions requiring technical examination.

The first concerns the Australian industry.

The Commission must explain how the complete population of qualifying Australian producers was identified, how their relevant production was measured, and whether duplication or omission materially affected the reported production coverage and findings about the industry.

A group of supporting applicants is not automatically a statistically representative sample of the wider Australian manufacturing industry.

The statutory assessment of support and the economic representativeness of injury evidence are separate questions.

The Commission must identify the evidentiary basis for each.

The second concerns Chinese exporter selection.

EPR 413 and EPR 501 describe selection principally by export volume.

EcoEco acknowledges that section 269TACAA(1) permits selection of exporters responsible for the largest volume that can reasonably be examined.

A lawful largest-volume selection does not, without further evidence, possess the statistical characteristics of a random probability sample.

The selected exporters may differ materially from smaller or specialist contract manufacturers in product mix, cost structures, domestic sales, customer relationships, ownership arrangements and pricing behaviour.

The Commission must distinguish the lawful application of a statutory residual-rate calculation from any wider factual inference concerning the actual conduct or margins of exporters not examined individually.

The third concerns variation and uncertainty.

EPR 501 reports substantial differences among the separately calculated exporter dumping margins, from **negative 47.4% to positive 51.6%**.

That variation raises legitimate questions about the extent to which results obtained from a limited, non-random group can describe exporters outside that group.

EcoEco does not ask the Commission to produce a conventional statistical confidence interval from a sampling design that does not support one.

It asks the Commission to acknowledge the limits of its evidence and identify the basis for every inference extending beyond the exporters actually examined.

Where sensitivity analysis or other methodological checks were undertaken, EcoEco requests their findings. Where they were not undertaken, the Commission should explain how it assessed the reliability and limitations of the conclusions for which they might have been relevant.

The fourth concerns the residual dumping margin.

The Commission reports a residual margin of **24.4%**, with its detailed calculation contained in confidential material.

EcoEco has separately demonstrated that the unweighted mean of five independently assessed exporter margins is approximately **11.28%**.

That descriptive figure is not advanced as an alternative statutory residual rate.

Nor does the variation among those outcomes establish that Hennissy's actual dumping margin is zero.

The proper question is whether the Commission's residual rate was calculated in accordance with the applicable legislation and whether the resulting rate is correctly distinguished from an independently established margin for each unexamined exporter.

A statutory calculation must be tested against the statutory formula. A statistical inference must be tested against the evidence and assumptions supporting that inference. Neither is validated merely by the existence of the other.

These questions arise at a time when the Commission's own operational and analytical capabilities have been the subject of public attention.

Public procurement information records an operational review and improvement engagement with **Bevington Consulting Pty Ltd**, commencing on **30 June 2025** and extending to **29 June 2026**.

Its stated purpose concerned the Commission's vision, processes, systems and culture and recommendations for operational improvement.

Separate government consultation concerning the strengthening of Australia's trade-remedies system commenced in November 2025.

EcoEco does not contend that these initiatives establish past misconduct, unlawful methodology or deficiencies in Investigation 691.

Their relevance is more practical.

An institution examining its processes and analytical effectiveness should be prepared to apply rigorous technical scrutiny to live investigations, particularly where disputed findings carry substantial commercial consequences.

Reform is not a substitute for examination of evidence in the present case.

[Public Bevington procurement record; Department of Industry, Science and Resources trade-remedies reform consultation; EPR 413; EPR 501.]

Finding required: EcoEco requests a substantive technical response identifying:

1. The complete Australian producer population and the methods used to establish qualifying production and avoid omissions or duplication.
2. The distinction between statutory standing and the representativeness of the evidence used to assess economic injury.

3. The Chinese exporter population and the actual selection process, including its limitations for drawing conclusions about unexamined exporters.
4. Whether differences in exporter size, product mix or manufacturing structure were examined as potential influences on dumping or subsidy outcomes.
5. The treatment of substantial variation among independently assessed exporter margins.
6. Any relevant sensitivity analyses, checks on data completeness or assessments of uncertainty undertaken, and their results.
7. The statutory calculation underlying the 24.4% residual margin, subject to lawful confidentiality protections.
8. The technical or statutory reasoning supporting the Commission's response to each material statistical challenge, including any limitations it accepts.

If the Commission maintains that its methods are sufficient, **EcoEco requests the reasoning demonstrating their sufficiency for the particular conclusions actually drawn**.

If the Commission accepts that some inferences exceed the available evidence, it should identify and correct those conclusions before the final recommendation.

EcoEco further requests that Dr Henstridge's completed and duly authorised report, dated 9 November 2026, receive substantive consideration before the final determination.

ESTABLISHED PRACTICE DESERVES RESPECT, BUT NOT IMMUNITY FROM EXAMINATION.

The question is not whether the Commission has followed a familiar process. It is whether that process provides an adequate evidentiary basis for the actual findings being made in Investigation 691.

Technical criticism capable of affecting those findings deserves a technical answer while the investigation remains open — not merely an acknowledgement, and not a promise that future investigations may be conducted differently.

25. The preliminary security is already a commercial verdict in its practical effects

The Commission issued its Preliminary Affirmative Determination on **14 October 2026**, recorded in EPR 502 and TRN 2026/147.

Provisional anti-dumping security requirements have applied to relevant exports from **15 October 2026**, subject to the applicable shipment dates, goods classification and border requirements.

The provisional nature of these measures does not make their commercial consequences provisional.

For EcoEco, the preliminary residual dumping rate of **24.4%** has immediate implications for the financing and continuation of its importing operations.

EcoEco's established manufacturing relationship with Hennissy involves deferred supplier-payment arrangements. Australian customer contracts may have been negotiated and priced before the provisional measures were announced.

The resulting mismatch is significant.

Security requirements may arise in connection with the importation of goods before payment to the manufacturer falls due and before the importer can recover additional costs from its customers.

The requirement to provide cash or an acceptable form of security may therefore create immediate liquidity and financing pressures, even where the underlying dumping findings remain subject to challenge.

This is not merely an accounting adjustment.

It can affect the ability to release shipments, honour existing supply commitments, accept further orders, maintain working capital and preserve established commercial relationships.

A rate applied provisionally can produce consequences that are neither temporary nor fully reversible.

[EPR 502; TRN 2026/147; EcoEco's supplier-payment and customer-contract arrangements.]

In ordinary language, the commercial position resembles **a guilty verdict while the jury is still out**.

EcoEco uses that analogy deliberately but within its proper limits.

This is an administrative trade-remedies investigation, not a criminal proceeding. The legislation permits provisional measures when the applicable requirements are satisfied.

The analogy concerns the timing and consequences of the measures, not their legal character.

The financial burden can arise before the Commission has completed its assessment of EcoEco's response to the Statement of Essential Facts, the disputed treatment of Hennissy and any independent expert evidence properly admitted before finalisation.

A subsequent correction of the dumping margin or the causal findings may alter the applicable legal outcome.

It does not necessarily restore lost orders, recover discontinued customers, reverse financing costs or repair commercial disruption already sustained.

EcoEco does not assert that every such loss has occurred or that the Commission is legally responsible for every consequence of provisional security requirements.

It submits that these are foreseeable commercial risks arising from the timing of provisional measures and that their seriousness reinforces the importance of timely, evidence-based decisions.

The Commission should not treat the availability of a later correction as an adequate answer to material concerns that can be addressed before the final recommendation.

Where credible evidence challenges the exporter classification, residual-rate calculation, injury causation or statutory foundation of the proposed measures, the Commission should examine that evidence promptly and identify whether the preliminary position requires correction.

The distinction between administrative responsibilities must remain clear.

The Australian Border Force administers the relevant border processes, including the collection and acceptance of securities and any applicable arrangements concerning cash payments, guarantees or undertakings.

EcoEco does not ask the Commission to exercise powers belonging to the Australian Border Force.

It asks the Commission to fulfil its own responsibility for the investigation, its findings, the calculation of proposed margins and the accuracy of information upon which provisional and final measures depend.

The separate question of whether EcoEco may obtain a product-specific exemption must also remain distinct.

A product-exemption application is not a substitute for correcting any error in the original investigation, the calculation of a residual margin or the assessment of injury and causation.

Finding required: EcoEco requests that the Commission identify:

1. The specific preliminary findings and calculations supporting the provisional 24.4% rate applicable to Hennissy as a residual exporter.

2. The procedure available for reconsidering or correcting those findings before the final recommendation, including the authority responsible for any resulting change to provisional measures.
3. The treatment of information submitted in response to the SEF that materially challenges the preliminary determination.
4. The effect, under the applicable legislation, of any later correction, reduction, termination or other change upon securities already required or provided, including the responsible authority and any relevant limitations.
5. The respective responsibilities of the Commission and the Australian Border Force in communicating and implementing any changes affecting importers.
6. Whether any material challenge capable of affecting the proposed final measures remains unresolved and, if so, how it will be examined before the final recommendation.
7. The separate statutory procedures available for product exemption or other relevant relief, without conflating those procedures with the determination of dumping, subsidisation and injury.

EcoEco requests a timely and reasoned determination of these matters while meaningful corrective action remains available.

The Commission is not required to accept EcoEco's submissions merely because provisional measures impose hardship.

It is required to reach its findings on the proper legal and evidentiary basis. The practical consequences make the need for accuracy and timely correction particularly pressing.

THE FINANCIAL CONSEQUENCES OF A PRELIMINARY FINDING CAN BECOME REAL BEFORE THE FINAL EVIDENCE HAS BEEN CONSIDERED.

A correction made after commercial damage has occurred may correct the legal position without restoring the business position.

That is why EcoEco asks the Commission to resolve the material factual, statistical and procedural challenges before recommending a final duty — not after the consequences have become irreversible.

26. The Australian public bears costs the Commission must not disregard

Investigation 691 concerns more than the commercial interests of Ventora, the applicants and Chinese exporters.

Its consequences may extend to Australian importers, builders, developers, tradespeople, homebuyers, businesses undertaking construction and the broader Australian community.

The public has an interest not merely in whether duties can lawfully be imposed, but in whether the evidence actually establishes the statutory grounds for imposing them.

The investigation itself is conducted using public resources.

The provisional measures and any subsequent duties may impose additional financial obligations upon importers. Depending upon commercial conditions, some of those costs may be absorbed by importers, passed to builders and developers, or reflected in the prices paid by end customers.

There is also a separate competitive consequence.

Where import duties increase the cost of competing imported products, domestic suppliers may face reduced price competition.

That reduced competition may create opportunities for higher domestic selling prices, including increases that cannot be explained solely by changes in production costs.

Those are distinct potential economic effects. They must not be conflated or treated as established facts without evidence.

EcoEco does not contend that every dollar of anti-dumping duty is passed directly to consumers.

Nor does it allege, without supporting evidence, that particular Australian manufacturers have already raised prices opportunistically because of Investigation 691.

The extent of any price pass-through, reduced competition, additional financing costs or resulting consumer expenditure requires examination of actual market circumstances.

The absence of a precise quantified impact does not make these potential consequences imaginary. It makes proper economic analysis more important.

The Productivity Commission has previously examined the wider economic consequences of Australia's anti-dumping system.

Its 2010 inquiry concluded that the system provided benefits to a relatively small group of import-competing firms while imposing costs elsewhere in the economy. It nevertheless considered the overall net economic cost likely to be small at that time.

In its February 2016 research paper, the Productivity Commission expressed further concern that changes to the system had increased its protectionist impact and wider economic costs.

The Commission also identified the absence of broader economic-impact consideration in the anti-dumping decision-making framework.

[Productivity Commission, *Australia's Anti-dumping and Countervailing System*, Inquiry Report No. 48, 2010; *Developments in Anti-dumping Arrangements*, Research Paper, February 2016.]

These findings do not demonstrate the extent of any economic loss arising specifically from Investigation 691. They establish that the possibility of wider costs is a recognised policy concern, not merely an assertion made by dissatisfied importers.

EcoEco acknowledges that Australian anti-dumping legislation does not provide a general public-interest veto allowing otherwise lawful duties to be rejected simply because they may increase consumer prices.

The Commission must therefore determine the investigation according to the applicable statutory requirements, not according to an invented consumer-benefit test.

That qualification strengthens rather than diminishes EcoEco's central argument.

Where an investigation can impose costs upon businesses and consumers without a separate overriding public-interest test, **the accuracy of the underlying statutory findings becomes particularly important**.

The Commission must correctly establish industry standing, the relevant goods, dumping margins, material injury and the causal relationship between the investigated imports and the injury relied upon.

It must also distinguish injury caused by dumped imports from injury arising through other factors.

These may include domestic competition, major customer transfers between Australian manufacturers, changes in input costs, financing expenses, inefficient production structures, declining demand and commercial decisions affecting individual firms.

The statutory remedy is directed at injurious dumping. It is not a general mechanism for preserving the existing cost structure, market share or profitability of an Australian manufacturer.

A domestic producer may face genuine commercial injury without that injury having been caused by dumped imports.

A manufacturer may also have higher production costs than an overseas competitor without the competitor's lower prices necessarily constituting dumping.

Those distinctions must not disappear merely because the domestic producer seeks protection from competition.

In Investigation 691, EcoEco has presented specific evidence and arguments concerning domestic customer migration, structural manufacturing costs, product differences, market coverage, sampling and the attribution of injury.

The Commission must address those matters under the relevant statutory provisions.

The wider economic consequences do not replace that analysis. They reinforce the importance of getting it right.

Finding required: EcoEco requests that the Commission:

1. Identify the evidence demonstrating that the material injury relied upon was caused by dumped imports, rather than merely occurring during a period in which imports were present.
2. Explain its treatment of material competing causes of injury, including domestic customer migration, changes in costs and business-specific structural factors.
3. Ensure that its comparison of Australian and imported products properly accounts for relevant product differences and commercial circumstances.
4. Establish that the proposed duty rates result from the applicable statutory calculations, rather than assumptions about the domestic industry's financial requirements.
5. Distinguish the statutory findings from any broader economic or public-interest observations, without representing unquantified consumer consequences as established facts.
6. Identify any material limitations in its evidence and explain how those limitations affect the confidence that can reasonably be placed in the proposed findings.

EcoEco does not ask the Commission to decide Investigation 691 on public sentiment or speculation about future prices.

It asks that the Commission recognise the seriousness of imposing financial consequences upon a much wider population than the parties who initiated or participated in the investigation.

THE PUBLIC PAYS FOR THE INVESTIGATION. THE PUBLIC MAY ALSO BEAR PART OF THE COST OF ITS OUTCOME. THE PUBLIC IS ENTITLED TO FINDINGS SUPPORTED BY THE LAW AND THE EVIDENCE.

Legitimate action against demonstrated injurious dumping is one thing.

Using anti-dumping measures to preserve the commercial position or higher cost structure of an incumbent, without establishing the required causal case, is quite another.

The Commission's responsibility is not to guarantee the commercial success of an Australian manufacturer. It is to determine, accurately and lawfully, whether the conditions for imposing trade remedies have been established.

Where those conditions have not been established, the Australian public should not be required to bear the consequences of treating an allegation as a finding.

27. Subsequent submissions cannot replace verification of the evidence existing at initiation or establish injury by numerical weight of opinion

The Electronic Public Record for Investigation 691 shows a substantial volume of submissions lodged and published during late October and the first week of November 2026.

These include the Housing Industry Association's response at **EPR 576**, Capral's response at **EPR 581**, and numerous further responses from Australian industry participants, importers, exporters, suppliers and other interested parties.

EcoEco does not challenge the right of those parties to participate or the Commission's responsibility to consider relevant evidence.

The issue is the evidentiary purpose for which each submission is relied upon.

A submission expressing support for a finding is not, merely because it expresses support, independent verification of the facts required to sustain that finding.

The distinction is especially important in relation to the statutory standing of the original application.

The relevant calculation concerns qualifying Australian production, the identification of eligible producers and the support required under the legislation at the relevant time.

A statement of support made in November 2026 does not automatically demonstrate that the same support existed when the investigation was initiated on **25 November 2025**.

Nor does the number of businesses expressing support establish the proportion of qualifying Australian production they represent.

One producer representing substantial relevant production may carry greater statutory production weight than many businesses whose qualifying production is small, unverified or nonexistent.

Conversely, a later submission may legitimately contain evidence about an earlier period. If it provides reliable historical production records, identifies a previously omitted eligible producer or corrects an earlier measurement, that evidence may be materially relevant.

The decisive question is not when the document was published, but what historical or current fact it establishes, by what evidence and for what statutory purpose.

If the Commission relies upon subsequent submissions to corroborate its original standing assessment, it must distinguish:

- Evidence of support actually existing at the relevant statutory date.
- Evidence of qualifying production during the relevant period.
- Subsequent expressions of support or opposition.
- Evidence offered to establish or correct historical facts.
- General opinions concerning the desirability of anti-dumping measures.

These are not interchangeable categories of evidence.

The same distinction applies to injury and causation.

A later declaration that Australian manufacturers are experiencing commercial difficulty does not, without supporting data, establish the nature, magnitude or cause of injury during the injury examination period.

An expression of concern about Chinese competition does not itself demonstrate dumping.

An expression of support for import duties does not establish that dumped imports caused the losses reported by particular Australian producers.

The Commission must establish those propositions through the relevant verified evidence and applicable statutory analysis, not by counting supporting statements.

EcoEco also acknowledges that later evidence may strengthen, qualify or contradict earlier findings.

It must be considered according to its evidentiary content and statutory relevance, regardless of whether it supports the applicants or challenges their position.

Where a submission introduces material new factual assertions, particularly concerning industry standing, production volumes, injury, customer movements, dumping margins or causation, affected parties must be afforded whatever meaningful opportunity to respond is required by the applicable procedures and principles of procedural fairness.

The Commission should distinguish such new material from submissions that merely repeat positions already considered.

The fact that new evidence arrives near the end of an investigation does not make it irrelevant. Equally, its late arrival does not eliminate the need to test it before relying upon it.

This matters particularly where numerous submissions are published shortly before the final consideration of responses to the Statement of Essential Facts.

A party cannot meaningfully answer material adverse evidence that has not been adequately disclosed or that it has had no reasonable opportunity to examine.

Finding required: EcoEco requests that the Commission:

1. Identify which subsequent submissions introduce material new evidence, as distinct from expressions of opinion or repetition of earlier positions.
2. Specify whether any later submission has been relied upon to establish or revise the statutory standing calculation, including the historical date and qualifying production evidence to which it relates.
3. Reconcile any resulting changes to the identified Australian producer population, production numerator, denominator and treatment of potentially duplicated production.
4. Distinguish later statements concerning present industry conditions from verified evidence concerning injury during the statutory examination period.
5. Identify any materially new factual assertions upon which the final recommendation proposes to rely and explain how affected parties have been given an appropriate opportunity to respond.
6. Explain the evidentiary reasoning supporting the acceptance or rejection of material late-stage submissions, including the treatment of contrary evidence already on the record.

EcoEco does not ask the Commission to disregard the subsequent submissions of Australian industry participants.

It asks that those submissions be assessed by what they establish, not by their number, authorship or apparent support for a preferred outcome.

STANDING IS NOT AN OPINION POLL. INJURY IS NOT ESTABLISHED BY A SHOW OF HANDS. CAUSATION IS NOT DETERMINED BY THE NUMBER OF DOCUMENTS LODGED.

A hundred later expressions of support cannot replace the statutory production calculation. Nor can they displace material contrary evidence without a reasoned assessment of that evidence.

The Commission must decide what the evidence proves, not which side has produced the larger collection of submissions.

28. The accountability outcome EcoEco requires

EcoEco has submitted extensive evidence, analysis and argument challenging material aspects of Investigation 691.

The **22 formal questions set out in Section 29** are not procedural decoration. They identify specific matters capable of affecting the legal, factual, statistical and economic foundations of the proposed measures.

They concern the Australian industry population, statutory standing, injury and causation, product comparability, exporter selection, residual-rate calculations, Hennissy's treatment and the integrity of the investigation's decision-making process.

EcoEco does not ask the Commission merely to acknowledge these questions. It requires a substantive and accountable determination of the material issues they raise.

For each material question, the Commission should identify:

1. **The finding challenged:** The relevant preliminary conclusion and the applicable statutory provision.
2. **The evidence examined:** The source records considered, including EcoEco's contrary evidence and any competing evidence relied upon.
3. **The assessment undertaken:** The relevant factual, mathematical, statistical, financial or legal analysis.
4. **The conclusion reached:** Whether EcoEco's challenge was accepted, rejected, partly accepted or remains unresolved.
5. **The reasons:** Why particular evidence or reasoning was preferred and what limitations, if any, were recognised.
6. **The resulting action:** Whether the preliminary finding was confirmed, corrected, qualified or withdrawn, and whether the proposed recommendation was affected.

A general statement that the Commission has considered EcoEco's submissions is not a substitute for demonstrating how material competing evidence was evaluated.

Professional competence and technical accountability

EcoEco requests **formal assurance from the Commission that its material submissions, evidence and technical challenges have been substantively assessed by personnel possessing the qualifications, experience and expertise appropriate to the matters under examination.**

This includes relevant competence in trade remedies legislation, economic analysis, statistical methodology, financial accounting, manufacturing costs, international trade and injury causation.

Where specialist statistical, financial or technical evidence has been presented, EcoEco requests assurance that the assessment was undertaken or reviewed by persons competent to evaluate its methodology, assumptions, limitations and conclusions.

EcoEco does not request the identities or personal details of the individuals involved.

Nor does EcoEco allege, without evidence, that any individual lacks the necessary competence.

The responsibility belongs to the Commission as an institution.

The Commission should be able to confirm that the necessary expertise was available and applied, that appropriate technical oversight occurred and that material conclusions were supported by competent examination.

Such assurance should identify the relevant areas of expertise and the nature of the technical assessment undertaken, without requiring disclosure of individual identities.

Professional qualifications alone do not establish the correctness of a finding. The analysis must also be capable of examination.

Corrections must follow established errors

The required corrective consequences are equally important.

Where an arithmetic error is established, the calculation must be corrected.

Where the relevant producer or exporter population has been incorrectly identified, the population and any dependent calculations must be reconsidered.

Where product comparisons or cost allocations are materially inaccurate, the affected conclusions must be recalculated or appropriately qualified.

Where alleged injury has not been adequately distinguished from other known causes, the causal analysis must be completed before reliance is placed upon that finding.

Where the statutory foundation for a proposed measure cannot be established, the Commission must not recommend that measure on the basis of the unsupported proposition.

Where the evidence supports a narrower conclusion than initially proposed, that conclusion must be explained and its lawful limits respected.

Equally, where the Commission rejects EcoEco's challenge, it should identify the governing legislation, material evidence and reasoning supporting its decision.

EcoEco does not demand agreement. It demands conclusions capable of being independently examined against the law and the evidence.

Substantive examination and institutional responsibility

EcoEco requests formal confirmation that its material submissions were examined and that the significant evidence and arguments they contain were substantively evaluated.

Where assessments involved multiple areas of technical expertise, EcoEco requests assurance that the relevant conclusions were subjected to appropriate professional review.

Where a material question has not been examined, **the Commission should acknowledge that limitation and undertake the necessary assessment before making a recommendation dependent upon it.**

EcoEco recognises that confidential information and internal records may be subject to lawful disclosure restrictions.

Nevertheless, the Commission should provide the fullest informative non-confidential explanation available, sufficient to identify the evidence, methodology and reasoning supporting its conclusions.

The Commission must not confuse administrative receipt of evidence with substantive assessment, or publication of a conclusion with demonstration that the conclusion is justified.

Reservation of rights and corrective action

EcoEco requests that the Commission identify the procedures and applicable time limits for correcting material errors or challenging final findings.

Where material deficiencies remain unresolved, EcoEco reserves its rights to pursue applicable review, information-access and other lawful accountability procedures.

This is a formal reservation of rights, not an allegation of personal misconduct.

EcoEco seeks neither preferential treatment nor a predetermined outcome.

It seeks assurance that the investigation has been conducted with the expertise, care, independence and analytical rigour appropriate to decisions carrying substantial commercial and public consequences.

Finding required

Before the final recommendation, the Commission should provide a reasoned response to the **22 formal questions in Section 29**, identifying:

- The evidence actually examined and the conclusions reached.
- The statutory, economic or statistical basis for each material finding.
- The relevant technical expertise and oversight applied to those assessments.
- Any errors identified and the corrective actions taken.
- Any material limitations or unresolved questions affecting the proposed measures.
- Whether each challenged preliminary finding has been retained, amended, qualified or withdrawn.

IF THE EVIDENCE SUPPORTS THE COMMISSION'S FINDINGS, SHOW IT.

IF THE EVIDENCE REQUIRES CORRECTION, MAKE IT.

IF AN ESSENTIAL FINDING CANNOT BE SUPPORTED, DO NOT PRESERVE IT MERELY BECAUSE IT HAS ALREADY BEEN PUBLISHED.

EcoEco asks for a determination in which the law is accurately applied, competing evidence is genuinely examined, appropriate professional expertise is brought to bear, and conclusions follow from demonstrated facts.

The Commission's responsibility is not to defend its preliminary conclusions. Its responsibility is to reach the correct conclusions on the evidence available before its final recommendation.

THE COMMISSION MUST SHOW ITS WORK — DEMONSTRATE THAT THE WORK WAS COMPETENTLY UNDERTAKEN — AND ACT UPON WHAT THAT WORK REVEALS.

E. FORMAL QUESTIONS REQUIRING SPECIFIC ANSWERS

29. Required determinations and the form of a sufficient response

The following **22 formal questions** constitute EcoEco's schedule of challenged findings, disputed calculations and outstanding evidentiary matters in Investigation 691.

They are not requests for general reassurance. Each identifies a material issue requiring an answer capable of examination against the relevant evidence and statutory requirements.

For each question, EcoEco requests that the Commission identify:

1. **The finding:** The relevant SEF passage, statutory provision or preliminary conclusion.
2. **The evidence:** The source records examined, including EcoEco's contrary evidence.
3. **The method:** The factual, mathematical, economic, statistical or legal analysis applied.
4. **The determination:** The answer reached and the reasons supporting it.
5. **The consequence:** Whether the preliminary finding has been retained, qualified, corrected or withdrawn.
6. **Any outstanding limitation:** The material work remaining and how it will be addressed before a recommendation dependent upon that finding is made.

Where confidential information is involved, EcoEco requests an informative non-confidential explanation consistent with the applicable law. It does not seek unrestricted disclosure of legally protected material.

The Commission should identify the relevant page, paragraph, calculation or record wherever it considers a question already answered.

The following questions require substantive determinations, not merely acknowledgement of their receipt.

No.	Subject and source record	Determination required
1	**Australian producer population** — EPR 450, 498, 501	Identify the population of eligible Australian producers of the relevant like goods, the applicable period, measurement unit, exclusions and estimates. Explain how system owners, fabricators, related entities and overlapping production were treated to prevent omissions or double counting.
2	**Statutory standing at initiation** — Customs Act 1901, s 269TB(6); EPR 450, 452, 469	Demonstrate separately the applicable production-support requirements, identifying the relevant numerators, denominators, support and opposition evidence, and the calculation underlying the reported approximately 55% production coverage. Provide traceable non-confidential aggregate arithmetic and distinguish support at initiation from later expressions of support.
3	**Representativeness of industry injury evidence** — EPR 444, 450, 501	Identify the Australian producers whose data informed the injury findings and the proportion of total relevant Australian production represented. Explain the evidentiary basis for applying findings concerning examined or supporting producers to the wider Australian industry, including non-applicants and producers not individually examined.
4	**Revenue trends and time-period comparability** — EPR 444, Table 4	Reconcile the annual revenue indices of approximately **100, 111, 114 and 99** with the subsequent **49** reported for a half-year period. Distinguish annual from partial-year observations, explain any appropriate like-for-like comparison and identify what the data establish about the timing and magnitude of deterioration.
5	**Selling prices, production costs and claimed price effects** — EPR 444, 501	Separate actual realised selling-price movements, product mix, input costs, utilisation, manufacturing efficiency, cost allocation and the claimed inability to achieve necessary price increases. Distinguish a decline in profitability from evidence of price depression, suppression or undercutting attributable to dumped imports.
6	**Corporate financial allocations** — EPR 423 and relevant industry records	Explain whether and to what extent the approximately **A$121.657 million** four-item subtotal in the referenced consolidated group accounts was allocated to, included in or excluded from the relevant Australian aluminium-window-and-door operating results. Identify any material allocations, offsets, entity differences and accounting periods. Do not equate consolidated group expenditure automatically with product-specific manufacturing costs.
7	**Domestic customer migration** — EcoEco September public submission, sections 9.13–9.16	State whether EcoEco's evidence of a significant customer transfer was examined or independently verified. Identify the timing, customer destination and competing explanations, and explain how the transaction was treated in the injury and non-attribution analysis. Distinguish a transfer between Australian suppliers from a loss of sales to imported goods.
8	**Gains by competing Australian manufacturers** — EPR 444, 501	Identify evidence of material sales or customers gained by other Australian manufacturers during the relevant period. Explain how company-specific deterioration was distinguished from injury to the Australian industry as legally defined, while separately considering any demonstrated indirect price effects arising from imported competition.
9	**AGWA's authority and governance** — AGWA Constitution, clauses 5.1 and 49; relevant EPR material	Identify the evidence relied upon, if any, concerning AGWA's authority to participate as an applicant or representative organisation. Distinguish organisational endorsement, consultation with members and competing member interests from the statutory requirement to establish qualifying producer support. Explain the relevance, if any, attributed to the governance evidence in the Commission's findings.

No.	Subject and source record	Determination required
10	**AGWA's evidentiary role and statutory support** — EPR 450, 501	Explain what evidentiary weight was given to AGWA's institutional position, statements made by members, independently verified production data and the formal production-weighted standing calculation. Confirm that organisational endorsement was not treated as a substitute for the statutory assessment of eligible production support.
11	**Capral's manufacturing-cost and pricing assertions** — EPR 439, 455, 456, 581	Identify which Capral assertions were relied upon and the evidentiary purpose for which they were used. Where upstream aluminium costs or hypothetical illustrations were treated as evidence of finished-window injury or causation, identify the necessary product-level comparison, cost reconciliation or other supporting analysis. Explain what weight was given to propositions not supported by matched finished-window evidence.
12	**Product comparability and goods boundaries** — EPR 490, 498, 499, 501	Identify the model-matching method, relevant product characteristics, treatment of complete and partially assembled goods, configuration differences and applicable scope boundaries. Explain how differences in size, glazing, thermal performance, design, manufacturing requirements and product mix were addressed in price comparisons and injury analysis, including any limitations of the Model Control Code methodology.
13	**Chinese exporter population and selection** — ADN 2026/004; EPR 413, 501	Reconcile the ABF exporter entries and their relationship to distinct exporting entities; approximately **122 PIR respondents**; the **18 exporters** selected for supplementary information; the **six exporters** selected for examination; the **eight completed exporter-questionnaire responses**, including two non-selected exporters; and the **five independently calculated margins**. Explain the selection criteria, coverage denominators, treatment of non-selected exporters and limitations arising from concentration on the largest exporters. In particular, distinguish the reported **29% of total Chinese export value** from **38% of PIR respondents' export value**.
14	**The 24.4% residual dumping margin** — EPR 501, 502	Identify the actual statutory calculation, including the applicable provisions, exporter data, export-price and normal-value inputs, exclusions, weighting and treatment of incomplete or unusable information. Explain the result through sufficiently informative non-confidential arithmetic and distinguish the assigned residual rate from an independently measured margin for an unexamined exporter.
15	**Treatment of Broad and Altop** — EPR 501, 502	Distinguish Broad's assigned **24.4%** result from the five separately calculated exporter margins. Explain the treatment of Altop's **negative 47.4%** margin, Broad's information and any relevant exclusions in the actual statutory computation. Demonstrate that the result was derived without unsupported assumptions or circular reliance upon the rate being calculated.
16	**Hennissy's information and questionnaire notices** — EPR 413, 470, 499, 501	Identify the dates, contents, recipients, transmission methods and available delivery records for relevant notices and questionnaire communications. Reconcile the January publication chronology, the 16 February 2026 deadline, Hennissy's PIR and SIR responses, and the subsequent September correspondence. Distinguish information submitted from a completed exporter questionnaire.
17	**Hennissy's individual-examination request** — Customs Act 1901, s 269TACAA(2); EPR 470, 496, 501	Explain the dated assessment of EcoEco's request, the statutory conditions considered and the evidence supporting the Commission's conclusion that individual examination would prevent timely completion. Identify the work and timetable required, whether a compressed questionnaire and verification process was considered, and any legally available route for further examination or reconsideration.

No.	Subject and source record	Determination required
18	**Dumping and subsidisation as separate findings** — EPR 501, chapters 6–7	Identify the relevant subsidy programmes, benefits, recipients, attribution and calculation methodology, including any reliance on upstream aluminium-extrusion findings. Explain the distinction between the **0.7% residual subsidy margin** and **2.9% non-cooperative margin**, the proposed termination for selected and residual exporters, and the separate legal basis for any remaining countervailing measures. Do not substitute dumping calculations or general manufacturing-cost assumptions for the required subsidy analysis.
19	**Independent statistical examination and uncertainty** — EcoEco's statistical challenges; Henstridge, ECOECO/1 — Statistical Considerations (9 November 2026)	Respond to the questions concerning producer-population completeness, sampling frames, potential self-selection bias, exporter selection by volume, representativeness, variation among measured margins and the limitations of conclusions about unexamined exporters. Identify any sensitivity analyses, uncertainty assessments or technical checks undertaken. Confirm that relevant statistical challenges were examined or reviewed by personnel possessing appropriate statistical expertise. Give substantive consideration to Dr Henstridge's signed independent report, ECOECO/1 — Statistical Considerations (9 November 2026), under the applicable procedures.
20	**Communication, participation and meeting records** — EPR 451 and relevant correspondence	Reconcile the contemporaneous record of the August 2026 meeting, the material communication history and EcoEco's opportunities to respond. Clarify the scope and evidentiary basis of any reported definite assessment of injury, distinguish injury from causation and identify how subsequent contrary evidence was considered. No identification or personal scrutiny of individual officers is requested.
21	**Substantive consideration and professional competence** — EcoEco's EPR submissions; EPR 501	Provide **formal institutional assurance** that EcoEco's material evidence and arguments were substantively assessed or reviewed by personnel possessing appropriate qualifications, experience and technical competence. Identify the relevant areas of expertise, the nature of the assessment and any technical oversight, without naming individual officers. Explain the resulting findings, treatment of contrary evidence and any changes made. An assertion of professional competence is not a substitute for demonstrable reasoning.
22	**Corrective action and final measures** — EPR 501, 502; applicable statutory procedures	Identify which challenged findings are retained, amended, qualified or withdrawn. Correct established errors and refrain from recommending measures dependent upon unsupported essential findings. Explain any narrower legally supportable outcome, the treatment of provisional securities and the respective responsibilities of the Commission and Australian Border Force. Distinguish correction of investigation findings from EcoEco's separate product-exemption application.

Standard of response and accountability

EcoEco requests a reasoned determination for each material issue.

A submission is not answered merely by identifying the EPR number under which it was received.

Where the Statement of Essential Facts or another existing record already provides a substantive answer, the Commission should identify the exact page, paragraph, calculation or finding so that the response can be examined against the evidence.

Where an answer depends upon confidential evidence, the Commission should provide an appropriately informative non-confidential explanation consistent with the law.

Where a material issue has not been assessed, the Commission should acknowledge that limitation and complete the necessary examination before relying upon a conclusion dependent upon it.

EcoEco does not request the personal identities of assessing officers or individual attestations of their conduct.

It requests institutional assurance that the work was performed with appropriate professional expertise and that the resulting conclusions withstand examination.

The 22 questions must be considered according to their legal and evidentiary materiality. EcoEco does not suggest that every question necessarily establishes an error or that every challenge must be accepted.

It requires the Commission to establish which conclusions survive scrutiny and which must change.

THE EXISTENCE OF A FINDING DOES NOT PROVE ITS CORRECTNESS.

THE EXISTENCE OF A SUBMISSION DOES NOT PROVE THAT ITS EVIDENCE WAS CONSIDERED.

THE EXISTENCE OF A STATUTORY CALCULATION DOES NOT EXCUSE A FAILURE TO EXPLAIN HOW THAT CALCULATION WAS APPLIED.

EcoEco asks the Commission to answer the material questions, demonstrate the relevant analysis, confirm that appropriate expertise was applied and make every correction required by the evidence and the law.

THE COMMISSION MUST SHOW ITS WORK — AND THE WORK MUST SUPPORT THE CONCLUSION.

F. CONCLUSION

30. The evidence, and no less than the evidence

Ventora's reported performance deteriorated. Imports from China increased.

Neither fact, considered alone, establishes the cause of the deterioration.

The Commission has advanced a preliminary explanation connecting imports to injury. EcoEco has challenged material aspects of that explanation and submitted competing evidence requiring examination.

The record contains evidence of changing Australian demand, company-specific manufacturing and financial costs, corporate restructuring, differences between Australian producers, movements of customers between domestic competitors, and substantial variation in the dumping margins calculated for individual Chinese exporters.

It also contains an Australian industry production-support assessment of approximately 55%, whose underlying non-confidential arithmetic requires clearer reconciliation.

It contains a residual dumping rate of 24.4% applied to exporters whose individual dumping margins were not calculated.

And it contains substantial technical questions about the completeness of the relevant populations, the selection of exporters, the interpretation of results and the reliability of conclusions extending beyond the entities actually examined.

EcoEco submits Dr Henstridge's final signed report, ECOECO/1 — Statistical Considerations, dated 9 November 2026, as independent statistical evidence to be evaluated on its own terms and within the applicable procedures.

These matters are not peripheral objections. They concern the evidentiary foundations upon which duties may be imposed.

The Commission may ultimately reject particular arguments advanced by EcoEco.

It may prefer competing evidence where that preference is supported by the facts and applicable law.

What EcoEco challenges is any failure to explain how material contrary evidence has been assessed.

A finding must be supported by its underlying evidence. A calculation must be supported by its actual method. A causal conclusion must be supported by analysis that distinguishes the effects of dumped imports from other known causes.

The Commission must not treat a statutory residual rate as an independently measured dumping margin for every unexamined exporter.

It must not treat a customer's movement from one Australian producer to another as proof of a loss to imported competition without examining the transaction.

It must not substitute the endorsement of an industry association for the production-weighted calculations required by statute.

And it must not confuse the receipt or publication of a submission with the substantive consideration of its material evidence.

TRACE THE LOST SHARE. TRACE THE LOST CUSTOMERS. RECONCILE THE COSTS. VERIFY THE PRODUCERS. SHOW THE RESIDUAL CALCULATION. DETERMINE THE EXPORTER'S TREATMENT. ANSWER THE EVIDENCE.

EcoEco calls upon the Commission to determine the 22 formal questions in Section 29 before making a final recommendation dependent upon the challenged findings.

Where errors are demonstrated, they must be corrected.

Where evidence supports only a narrower conclusion, the conclusion and any resulting measures must be confined to their lawful scope.

Where an essential statutory proposition cannot be established, a recommendation dependent upon that proposition must not be made.

The Commission's task is to determine what the evidence supports, not to preserve a preliminary conclusion merely because it has already been published.

ECOECO'S FINAL FORMAL DEMAND

EcoEco formally requires an identifiable, evidence-based response to each of its 22 material questions.

In particular, EcoEco requests:

1. **Industry standing:** A traceable explanation of the relevant producer population, qualifying production and statutory support calculations.
2. **Injury and causation:** A reasoned assessment of material injury, including the treatment of domestic customer migration, structural costs, product differences and other known causes.
3. **Exporter selection:** An explanation of the selection method, its evidentiary limitations and the proper distinction between individually calculated margins and rates assigned under the legislation.
4. **The 24.4% residual rate:** A sufficiently informative and reproducible explanation of the actual statutory calculation, subject to lawful confidentiality protections.
5. **Hennissy:** A reasoned determination of its participation, questionnaire record, residual treatment, individual-examination request and any legally available avenue for reconsideration.
6. **Professional competence and accountability:** Institutional assurance that the material evidence was assessed or reviewed by personnel possessing the appropriate legal, economic, statistical, financial and technical expertise, together with an explanation of the resulting findings and any corrections made.

The Commission should identify whether its assessment of EcoEco's evidence has changed any preliminary finding.

Where the finding has not changed, identify the competing evidence and the decisive reasons.

Where material questions remain unresolved, acknowledge them and complete the necessary assessment before recommending measures that depend upon them.

THE FINAL RECOMMENDATION MUST BE THE CONSEQUENCE OF THE EVIDENCE, NOT THE DESTINATION TO WHICH THE EVIDENCE IS MADE TO CONFORM.

If the Commission proceeds without adequately resolving material evidentiary or procedural deficiencies, EcoEco reserves its right to pursue all applicable review, information-access and other lawful accountability procedures.

This is not an allegation of misconduct against any individual. It is a formal request that the Commission discharge its institutional responsibilities and provide findings capable of independent examination.

EcoEco makes no prediction concerning the success of any subsequent legal remedy.

It makes clear that conclusions which remain materially unsupported will not pass without challenge.

ECOECO HAS PRESENTED ITS EVIDENCE. THE COMMISSION MUST NOW ANSWER IT.

EcoEco demands no exemption from scrutiny.

Nor should any applicant, industry association, exporter or proposed calculation receive one.

The Australian public funds this process and may bear part of the cost of its consequences.

It is entitled to a determination that withstands examination.

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31. Investigation 691 — The masterclass that still awaits us

The transformation of the Anti-Dumping Commission into the Australian Trade Remedies Commission formed part of a broader programme of change already underway before Investigation 691 commenced.

The Ministerial Statement of Expectations, signed on **18 September 2025**, and the Commissioner's Statement of Intent, signed on **21 November 2025**, preceded the initiation of Investigation 691 on **25 November 2025**.

The institutional changes went beyond a new name.

They reflected ambitions for stronger organisational capability, improved investigation processes, greater transparency, more effective administration and better-informed decision-making.

[Ministerial Statement of Expectations, 18 September 2025; Commissioner's Statement of Intent, 21 November 2025; Appendix D.]

Investigation 691 presented an opportunity to demonstrate those ambitions in practice.

To demonstrate that complex economic evidence can be rigorously examined.

That statistical methods can be applied appropriately and their limitations understood.

That commercial injury can be distinguished from its causes.

That competing explanations can receive genuine consideration.

And that decisions carrying substantial financial consequences can be justified by evidence capable of withstanding independent examination.

Investigation 691 should have been the masterclass for the future. It still can be.

Perhaps history will look back upon Investigation 691 as a remarkable case study in institutional renewal.

Not because an Australian government agency conducted a flawless investigation.

Not because every preliminary conclusion was upheld.

And not because every challenge advanced by an interested party was accepted.

But because, when confronted with credible questions about its evidence and methodology, the Commission possessed the independence, integrity and courage to examine those questions openly, recognise shortcomings where they existed, and change direction where the evidence required it.

There is no institutional disgrace in correcting an error.

There is no weakness in reconsidering a preliminary judgment.

And there is no loss of authority when an institution demonstrates that its decisions are governed by evidence rather than by the need to defend what it has previously said.

Quite the opposite.

An institution capable of examining and correcting its own conclusions demonstrates a greater strength than one which mistakes consistency for correctness.

What might initially appear to be a setback could become something considerably more valuable: an important milestone in the systematic improvement of Australia's trade remedies system.

A demonstration that reform is not merely a statement of intention, an administrative programme or an aspiration for future investigations.

It is a commitment capable of being honoured in the investigation already before us.

That would be money well spent.

That would be accountability in action.

That would be a memorable achievement for Australian government.

But that is the future.

And in the interim, what do we do?

Do we proceed with measures whose material evidentiary foundations have been seriously challenged, without first resolving the questions capable of affecting their justification?

Do we ask Australian businesses to bear the immediate consequences of provisional measures while important questions concerning injury, causation and the treatment of unexamined exporters remain disputed?

Do we ask the Australian public to carry those costs today in the hope that the processes which produced them might be improved tomorrow?

Or do we recognise that the responsibility to act fairly, accurately and competently exists today — not merely in some better future?

EcoEco does not ask the Commission to favour importers over Australian manufacturers.

Nor does it ask that Australian industry be denied legitimate protection where injurious dumping or countervailable subsidisation has been established in accordance with the law.

But poorly directed protection can itself become a deterrent to the development, efficiency and competitiveness of the industry it is intended to protect.

A duty cannot create manufacturing excellence merely by making competing goods more expensive.

A commercially inefficient production method does not become efficient because an overseas competitor is burdened with an additional charge.

And Australian innovation is not strengthened by confusing legitimate competitive advantage with unfair trade.

We believe Australia is capable of something better.

Imagine an Olympic race in which overseas competitors are required to carry additional weight so that Australian athletes can win.

The medals might look the same.

But the Australian athletes would not have become faster.

Australia's response to international sporting competition offers another model.

The Australian Institute of Sport was established to develop the performance of Australian athletes through world-class coaching, training, research and sporting science.

Its purpose was to help Australians compete against the world's best by improving Australian performance.

Not by making the opposition slower.

By making Australians better.

That is the ambition we should bring to Australian manufacturing.

We should seek to make Australian industry more productive, more innovative, more efficient and more internationally competitive.

Not simply more protected from competition.

The analogy has its limits, and those limits matter.

Where overseas suppliers engage in dumping or receive countervailable subsidies that cause material injury, Australian law provides legitimate remedies.

Correcting demonstrated unfair trade is not the same as imposing an artificial handicap upon lawful competition.

But the distinction must be proved, not assumed.

Trade remedies must respond to unfairness established by evidence. They must not become a substitute for the pursuit of Australian industrial excellence.

We believe in Australia.

We believe in Australian industry.

We believe in Australian innovation, enterprise, productivity and competition.

We believe in the capacity of Australians to develop better products, better processes and better businesses — and to succeed against the best in the world.

And we believe that the institutions entrusted with protecting Australian industry should demonstrate the same commitment to excellence in their own work.

Above all, we believe in a fair go.

That belief is not inconsistent with Australia's trade remedies system.

It is the principle that should guide its operation.

A fair go for Australian manufacturers genuinely injured by unfair trade.

A fair go for importers and exporters whose circumstances must be determined according to evidence.

A fair go for the builders, developers and consumers who may ultimately bear part of the cost.

And a fair go for the Australian public, which is entitled to expect that its institutions will make consequential decisions with competence, independence, transparency and integrity.

Where the evidence does not support a proposed conclusion, that conclusion should not be carried forward merely because the investigation has reached its final stages.

The Commission has the opportunity to demonstrate that its commitment to improvement is more than an aspiration.

It can examine the challenges, test the evidence, explain its findings and correct whatever the evidence requires.

It can show that the integrity of the process matters more than the preservation of a preliminary position.

The opportunity to improve the result has not disappeared.

The opportunity to demonstrate institutional excellence remains.

This is not a time to carry on regardless.

It is a time to stop, reflect and renew.

Edward Stelling
Director
EcoEco Windows & Doors Pty Ltd
9 November 2026

APPENDIX A - EVIDENCE MAP AND SOURCE CHARACTER

Purpose and evidentiary limitations

This appendix identifies the principal public records, legislative provisions, industry information and independent material relevant to EcoEco's response to the Statement of Essential Facts in Investigation 691.

It is intended to assist the Commission in identifying the evidence underlying EcoEco's challenges and the limitations applying to that evidence.

Identification of a document does not establish the truth of every proposition contained within it.

Applicant assertions, interested-party submissions, verified findings, independent analysis and statutory provisions have different evidentiary functions. They must be evaluated accordingly.

EcoEco does not represent that it has examined every confidential attachment, independently verified every assertion made by another party or reconstructed calculations for which the necessary underlying data have not been disclosed.

The purpose of this evidence map is to distinguish what a source establishes from what remains to be demonstrated.

Source	Description and evidentiary function	Limitations and required treatment
EPR 1	Ventora and AGWA's public application, including reported Australian industry performance and indexed sales-value and quantity information.	Applicant evidence is subject to investigation and verification. Confidential absolute turnover and other underlying data are not fully available on the public record.
EPR 413 — ADN 2026/004	Exporter-selection report identifying the largest-volume selection approach, initial coverage and exporter-questionnaire arrangements.	Distinguish the **six selected exporters**, eight completed questionnaire responses and five independently calculated dumping margins. Coverage percentages have different denominators and must not be conflated.
EPR 422, 437	EcoEco's earlier submissions concerning injury, domestic manufacturing costs, downstream commercial effects and the supply chain.	Read with EcoEco's subsequent clarifications, corrections and additional evidence. The existence of these submissions does not establish that each argument was substantively accepted or assessed.
EPR 423, Exhibit C-1	CCCMC material and the 2024 consolidated financial statements concerning the wider corporate group.	Consolidated group financial information is not equivalent to verified Australian aluminium-window-and-door manufacturing accounts. Entity boundaries, accounting periods, allocations and offsets require reconciliation.
EPR 439, 455, 581	Capral's submissions concerning Australian industry conditions, aluminium input costs, pricing, competition and responses to EcoEco's arguments.	Interested-party assertions must be evaluated on their own evidence. Upstream aluminium-cost illustrations do not automatically establish matched finished-window manufacturing costs, dumping or injury causation.
EPR 444	Commission verification material concerning Ventora, including corrected indices, reported cost allocations, Table 4 performance indicators and section 9.3 customer negotiations.	Verification of the examined entity's data does not itself establish that dumped imports caused the reported deterioration or that the examined entity is statistically representative of every Australian producer.
EPR 448, 456	EcoEco's responses to Capral, including manufacturing-cost comparisons, supply-chain structure and the economic distinction between upstream inputs and completed windows.	Evaluate with Capral's original propositions and any subsequent responses. Illustrative calculations must not be represented as verified industry-wide cost estimates.

Source	Description and evidentiary function	Limitations and required treatment
EPR 450	Commission material concerning Australian industry support and the reported coverage of approximately 55% of estimated qualifying Australian production.	The eligible producer population, relevant production volumes, statutory support thresholds, estimates and anti-duplication controls require a traceable explanation, subject to lawful confidentiality protections.
EPR 451	Public Commission record concerning the meeting with EcoEco on **12 August 2026**.	Distinguish the recorded meeting from EcoEco's recollection of particular statements. Clarify the distinction between findings of injury and causation without presuming prejudgment or individual misconduct.
EPR 452, 453, 469	EcoEco's submissions concerning statutory standing, Australian industry representation and the identification of relevant producers.	Consider the development of EcoEco's position over time. An earlier limited non-challenge does not accurately describe the full position subsequently advanced.
EPR 462, 472	EcoEco's evidence concerning the organisation of Australian window manufacturing, system ownership, fabrication and the relationship between industry participants and representative organisations.	Distinguish commercial roles, association membership and actual qualifying Australian production. Organisational structure does not independently establish statutory support.
EPR 470	EcoEco's request concerning Hennissy's individual examination and associated correspondence.	Assess with the original notification history, questionnaire timetable, information supplied and the Commission's stated reasons for its subsequent determination under section 269TACAA(2).
EPR 486, 490, 496	EcoEco's technical and economic challenges concerning goods, product comparison, injury and causation, including the September public evidence concerning customer migration.	Read the complete submissions, including sections 9.13–9.16 of the relevant public customer evidence. Distinguish established facts, supporting documents, commercial explanations and propositions requiring verification.
EPR 498, 499	EcoEco's submissions concerning Australian industry production and ten outstanding matters raised before publication of the SEF.	Each material issue should be compared with the actual treatment recorded in EPR 501. Receipt or publication is not itself proof of substantive examination.
EPR 501	Statement of Essential Facts issued **14 October 2026**, containing the Commission's preliminary findings concerning goods, exporter treatment, dumping, subsidisation, injury and causation.	Preliminary conclusions remain subject to the applicable response process and final consideration. Statements that a submission was considered should be distinguished from reasoned treatment of its specific material arguments.
EPR 502	Preliminary Affirmative Determination and provisional measures announced **14 October 2026**, with relevant security consequences from **15 October 2026**, subject to applicable export and border requirements.	Provisional measures are not the final determination. Their commercial consequences must be distinguished from the Commission's statutory findings and ABF's responsibility for administration of securities.
EPR 576	Housing Industry Association response to the SEF, relevant to building-sector concerns, fixed-price contracts and potential downstream consequences of provisional measures.	The specific statements and evidence must be assessed in their proper context. Downstream commercial concerns do not independently establish dumping margins, statutory standing or injury causation.

Source	Description and evidentiary function	Limitations and required treatment
EPR 581	Capral's response to the SEF, addressing aspects of the proposed findings and EcoEco's challenges.	Assess the submission according to its actual evidentiary content. A later response does not automatically verify historical standing, resolve product-level costing questions or displace contrary evidence already submitted.
Dr John Henstridge — independent statistical examination	Independent professional examination commissioned by EcoEco concerning Australian producer coverage, exporter selection, statistical inference, variation, uncertainty and the residual-rate evidence.	**The final signed report is ECOECO/1 — Statistical Considerations, dated 9 November 2026, paragraphs 1–30, with Dr Henstridge's professional CV as Annexure B. The expert's statistical conclusions must be distinguished from legal determinations and from reconstruction of confidential calculations. The confidential working brief referred to as Annexure A in the report is not included in the public filing bundle.**
IBISWorld C2223 — June 2020 and May 2026	Broader industry information concerning Australian manufacturing structure, revenue, market participation and relevant economic trends.	Industry classifications, publication vintages, geographical coverage and observation periods differ from the statutory goods and industry definitions in Investigation 691. Broader industry estimates are not automatically qualifying Australian-window-and-door production totals.
AGWA Constitution (2021), clauses 5.1 and 49	Organisational purposes, governance arrangements and provisions potentially relevant to the association's representative and advocacy functions.	Constitutional provisions alone do not establish an actual conflict of interest, procedural breach, lack of authority or failure of statutory standing. Such conclusions require supporting evidence and applicable legal analysis.
Customs Act 1901, Part XVB	Principal statutory framework, including **section 269TB(6)** concerning application support and **section 269TACAA(1)–(2)** concerning exporter examination and selection.	Apply the legislation according to its terms and the relevant circumstances. Distinguish statutory requirements from economic or statistical assertions. A legally authorised selection procedure does not automatically establish statistical representativeness for every proposed inference.

Interpretation of the evidence map

The following principles apply to the use of these sources.

First, an assertion is not verification. The Commission must distinguish claims made by interested parties from facts independently examined or otherwise established.

Second, verification is not necessarily proof of causation. Verified business deterioration must still be assessed under the applicable statutory requirements concerning injury and other known causes.

Third, a statutory method is not the same as a statistical inference. Exporter selection and residual-rate calculations must be distinguished from assertions about the independently measured conduct of exporters not examined.

Fourth, an administrative record is not a substitute for substantive reasoning. Where EcoEco has advanced material contradictory evidence, the Commission should identify how that evidence was evaluated.

Fifth, independent expert analysis must be considered within its proper scope. Statistical evidence may identify weaknesses or limitations in sampling, inference and uncertainty without determining questions reserved to the Commission under legislation.

Evidentiary accountability

This schedule should be read together with the **22 formal questions in Section 29**.

Where the Commission relies upon a public or confidential source to sustain a material finding, EcoEco requests identification of that source and an informative explanation of the reasoning.

Where a factual or numerical proposition cannot be demonstrated from publicly disclosed information, the Commission should identify the applicable confidentiality limitation and provide the fullest lawful non-confidential explanation.

APPENDIX B - NUMERICAL RECONCILIATIONS

Purpose and limitations

This appendix provides transparent arithmetic supporting selected numerical observations in EcoEco's response to Investigation 691.

The calculations are intended to distinguish observed figures, derived arithmetic and illustrative scenarios.

They do not substitute for the Commission's statutory dumping-margin calculations, confidential verification records or product-specific financial analysis.

In particular, an illustrative numerical comparison must not be treated as evidence of an actual customer loss, a statistically representative industry estimate or an alternative dumping-duty rate.

B1. Exporter observations — variation among individually calculated margins

The Statement of Essential Facts reports the following separately calculated dumping margins for five selected Chinese exporters:

Exporter	Calculated dumping margin
Altop	−47.4%
Foshan AMJ	5.3%
Guangdong Kete	12.1%
Yuanjiang	34.8%
Zhuhai Yipeng	51.6%

The sum of these observations is:

−47.4 + 5.3 + 12.1 + 34.8 + 51.6 = 56.4 percentage points.

The unweighted arithmetic mean is:

56.4 ÷ 5 = 11.28%.

The observations in ascending order are:

−47.4%, 5.3%, 12.1%, 34.8%, 51.6%.

The median is 12.1%.

The observed range is:

51.6 − (−47.4) = 99.0 percentage points.

The sample standard deviation, calculated using the conventional divisor of four for five observations, is approximately 37.61 percentage points.

Excluding the negative Altop observation produces the following descriptive calculation:

(5.3 + 12.1 + 34.8 + 51.6) ÷ 4 = 25.95%.

This comparison illustrates how materially the descriptive mean changes when one observation is excluded. It is not a recommendation to exclude Altop or to adopt 25.95% as a statutory rate.

Broad's assigned 24.4% rate is not a sixth independently calculated dumping margin.

These calculations establish substantial variation among the five individually calculated outcomes. They do not establish the average dumping margin of all Chinese exporters.

The selected exporters were not chosen through a random probability-sampling process designed to estimate the population mean.

Accordingly:

- **The unweighted mean of 11.28% is not proposed as a replacement residual rate.**

- **The median of 12.1% is not proposed as a replacement residual rate.**
- **The descriptive standard deviation does not quantify the total uncertainty concerning unexamined exporters.**
- **Excluding an observation does not become justified merely because it changes the average.**
- **The difference between 11.28% and the Commission's 24.4% residual rate does not, by itself, demonstrate a computational error, because the statutory method is not a simple unweighted mean.**

The question requiring an answer is how the Commission calculated 24.4% under the applicable legislation, using which observations, inputs, exclusions and weights.

[Sources: EPR 501, individually calculated exporter margins and residual-rate findings; EPR 502; Henstridge, ECOECO/1 — Statistical Considerations, 9 November 2026, paragraphs 26–29. The descriptive figures are not substitutes for the statutory residual-rate calculation.]

B2. Ventora — reconciliation of indexed sales value and quantity

The relevant reported FY2022 and FY2025 indices are:

Indicator	FY2022	FY2025	Change
Sales value	100.00	95.53	−4.47%
Sales quantity	100.00	79.64	−20.36%
Derived value per reported unit index	100.00	119.95	+19.95%

The derived average sales value per reported unit index is:

100 × (95.53 ÷ 79.64) = 119.95.

This represents a 19.95% increase in average reported sales value per unit between FY2022 and FY2025, subject to the comparability of the underlying data.

The arithmetic does not establish that the price of an identical window or door increased by 19.95%.

The observed change may reflect differences in product configuration, size, glazing, specifications, customer mix and other characteristics.

Nor does an increase in average realised value per unit necessarily disprove price suppression. A manufacturer may obtain higher nominal prices while experiencing cost increases that cannot be fully recovered.

The Commission must distinguish movements in average reported value from changes in like-for-like selling prices and the separate effects of production costs.

[Sources: EPR 1, Section A-6; EPR 444, relevant corrected indicators. Product scope and measurement definitions require reconciliation.]

B3. Sensitivity — the value represented by the indexed sales decline

Let B represent Ventora's actual FY2022 sales turnover for the relevant aluminium-window-and-door goods, measured on the same basis as the published indices.

That absolute turnover figure is not established by the public indices.

If FY2022 sales value is represented by 100 and FY2025 sales value by 95.53, the indexed net decline is:

100 − 95.53 = 4.47%.

The equivalent absolute decline is:

0.0447 × B.

For illustration:

Hypothetical FY2022 relevant turnover	Implied FY2025 net decline
A$150 million	A$6.705 million
A$200 million	A$8.940 million
A$300 million	A$13.410 million

A hypothetical lost annual account worth A$10 million would equal 4.47% of a sales base of approximately:

A$10 million ÷ 0.0447 = A$223.7 million.

This is a sensitivity illustration only.

It does not identify any actual customer, establish that an account worth A$10 million was lost, determine the date of any customer movement or attribute a loss to a particular cause.

Nor does a hypothetical account of that value necessarily explain a net sales decline of the same amount. Net sales movements reflect losses and gains across customers, products and periods.

The calculation demonstrates why the undisclosed absolute sales base, customer movements and underlying transactions are material to a complete assessment of the reported decline.

Without those figures, the public indices cannot independently establish the financial contribution of any particular customer transfer to Ventora's deterioration.

[Sources: EPR 1, Section A-6; EPR 444; EcoEco's September customer-migration submissions.]

B4. Consolidated corporate subtotal — accounting boundaries

The following four figures have been identified from the referenced wider-group financial information, in A$ millions:

55.499 + 30.676 + 32.160 + 3.322 = 121.657.

The resulting subtotal is A$121.657 million.

This is an arithmetic reconciliation of the identified consolidated expense categories.

It is not, without further evidence:

- **A verified cost allocation to the Australian aluminium-window-and-door manufacturing operation.**
- **An identified increase in manufacturing costs caused by the corporate acquisition.**
- **A measure of the cost of producing the goods under investigation.**
- **An established explanation of Ventora's product-specific operating performance.**

The referenced wider-group turnover of A$831.247 million must likewise be distinguished from Ventora's relevant product-specific Australian sales base.

It cannot be substituted for B in Section B3 without reconciling the legal entity, business activities, accounting period, product perimeter and applicable sales definitions.

The relevant issue is whether any of these wider-group expense categories were included in, allocated to or excluded from the Australian injury accounts examined by the Commission, and whether those allocations materially affected the reported injury indicators.

[Sources: EPR 423, Exhibit C-1; EPR 444; relevant publicly available consolidated financial statements.]

B5. Wider-industry checks — market scope and historical comparisons

The following IBISWorld revenue estimates have been cited for the broader Australian industry classification:

Financial year	Estimated industry revenue
FY2021–22	A$5,539.0 million
FY2022–23	A$5,431.7 million
FY2023–24	A$5,084.5 million
FY2024–25	A$5,258.5 million

Across the stated period, the estimated revenue difference is:

A$5,258.5m − A$5,539.0m = −A$280.5m, or approximately −5.06%.

The figures indicate variation in the broader industry revenue estimates across the observation period.

They do not establish the statutory Australian production volume or value of the particular aluminium windows and doors covered by Investigation 691.

The product classification, businesses included, date of publication and measurement scope must be distinguished from the investigation's goods definition.

Similarly, a historical market-share estimate of 7.4% for JELD-WEN and a later estimate of 6.4% for Platinum Equity/Ventora cannot be treated as a directly comparable change in market share without reconciling ownership, included businesses, relevant years and industry definitions.

The different company revenue estimates of A$306.1 million and A$338.0 million also cannot be substituted for the Commission's product-specific Australian aluminium-window-and-door turnover.

Broader industry data are useful for examining the plausibility and context of industry-wide propositions. They cannot replace the statutory identification and measurement of the relevant Australian industry.

[Sources: IBISWorld C2223, June 2020 and May 2026; EPR 1; EPR 444; EPR 501.]

Final interpretation

The calculations in this appendix establish three important limitations.

First, material variation among individually calculated exporter margins does not establish a common actual dumping margin for every exporter not individually examined.

Second, indexed sales and financial information must be interpreted within the correct period, entity, product definition and accounting scope before conclusions concerning injury or causation can be drawn.

Third, a correct arithmetic operation does not guarantee that the underlying data are suitable for the proposition being advanced.

ECOECO DOES NOT ASK THE COMMISSION TO REPLACE ITS CALCULATIONS WITH ILLUSTRATIVE AVERAGES OR HYPOTHETICAL FINANCIAL SCENARIOS.

IT ASKS THE COMMISSION TO DISCLOSE AND EXPLAIN THE ACTUAL EVIDENTIARY AND STATUTORY BASIS FOR THE FINDINGS UPON WHICH PROPOSED DUTIES DEPEND.

THE ARITHMETIC MUST BE CORRECT. THE DATA MUST BE RELEVANT. THE COMPARISONS MUST BE VALID. AND THE CONCLUSIONS MUST NOT EXCEED WHAT THE EVIDENCE CAN SUPPORT.

APPENDIX C - SUBSTANTIVE CONSIDERATION REGISTER

Purpose and required response

EcoEco has submitted extensive evidence and argument during Investigation 691 concerning Australian industry standing, manufacturing economics, product comparability, dumping calculations, material injury, causation and Hennissy's treatment.

This register identifies the principal issues raised in EcoEco's earlier submissions for which EcoEco seeks a substantive, identifiable response.

For each material issue, EcoEco requests that the Commission identify the exact page, paragraph, calculation or other decision record demonstrating how the matter was examined and determined.

Where the Statement of Essential Facts already contains a substantive assessment, the Commission should identify it and explain how the material evidence relates to the finding.

Where no substantive assessment is identifiable in the published record, EcoEco requests confirmation of whether an assessment occurred, the conclusion reached and the reasoning supporting it.

The absence of an identifiable public cross-reference is not, by itself, evidence that an internal assessment did not occur.

Equally, the existence of an administrative acknowledgement, document registration or general statement of consideration does not, without more, demonstrate the substantive evaluation of a particular material issue.

Register of earlier EcoEco submissions

Earlier EcoEco material	Principal issue requiring a substantive response
EPR 422, 437	**Downstream economic consequences and competing causes of injury.** Explain how domestic demand, manufacturing and distribution costs, business conditions and other relevant causes of deterioration were examined separately from the effects attributed to dumped imports. Identify the evidence and reasoning supporting the Commission's treatment of these factors.
EPR 448, 456	**Capral's cost comparisons and supply-chain economics.** Identify how EcoEco's challenges to upstream aluminium-cost illustrations, manufacturing and distribution margin layers, and comparisons with completed windows were evaluated. Distinguish illustrative calculations from verified, comparable finished-window costs and explain the causal weight assigned to each.
EPR 452, 453, 469	**Australian industry standing and producer coverage.** Explain the identification of eligible producers, relevant production volumes, statutory support requirements and the production-weighted standing calculation. Identify how EcoEco's later clarification or correction of its earlier position was treated and whether it affected the Commission's findings.
EPR 462, 472	**Australian manufacturing structure and representative authority.** Explain how the Commission distinguished system ownership, fabrication, manufacturing, association membership and actual qualifying production. Identify the evidentiary weight assigned to AGWA's representative role separately from the statutory production-support requirements.
EPR 470	**Hennissy's notification and individual-examination request.** Identify the relevant questionnaire notices, communication records, participation history and the Commission's assessment of the request for individual examination under section 269TACAA(2). Explain the reasons for the decision, including the claimed effect of further examination upon timely completion.

Earlier EcoEco material	Principal issue requiring a substantive response
EPR 486	**Competing evidence and injury causation.** Identify which of EcoEco's material challenges concerning manufacturing economics, market conditions, the Australian industry and alternative causes of deterioration were accepted, rejected or qualified. Explain how the evidence informed the Commission's causal findings.
EPR 490	**Testing, goods comparability and product performance.** Explain how relevant technical testing, Australian and Chinese product characteristics, configuration differences and energy-performance claims were evaluated. Identify their treatment in like-goods assessments, product matching, price comparisons and injury analysis.
EPR 496	**September comprehensive rebuttal and supporting material.** Identify the substantive treatment of the submission's extensive technical, financial, manufacturing and market arguments, including its 35-chapter structure and non-confidential account of significant customer movements. Explain how material supporting information was evaluated, what was independently verified and what effect, if any, it had upon the proposed findings.
EPR 498	**Australian industry production, standing and like goods.** Explain the treatment of EcoEco's evidence concerning eligible production, product boundaries, manufacturing roles and the inclusion or exclusion of relevant entities in the Australian producer population. Identify the resulting effect upon standing or injury coverage calculations.
EPR 499	**Ten matters requiring findings in the SEF.** Identify the response to each material issue raised, including goods scope, subsidisation, injury causation, Hennissy's treatment and other challenged findings. Where matters were addressed collectively, explain how the combined assessment resolved each material proposition.

Requested institutional assurance

EcoEco requests **formal assurance from the Commission that the material submissions and supporting evidence identified above were substantively examined or reviewed by personnel possessing qualifications, experience and technical competence appropriate to the matters under consideration.**

Those matters include:

- Australian trade remedies legislation and statutory interpretation.
- Economic injury and causal analysis.
- Statistical methodology, population coverage and inference.
- Financial accounting, manufacturing costs and cost allocation.
- Aluminium window and door manufacturing, product matching and technical performance.
- International trade, exporter pricing and applicable dumping and subsidy calculations.

Where the Commission relied upon specialist economic, statistical, financial or engineering conclusions, EcoEco requests confirmation that appropriate expertise and technical review were applied.

EcoEco does not seek the names, identities or personal attestations of individual assessing officers.

Nor does EcoEco allege, without evidence, that any particular individual lacked the qualifications necessary to perform their duties.

The responsibility for the adequacy of the assessment belongs to the Commission as an institution.

The requested assurance should therefore address the expertise applied, the nature of the substantive examination and the quality assurance or technical review undertaken.

Demonstration of substantive consideration

For each material issue listed above, EcoEco requests an identifiable response establishing:

1. **Evidence received and examined:** Which submissions, supporting records and material contrary propositions were considered.
2. **Assessment undertaken:** The relevant statutory, economic, mathematical, statistical, financial or technical analysis.
3. **Evidence accepted or rejected:** Which material propositions were accepted, rejected or qualified, and why.
4. **Finding reached:** The conclusion adopted and its supporting reasoning.
5. **Effect upon the investigation:** Whether the relevant preliminary conclusion was retained, amended, qualified or withdrawn.
6. **Outstanding matters:** Whether further assessment is required before making a recommendation dependent upon the challenged finding.

The Commission may apply all lawful confidentiality protections.

EcoEco nevertheless requests a sufficiently informative non-confidential explanation to enable the material findings and reasoning to be understood and examined.

An assurance that appropriate expertise was employed does not replace the obligation to explain the relevant conclusions.

Nor does the existence of a reasoned conclusion, by itself, demonstrate that every material contrary argument was addressed.

Both the competence of the examination and the adequacy of the reasoning matter.

Requested determination

EcoEco requests the Commission to confirm that the material matters identified in this register have received substantive consideration and to identify the relevant findings and supporting records.

Where that examination has already occurred, provide the appropriate cross-references and reasoning.

Where material evidence has not been evaluated, undertake the necessary assessment before making a recommendation dependent upon the unresolved issue.

Where that assessment demonstrates an error, correct the affected finding.

Where the evidence establishes only a narrower conclusion, identify and apply its lawful limits.

Where the Commission maintains its preliminary position, explain the evidence and reasoning supporting that decision.

ECOECO DOES NOT ASK WHO READ ITS SUBMISSIONS.

IT ASKS WHETHER THE MATERIAL EVIDENCE WAS COMPETENTLY EXAMINED, WHAT THE EXAMINATION ESTABLISHED AND HOW THE FINDINGS WERE AFFECTED.

THE REGISTRATION OF A SUBMISSION IS NOT ITS EVALUATION.

THE ACKNOWLEDGEMENT OF AN ARGUMENT IS NOT ITS RESOLUTION.

THE COMMISSION MUST DEMONSTRATE SUBSTANTIVE CONSIDERATION THROUGH IDENTIFIABLE FINDINGS, REASONED ANALYSIS AND CORRECTIVE ACTION WHERE THE EVIDENCE REQUIRES IT.

APPENDIX D - PUBLIC RECORDS AND LEGISLATIVE REFERENCES

D1. Australian Trade Remedies Commission — Investigation 691 (official public record)

Aluminium windows and doors exported from the People's Republic of China.

Official Investigation 691 Electronic Public Record

Investigation 691 — Further EPR records, page 2

The Electronic Public Record contains the application, notices, submissions, verification reports, Statement of Essential Facts, preliminary determination and other publicly available material relating to Investigation 691.

References throughout EcoEco's submission identify documents by their EPR numbers. Because the register is paginated and may be updated, the EPR document number should be treated as the primary reference rather than the position of a document on a particular webpage.

D2. Governing legislation

Customs Act 1901 (Commonwealth), Part XVB

Official legislation — Federal Register of Legislation

Relevant provisions include:

- ***Section 269TB(6) — support for an application by the Australian industry.***
- ***Section 269TACAA(1)–(2) — exporter examination and selection.***
- ***Other provisions in Part XVB relevant to dumping, subsidisation, injury, preliminary measures and final recommendations.***

The legislation is the controlling legal authority. References to statistical or economic practice do not replace the statutory requirements.

D3. Australian Glass and Window Association

AGWA Constitution — 8 February 2021

AGWA Constitution — Official PDF

Relevant provisions include:

- ***Clause 5.1 — organisational objects.***
- ***Clause 49 — conflicts of interest.***

These provisions provide context for EcoEco's questions concerning organisational governance and representation.

They do not, by themselves, establish improper conduct, a conflict affecting Investigation 691 or any failure to satisfy statutory standing requirements.

D4. EcoEco's earlier public submission

EPR 422 — Submission on Injury and Context on Downstream Supply Chains

Dated 11 February 2026.

EcoEco EPR 422 — Public submission PDF

This submission identifies alternative commercial explanations potentially relevant to injury and causation, including supply-chain structures, input costs and downstream economic conditions.

It is cited as part of the history of EcoEco's challenges and should be considered alongside EcoEco's later submissions and the Commission's subsequent findings.

For the wider register of EcoEco submissions and related documents, see Appendix A.

D5. Ministerial expectations and the Commission's reform commitments

Ministerial Statement of Expectations

Signed 18 September 2025.

Statement of Expectations — Department of Industry, Science and Resources

Commissioner's Statement of Intent

Signed 21 November 2025.

Statement of Intent — Department of Industry, Science and Resources

These statements provide official context for the Commission's institutional responsibilities, reform programme, transparency, capability development and commitment to an effective trade remedies system.

Both statements preceded the initiation of Investigation 691 on 25 November 2025.

They are relevant to Section 31's discussion of institutional improvement and the opportunity for the Commission to demonstrate rigorous, evidence-based decision-making.

They are not independent proof that the Commission's conduct in Investigation 691 was unlawful or deficient.

D6. Government trade remedies reform consultation

Strengthening Australia's Trade Remedies System — Consultation Paper

Consultation opened 17 November 2025.

Official government consultation

The consultation concerns options for improving the effectiveness, timeliness and accessibility of Australia's trade remedies system.

It is relevant to the wider policy and reform context discussed in Sections 24 and 31.

Proposed reform measures should not be confused with statutory obligations already in force.

D7. Productivity Commission — Economic consequences of anti-dumping measures

Productivity Commission — Australia's Anti-dumping and Countervailing System

Inquiry Report No. 48, released 27 May 2010.

Official Productivity Commission inquiry report

Productivity Commission — Developments in Anti-dumping Arrangements

Research Paper, released 29 February 2016.

Official Productivity Commission research paper

These publications examine the operation of Australia's anti-dumping arrangements and their broader economic consequences.

They provide context for Section 26's discussion of costs affecting importers, downstream industries, competition and consumers.

The reports are general economic and policy analyses. They do not establish a quantified consumer-price impact or a statutory defect specifically arising from Investigation 691.

D8. Bevington Consulting — Operational improvement context

Operational Review and Improvement of the Anti-Dumping Commission

A publicly accessible procurement-summary listing records an engagement with Bevington Consulting Pty Ltd commencing 30 June 2025 and ending 29 June 2026, concerning the Commission's processes, systems, culture and operational improvement.

Public procurement-summary listing — GovMarket

This is a secondary procurement listing, rather than the original government contract record.

The engagement provides context for the institutional reform discussion in Section 24. Its existence does not establish that any particular method or finding used in Investigation 691 was defective.

D9. Independent statistical evidence

Dr John Henstridge — Data Analysis Australia

Independent statistical examination commissioned by EcoEco concerning aspects of Investigation 691.

Dr Henstridge's authorised final report is ECOECO/1 — Statistical Considerations, dated 9 November 2026, paragraphs 1–30.

His signed report and curriculum vitae (Annexure B, July 2026) accompany this public submission in the combined filing bundle.

The working brief referenced as Annexure A in his report is confidential and has therefore been excluded from the public bundle; it is available for separate confidential submission under the applicable procedures.

Reference and evidentiary standard

The references in this appendix are provided to identify the legal, documentary and contextual sources relevant to EcoEco's arguments.

They should be read together with:

- *Appendix A: Evidence Map and Source Character.*
- *Appendix B: Numerical Reconciliations.*
- *Appendix C: Substantive Consideration Register.*
- *Section 29: The 22 Formal Questions Requiring Specific Answers.*

A REFERENCE IDENTIFIES A SOURCE. IT DOES NOT, WITHOUT FURTHER ANALYSIS, ESTABLISH EVERY CONCLUSION FOR WHICH THAT SOURCE MAY BE CITED.

THE RELEVANT LAW, FACTS, CALCULATIONS AND REASONING MUST SUPPORT THE FINDING.

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9 November 2026

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ECOECO/1 – STATISTICAL CONSIDERATIONS

1. Thank you for the brief provided to me. I am commenting on several aspects in this brief as an experienced statistician who has on many previous occasions presented or reviewed statistical evidence in Court.

   (a) I have been provided a brief of evidence as attached (Annexure A) and have also referred to the Statement of Essential Facts No 691 (SEF 691) and associated documents referenced in that.

2. I am providing this opinion in my role as a statistician with over 45 years' experience with applied statistics.

   (a) My qualifications for doing this include a PhD in statistics from the Australian National University and being a Chartered Statistician of the Royal Statistical Society and an Accredited Statistician of the Statistical Society of Australia.

   (b) I am also a past President of the Statistical Society of Australia and for a number of years I served on the Accreditation Committee of that Society, including being chair. In 2025 I was made an Honorary Life Member of the Society.

   (c) Since 1988 I have been Chief Statistician of Data Analysis Australia Pty Ltd, a company I founded to provide high level statistical consulting services to government and industry. Data Analysis Australia is widely recognised as one of the most successful such companies in Australia.

   (d) Prior to working as a consultant in industry, I worked for five years as a biometrician in the Institute of Agriculture of the University of Western Australia. In this role I taught courses in quantitative science and consulted in this area to a number of researchers.

   (e) I attach my *curriculum vitae* (Annexure B).

3. In my role as a consultant statistician, I have provided statistical advice in many areas and authored many hundreds of report for clients. This has included:

   (a) Preparation of evidence for the Supreme and District Courts of Western Australia, the Federal Court of Australia, The Supreme Court of New South Wales, the District Court of New Zealand, the Supreme Court of Singapore, the Human Rights Commission, the Liquor Licensing Authority of Western Australia and the Northern Territory Licensing Commission. This work has

ranged from the validity and reliability of surveys as evidence in court through to the analysis of large data sets in commercial cases.

4. In doing this work I have followed the Federal Court Expert Evidence Practice Note.

   (a) In particular, in providing this opinion I have acted as an independent expert. The opinions I express are mine alone.

Context

5. My understanding is that the Australian Trade Remedies Commission (the Commission) conducted an investigation resulting in a document Statement of Essential Facts No 691 (SEF 691) considered a range of evidence relating to the "Alleged Dumping of Aluminium Windows and Doors Exported from the People's Republic of China and Alleged Subsidisation of Aluminium Windows and Doors Exported from the People's Republic Of China".

6. As part of this investigation the Commission considered a number of Australian producers of aluminium doors and windows (about 26) and also examined in detail a number of Chinese exporters of those products (6).

7. On the basis of those samples the Commission proceeded to make findings about the industry as a whole and some exporters in particular.

Statistical considerations

8. The examination of a subset of all the possible evidence in order to make findings beyond that subset is a well-established technique that is usually described as taking a sample.

   (a) Other examples of samples are public opinion surveys conducted by numerous organisations and surveys of households conducted by organisations such as the Australian Bureau of Statistics.

   (b) From a statistical perspective it is not too important what is being sampled and the same body of statistical theory and practice can be applied quite generally.

   (c) This statistical methodology has been developed over the past century and is described in many texts, such as *Sampling Techniques* by W. Cochran, 1967.

9. The statistical approach is defined by the following steps.

   (a) The complete set of units that might be sampled is termed the *population*. In this context the populations might be the set of all aluminium window and door producers and the set of all Chinese exporters of such products.

   (b) This population is usually treated as if it were a list, called a *sampling frame*.

   (c) Using well defined rules a *sample* is drawn from the sample frame. This is simply a subset.

   (d) The required information is collected for the sample.

(e) Using the information on how the sample was drawn, the information collected from the sample is used to make inferences (often in the form of estimates) about the population.

10. For this procedure to give results that are not potentially misleading, it is necessary that the sampling frame is constructed properly

(a) The sampling frame should aim to list all units that belong to the population.

(b) Where this is not feasible there are generally two options open:

(i) The investigation is explicitly limited to that part of the population which is included in the sampling frame. That is, the results of the investigation should explicitly state what part of the population is not covered. To be useful, this requires knowledge of the population so that the size and nature of the excluded population can be properly described.

(ii) Alternatively an indirect method of sampling might be used so that there is a first stage for which a sampling frame exists. For example, one way of sampling people in an area is to sample dwellings for which a list or sampling frame might be constructed and then to sample persons within the selected dwellings.

(c) In the absence of an understood sampling frame it is impossible to know what the results of the sample might refer to. In particular there is the real risk of biases being introduced into the study. Such biases cannot be eliminated by increasing the sample size since they exist before the sample is selected.[1]

11. The process by which the sample is drawn from the sampling frame (the sampling process) should follow certain rules to avoid biases and to provide a means of knowing how precise the results will be. Central to good sampling processes is the concept of random selection.

(a) Random selection means that every unit in the sampling frame has a known probability of selection.

(b) The probability of selection for every unit should be greater than zero – that is, no unit is completely excluded at this stage. This ensures that the sample is representative of the whole population.

(c) The actual selection process uses an objective mechanism to decide whether a unit is included in the sample. For example, if a unit is to be selected with probability p, a mechanism might be to produce a random number uniformly distributed between zero and one and that unit is selected if that random number is less than p. Such a mechanism ensures that subjective decisions do not influence the sample and hence introduce biases.

[1] The classic example of a poor sampling frame arose in the 1936 US presidential election where the Literary Digest published a poll based upon returns by over two million of its readers. This was wildly inaccurate. George Gallop achieved an accuracy within 1% using a statistically valid sample of only 50,000. The readers of the Literary Digest did not represent the voting population.

(d) Usually there needs to be some constraints on how the selection of one unit might influence the selection of another. A common requirement is that the units are selected in a manner that gives statistical independence. The effect of this is to simplify the analysis of the results and in some contexts make it more efficient.

12. One outcome of proper sampling is that the precision (or conversely, the uncertainty) that comes from the use of a sample can be quantified.

(a) This usually results in estimates being provided with a standard error or a confidence interval.

(b) This sampling error must be considered when making statements about the confidence that can be placed in the findings.

(c) The sampling error can be reduced by using larger sample sizes. Typically the standard error is inversely proportional to the square root of the sample size, which means that there can be diminishing returns as the sample size increases.

(d) The sampling error is in addition to biases and other non-sampling errors.

Sampling in SEF 691

13. The two statistical aspects of SEF 691 that I consider in detail are:

(a) The population and sample of producers of Aluminium windows and doors; and

(b) The Chinese exporters of such products.

14. I acknowledge that there are many other uses of statistics in SEF 691 but I have not had the time to review them. For example I note various different statements about the proportion of Australian businesses that support the application, which I suspect is due to a failure to properly define the population being considered. However, I cannot comment upon those other uses.

15. Before referencing details, I note that the SEF is, in my opinion, surprisingly lacking in the detail required to substantiate the statistical approaches taken. I acknowledge that there may be confidential documents available to the Commission, but I had expected at least major issues such as the numbers of companies affected to be stated.

Population and sample of producers

16. The population is presumably intended to be Australian producers of the relevant products who may compete with imports to Australia and hence may be affected by dumping or subsidies.

(a) I note that in Section 2.4.2 of the SEF when considering the standing of the applicants, it is stated that "the AGWA and Ventora, an Australian producer of like goods, had sufficient support to make the application." It goes on to state that the applicants met certain required quantitative thresholds. However

neither in the SEF or in the document referred to in this section [2] are any figures given relevant to this.

(b) I note that in EPR 444 statements are made about the size of the Australian industry without proper quantification. For example Figure 4 gives "Estimated size of the Australian Market" without any vertical scale to provide quantification.

(c) I also note that there are also issues of size when reporting industry participants, effectively due to the unit of measure. I cannot comment on detail here except to say that in a heterogeneous industry changes in the precise unit of measure can influence results. I understand that the SEF in the main uses dollar value.

(d) This situation appears to be repeated multiple times in the SEF.

17. The lack of proper statement on the size of the industry is unfortunate in itself, but it is suggestive of the lack of a clear definition of the industry itself.

(a) This means that there is effectively no sampling frame.

(b) I can understand that publication of a notice may have been used to draw out industry participants, but unless this clearly was a call for identification regardless of wanting to make a submission then this is unlikely to have been effective in identifying the full industry.

(c) As noted above the absence of a sampling frame means that without a valid sampling frame the first requirement of a reliable sample process is not met.

(d) There exist methods of sampling populations where it is difficult to identify a sampling frame or even the size of the population (such problems are often encountered in ecology) but I can see no attempt to use such methods.

18. Detailed information was collected from a number of industry members and presented in the SEF. This is what I have termed the industry sample. In the SEF it is described as "Ventora and the other 25 Australian industry participants supporting the application", giving 26.

(a) It is not clear whether only aggregate data was used for the 25. If this was the case then there is no understanding of the variability within this group.

19. For an industry sample to be statistically valid it should be drawn in a manner that does not introduce biases.

(a) In many application areas of sampling it is known that using a sampling process that is affected by certain people wanting to respond can lead to major biases.[3]

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[2] SEF 691, EPR 444, *Australian industry verification report*, Ventora Group Pty Ltd..

[3] A review of the poor poll performance leading up to the 2019 Australian Federal election indicated that major biases were introduced by more educated voters being more willing to respond, biasing the polls towards Labor. (*Inquiry into the Performance of the Opinion Polls at the 2019 Australian Federal Election*, AMSRO.)

(b) For this reason great care must be taken to fully represent the potential respondents who do not so readily volunteer. In the context of SEF 691, this may mean ensuring the industry members who are not applicants are properly represented in the sample.

(c) It is not clear that this was done.

20. This strongly suggests that the industry sample may have significant biases.

Population and sample of exporters

21. The problem of defining a sampling frame of Chinese exporters is covered in the *Anti-Dumping Notice No. 2026/004* prepared by the Commission. The list was produced from Preliminary Information Requests (PIRs) resulting from the publication of the *Anti-Dumping Notice No. 2025/115* and identified 122 Chinese exporters of the relevant products to Australia.

(a) I note that the SEF states (page 20) that the Australian Border Force import database identified over 2000 individual exporters of the relevant goods to Australia.

(b) It is not clear whether all these 2000 are current exporters or what time period the database covers. The quality of this database, particularly whether some of the entries are effectively duplicates due to, for example, a change in name, is unknown.

(c) Without further information I cannot comment upon the substantial discrepancy in the numbers, although it is disturbing as a potential source of bias.

22. This list was narrowed down to a list of eighteen "identified as the largest exporters of the goods". This is effectively the first step in sampling. For these exporters more information was collected.

23. The final sample comprised eight exporters "who are responsible for the largest volume of exports to Australia."

(a) Whilst I can appreciate the desire to obtain a high coverage of all exports (achieving 38% by value), this process is fundamentally and totally biased towards the larger exporters and tells us nothing about the smaller exporters.

(b) Such a biased sampling procedure can only be considered statistically acceptable if there exists evidence that the size of the exporter is in no way correlated with what is being measured, such as the level of subsidisation.

(c) In the absence of such evidence the findings of such a biased sample should only be applied to exports by the larger exporters. That is, it is likely unwise to apply the results to the majority of exporters or goods.

(d) In actuality detailed analysis was conducted on only six of these eight. This reduction introduced further potential for bias.

24. Overall I find the sampling of exporters deeply flawed.

(a) This concern is strengthened by observing the substantial differences in the results for the sample as is presented in Table 4 in the SEF. One immediate question is what might explain the differences and whether size might correlate to the results. This statistically obvious question is not addressed in the SEF.

Effects of these Statistical Issues

25. My understanding is that one outcome of the data collection and analysis in SEF 691 is that duties are proposed on most exporters of the relevant goods, those investigated in detail and those not so investigated.

26. This is outlined in Table 4 of the SEF.

(a) Of particular note is substantial variation in the proposed rate of IDD, ranging from zero to 51.6%.

(b) This variation is even more strongly evident in Table 2 of the SEF, where the calculated dumping margins range from -47.4% to 51.6%. In Table 4 the negative margin for Altop was set to zero.

(c) In this context I note that the margin for one exporter, Broad, was not calculated directly but itself an estimate. This leaves only five reliable data points.

(d) These five data points suggest a mean margin of 11.3%. However, being estimated from only five data points there is considerable uncertainty in this, with a 95% confidence interval being from -35.4% to 59.0%.[4] The confidence interval is a commonly accepted measure of the uncertainty in an estimate.

(e) The fact that the confidence interval includes zero implies that the mean margin is not statistically significantly different from zero.

(f) This confidence interval is potentially an understatement of the uncertainty since it only considers the sample size and variability. The problems in the sample design are likely to have introduced further imprecision to an unquantifiable extent.

27. Realistically, this high uncertainty indicates that the five exporters provide virtually no guidance as to what the remaining or residual exporters' margins might be.

28. It is not clear to me how the value of 24.4% as the margin for residual exporters is derived. It seems likely that this was applied to the exporter Broad.

(a) I note that Section 6.10.3 states that the calculation is in a confidential document so I am unable to comment upon the methodology.

(b) However, I note that a rate of 24.4% is substantially greater than the mean of the five data points, that is, 11.3%. The SEF makes no comment upon the discrepancy.

[4] The calculation was based upon a standard deviation of these five values being 37.6, and the confidence interval being $11.3 \pm 37.6 \times 2.78 / \sqrt{5}$, where 2,78 is the quantile of the t distribution with four degrees of freedom required for a 95% confidence.

(c) However hesitate to recommend using the value of 11.3% as I have substantial reservations about so many parts of the process and the small sample size.

29. The SEF does not consider the precision of the processes used. Any method that uses incomplete information will have imperfect precision, but poor processes and highly variable data will lead to poor precision.

(a) As a statistician who has advised many areas of government and industry I find it surprising that no attempt is made to consider the lack of precision in the findings.

(b) The lack of any attempt to consider precision raises the question as to whether the analysis is sufficiently precise or fit for purpose.

Summary

30. In my opinion as an experienced statistician, I found that the use of poorly designed and implemented sampling procedures in the SEF leave the results open to substantial question. Indeed, the methods used are likely to introduce systematic biases, the scales and even directions of which are impossible to evaluate.

Yours sincerely



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Chief Statistician, Data Analysis Australia

Dr John Henstridge

Managing Director
Chief Consultant Statistician



Qualifications

- B.Sc. (1st class Honours, Statistics), *Flinders University*, Adelaide
- Ph.D. (Statistics), *Australian National University*, Canberra
- Chartered Statistician, *Royal Statistical Society*, London
- Accredited Statistician, *Statistical Society of Australia*

Experience

- DAA Consulting: 37 years
- Total Industry: 45+ years

Professional Memberships

- Statistical Society of Australia

  (National Vice-President 2012-2013 & 2016-2017, National President 2013-2016, Deputy Chair of Organising and Program Committees for Australian Statistical Conference 2010, Chair of the Accreditation Committee 2006-2010, Member of the Accreditation Committee 2004-2010, President of WA Branch 1993-1995, Vice President of the WA Branch 2023-24, Honorary Life Member, 2025-)
- Australian Mathematical Society (Program Review Committee 2007-2011)
- Royal Statistical Society (Fellow)
- International Association for Statistical Computing
- The Australian Society for Operations Research Inc.
  (WA Chapter, Committee Member 1999)
- American Statistical Association
- Geostatistical Association of Australasia
  (Founding Committee Member 1996-2004, Vice-President 1998-1999, President 1999-2000)
- Australian Institute of Management (Associate Fellow)

John has over forty five years' experience as a consultant in both industry and academia. His approach to statistics and mathematics is oriented towards practical applications and the use of modern information technology environments. John also provides advice to legal teams and appears as an expert witness in court cases, a sign of his highly regarded qualifications and expertise.

John founded Data Analysis Australia in 1988 and managed its growth into the largest commercial group of statisticians and mathematicians in Australia. He is currently Chief Statistician.

Consulting Experience

Surveys

John's experience in surveys emphasises innovative methods of achieving high quality results through design, management and analysis, particularly for social research. The surveys have covered many areas from customer satisfaction - business to business as well as consumer - through to highly technical household issues.

- Expert advice on survey design has been provided by John for the HILDA (**Household Income and Labour Dynamics in Australia**) Survey as part of the consortium led by the Melbourne Institute of Applied Economic and Social Research. Starting in 2000, this longitudinal survey is a major investment by the Department of Social Services and tracks almost 10,000 households through annual surveys. John's role continues as a member of the Technical Reference Group that oversees the statistical and methodological research that supports the survey. This has included providing advice on critical issues such as imputation, weighting and top up samples.
- Since 2008 John has led the Data Analysis Australia team using survey methods to enable the **Department of Defence** to better manage their inventory, valued in excess of fifteen billion dollars. Prior to this work, the Defence accounts were subject to audit qualifications since the precision of the inventory record keeping was not known. Data Analysis Australia has designed and managed over fifty projects in this area and the Data Analysis Australia designed and managed National Inventory and Asset Sample. As well as ensuring the statistical quality of the surveys, John has had a key role as a statistical expert in the relationship between Defence and the Australian national Audit Office.
- The **Perth And Regions Travel Survey** (PARTS) was a four year study of day-to-day travel patterns conducted for a consortium of Western Australian government departments. The survey has implications well beyond transport planning - the depth of information collected will be used for strategic planning in land use, public and private transport networks and locational planning for industries such as health, justice and other public services. John led the development of sophisticated sampling methodologies to optimise the quality of data collected while minimising data collection problems through the use of modern geographical information system techniques. He also introduced innovative web based data management software to this area. PARTS is still regarded as one of the best travel survey ever conducted in Australia.
- John led major reviews of the National Visitor Survey (NVS), the International Visitor Survey (IVS), the Northern Territory Travel Monitor (NTTM) and the wider research needs of the tourism industry. These are large and **complex tourism surveys** with many challenges in their design and implementation. John delivered actionable reports, with most of the recommendations being implemented.

- Survey evidence has become accepted as necessary evidence in many liquor licensing applications to demonstrate need or to assess the impact on the public. Since these surveys must withstand detailed legal scrutiny, the design and implementation must be of the highest standard. Since 1996 John has led the development of survey approaches that solved these problems for over 80 such licensing matters. He has also been called upon to comment on the survey work of others in this context.

Applied Statistics

Advanced statistical analysis is practical in helping to identify and understand the key numbers in a mass of data.

- John was appointed by the Minister of the Environment to the Technical Reference Forum that had the task of reviewing and where possible improving the Bureau of Meteorology's Australian Climate Observation Reference Network – Surface Air Temperature (ACORN-SAT), a key dataset for measuring possible **climate change** in the Australian context.
- For the Department of Social Services, John has worked collaboratively with PricewaterhouseCoopers (PwC) to provide actuarial **valuations of the social security and income support system** in Australia. The project identifies groups of people at risk of income support and how they transition in the long-term, estimating the fiscal and social sustainability of the Australian social support system. John oversaw major aspects of the model development and provided high level statistical insights into the drivers behind utilisation of social security and income support.
- The understanding of data collected in **mining and exploration** requires advanced statistical analysis in many cases. John has carried out statistical work for a wide range of clients in the mining industry, examining a range of statistical issues associated with both mining and processing of mineral ores. A key factor in this work is that advanced statistical techniques can frequently reduce the substantial costs in the collection and assaying of mineral samples.
- In Western Australia most electricity distribution poles are made a jarrah, a local hardwood. While this is initially strong, over time it degrades in its core, making it difficult to know whether it is still sufficiently strong and hence safe. The evaluation of **pole strength measures** and consequent system reliability required statistical analysis of complex data from multiple measurement processes. This work contributed to major capital investment to improve the electricity networks.
- Since 2018 John has provided statistical advice on the monitoring of the highly significant rock art on Murujuga (the Burrup Pensinsula). This included reviewing the work carried out by the CSIRO and advising on future monitoring.
- In an evaluation of legal evidence, John reviewed a large body of work relating the **density of liquor outlets** and possible associated harm. This review highlighted surprising shortcomings in much of this evidence, largely due to poor analysis of difficult data. The review, conducted to the highest legal standards, led to licensing authorities placing less weight on such evidence.

- John has particular knowledge of statistical signal processing through his early work in the analysis of sound and radio waves observed by arrays of detectors. This has been applied to underwater sound and to seismology. It illustrates John's approach of combining physical models with statistical methods to solve complex problems.
- John's background in biometrics has led to multiple projects in medical science, agriculture and ecological studies.

Forecasting and Modelling

John's expertise in time series provides a firm base to his forecasting work. These projects are characterised by an emphasis on forecasting through structural models.

- John developed a set of **electricity demand forecasting models** designed to assist in the planning of generation and maintenance of the South-West Interconnected System in Western Australia. Unique features of these forecasting systems are their emphasis on predicting peak as well as average demands and the advanced modelling of the effects of weather upon total demand. This has led to a family of models for a number of clients who are stakeholders in the energy market.
- For many years, John has been involved in providing **Courts forecasts** to assist in the planning of Court services in Western Australia, South Australia and the ACT. This has required the integration of information from many sources such as Police and Court records as well as the establishment of process models that are able to account for economies of scale as a Court system grows. Risk analysis methods to combined quantitative data with more qualitative expert opinions. The models have been used for planning and the evaluation of Court systems.
- The management of **water** conservation measures in the Perth metropolitan region has been based on **consumption models** developed by John. These have used statistical analysis to understand the quantitative relationship between weather, consumer behaviour and water consumption, and the interaction of water restrictions with these relationships.
- John developed a comprehensive data model linking information from a number of sources including morbidity databases, the Census and the transport system to provide a rational means of making decisions on the **location, timing and size of health facilities**. The output of this model provided the optimal staging of infrastructure development.

Mathematics

John has provided mathematical advice to a number of clients, particularly in the areas of efficient algorithm development.

- His advice relating to **optimisation of pipe networks** for the Water Corporation allowed the development of software to manage large networks. This led to significant cost savings in designing of new networks.
- The mathematical analysis of **gaming machine algorithms** provides the verification that they will function as intended and, additionally, that the principles are unique for the purposes of copyright and patent protection.

- **Integer linear programming systems** have been used to optimally locate health and justice facilities in metropolitan areas. This has included the integration of transport models to provide realistic measures of access.
- **Game theory** has been used to assist developing **optimal pricing strategies** in an emerging electricity market. A key aspect was the derivation of a monetary value on the information about a customer.

Software Expertise

John has a unique background as both a developer and a user of a range of statistical and data management tools. In the 1980's he was a pioneer in statistical packages including the internationally distributed times series package TSA and, with partners, one of the earliest personal computer based general statistical packages, MASS. His current skills include:

- Statistical packages (R, SAS, Genstat, SPSS);
- Database systems (PostgreSQL, FoxPro,); and
- Several programming languages (Python, Pascal and even Fortran).

Selected Invited Seminars

Busan National University, Busan, South Korea, 1977, *The fitting of time domain models through frequency domain methods*.

Symposium on Information Theory, Nagoya University, Nagoya, Japan, 1978, *Estimating multiple phase delays by maximum likelihood*.

Montansuniversitat, Leoben, Austria, 1980, *Seismic processing with multiple signals.*

Prince of Songkla University, Haad Yai, Thailand, 1983, *Robust and exploratory methods for investigating non-normally distributed data* and *Generalised Linear Models.*

Time Series Conference, Canberra, 1986, *Environmental time series*

University of the Philippines, Diliman, 1987, *Applied Time Series* and *Generalised Linear Models.*

University of East Anglia, 1988 *The forecasting of electricity loads.*

University of Yantai, Department of Mathematics, August 1988, *Statistical Computing.*

Peking University, Beijing, August 1988, *Time series computing.*

Australian National University, September 1994, *Waiting Times for Public Housing.*

Curtin University of Technology, October 1996, *Case Studies in Consulting.*

University of Western Australia, 1997, *The Business of Statistics*

University of Western Australia, 1999, *Statistics and the Law*

Australian Statistical Conference, Adelaide, 2000 *The Business of Consulting*

IAOS Conference Statistics, Development and Human Rights, Montreux, 2000, *Measuring Justice Systems*

Institute of Advertising Congress, Singapore, 2001, *Customer Satisfaction as a Determinant of Brand Positioning*

Statistical Consulting Workshop, Canberra, 2002, *The Statistician as an Expert Witness*

Urban Development Institute of Australia, WA Division, Pemberton 2003, *Perth's Population – Past, Present and Future*

Market Research Society of Australia Seminar, WA Division, February 2004, *Having Your Day in Court – Survey's as Evidence*

Spatial Sciences Institute, June 2006, *Useful Spatial Statistics*.

Australian Property Institute Annual Conference, August 2006, *The Impact of a Changing Population*.

International Society for Business and Industrial Statistics, Azores, August 2007, *Beyond a Statistical Toolkit*.

Sri Lankan International Statistics Conference, Colombo, January 2010, *A Very Applied Approach to Risk.*

Iranian Statistical Society Seminar on Probability and Stochastic Processes, Yazd, August 2015, *Phase Delays – Theory to Exploratory Data Analysis.*

International Conference on Recent Achievements in Mathematical Science, Yazd, January 2019, *Data Science – Old Ideas and New Problems*.

Book

1 (1983) *'TSA - user guide and reference manual*, Numerical Algorithms Group, Oxford. (167+x).

Research Papers

1 (1977) The measurement of velocity, (Ph.D. abstract), *Bull. Aust. Math. Soc.*, **17**, 477-478.

2 (1979) A signal processing method for circular arrays, *Geophysics*, **44**, 179-184.

3 (1979) Time series packages, *Statist. Soc. Australia News,* **7**, 8-10.

4 (1980) (with P.M. Finch, D.M. Ingram, B.N. Catchpole) The relationship of sleep stage to the migrating gastrointestinal complex of man, *Proc. 7th Inter. Symp. Gastrointestinal Motility.*

5 (1980) (with Cheryl E. Praeger) Note on primitive permutation groups and a diophantine equation, *Discrete Mathematics*, **31**, 181-183.

6 (1980) TSA, a package for time series analysis and manipulation, *COMPSTAT-80, Proceedings in computational statistics*, Physica-Verlag, Vienna.

7 (1980) A compiled GLIM language, *GLIM Newsletter*, Dec 1980.

8 (1982) (with P.M. Finch, D.M. Ingram and B.N. Catchpole) Relationship of fasting gut motility to the sleep cycle, *Gastroenterology*, **83**, 605-612.

9 (1983) (with G.B. Martin, R.J. Scaramuzzi) Effects of oestradiol, progesterone and androstenedione on the pulsatile secretion of luteinizing hormone in ovariectomised ewes during spring and autumn, *J. Endocrinology*, **96**, 181-193.

10 (1983) (with G.A. Wood, R.J. Lockwood, A.G. Cresswell) Motor unit activity and muscle strength development. *Australian Physical and Engineering Sciences in Medicine*, **6**, 71-75.

11 (1983) TSA - a time series package, *The American Statistician*, **37**, 171-2.

12 (1983) (with B.P. Murphy) Design aspects of statistical software for microcomputers, *Proc. STATCOMP 83*, Macquarie University.

13 (1983) (with B.P. Murphy) Table operations in microcomputer statistical programs, *Proc. 44th Session Int. Statist. Inst., Madrid*, **1**, 161-163.

14 (1984) (with R.J. Baker, R.W. Payne) Buffered output in FORTRAN *Computer Journal,* **27**, 179-184.

15 (1984) (with R.L. Tweedie) A model for the growth pattern of mutton birds *Biometrics,* **40,** 917-925.

16 (1984) (with M.W. Asten) Array estimators and the use of microseisms for reconnaissance of sedimentary basins, *Geophysics*, **49**, 1828-1837.

17 (1985) (with M.D. Smith, A. Kupa, M. Weatherall, P.M. Brooks) The effect of tiaprofenic acid on blood pressure control in treated hypertensive patients, *Curr. Med. Res. Opin.*, **9**, 388-393.

18 (1986) Time series computing - a problem of data structures, in *Essays in Time Series and Allied Processes*, ed J. Gani, 407-412.

19 (1986) (with D. Patterson, A.R. Morton and G.A. Wood) The entrainment of ventilation frequency to exercise rhythm, *European Journal of Appl. Physiol.*, **55**, 530-537.

20 (1993) (with G.A. Wood, M. Kuster, G. Ariel) Intermuscular cross-talk or co-activation in surface EMG? Fourier predictions and partitionings, in *Electrophysiological kinesiology: proceedings of the ISEK'92 Congress*, ed. A. Pedotti, IOS Press.

21 (1997). (with R. Homel, P. Mackay) The long-term effects of random breath testing in four Australian States: A time series analysis. CR 162, Federal Office of Road Safety. Canberra, ACT.

22 (1988) Contribution to discussion of 'Space-time modelling with long-memory dependence: assessing Ireland's wind power resource' by J. Haslett and A. Raftery, *J. R. Statist. Soc.* B, **50**.

23 (1989) Time series computing in a microcomputer environment in *Proc. Interface Symposium, 1988*, ed E. Wegman.

24 (1995) (with R. Homel, P McKay) The impact on accidents of random breath testing in New South Wales, 1982-1992, in *Alcohol, drugs and traffic safety*, **2**, ed C. Kloeden and A. McLeacn, NHMRC Road Accident Research Unit.

25 (1996) (with D.H. Plowman, J. Taplin) Determining the minimum wage: a household expenditure approach, *Economic and Labour Relations Review*, **7**, 254-271.

26 (1997) (with P.B. McLeod) Forecasting container traffic at the port of Fremantle, *Australasian Transport Research Forum*, **21**, 309-323.

27 (1998) Non-linear modelling of geological continuity, *Beyond Ordinary Kriging: Non-Linear Geostatistical Methods in Practice*, ed J. Vann, Geostatistical Association of Australasia.

28 (1998) Measuring Exposure. *Proceedings of Measuring the Burden of Injury Conference*, .ed G.A. Ryan & P.M. Dyke, Road Accident Prevention Research Unit, The University of Western Australia.

29 (1999) (with S. Boddington) Using transport as a measure of Access to a Public Health System, *Australasian Transport Research Forum*, **23**, 721-728.

30 (2001) Weighting and Imputation, Discussion Paper 3/01, *Household, Income and Labour Dynamics in Australia (HILDA) Survey*, Melbourne Institute.

31 (2006) If maths matters, why don't we see more of it?, *Gazette Austal. Math. Soc*, **33**, 231-234.

32 (2007) Maths@work: The consulting model, *Gazette Austal. Math. Soc*, **34**, 17-19.

33 (2009) (with M.R. Williams, B.B. Lamont) The functional form of the species-area relation, *J. Biogeog.*, **36**, 1994-2004.

34 (2009) A Very Applied Approach to Risk, *Sri Lankan Journal of Applied Statistics*, **10**, 1-7.

35 (2012) (with J. Piantadosi, P. Howlett and J. Borwein) Maximum Entropy Methods for Generating Simulated Rainfall, *Numerical Algebra, Control and Optimization*, **2**, part 2, 233-256.

36 (2020) (with others) *Inquiry into the Performance of the Opinion Polls at the 2019 Australian Federal Election*, AMSRO.

37 (2022) (with Louise Ryan, Jessica Kasza, The SSA is 60!, *Significance*, **19**, 34-40.

38 (2026) (with multiple authors) *Research Report 741 An enhanced, nationally consistent, travel mode choice model*, NZ Transport Agency. (https://www.nzta.govt.nz/resources/research/reports/741)

Consulting Reports

Major consulting reports have been authored for several hundred commercial and government clients.