



ANTI-DUMPING NOTICE NO.2018/127

Certain Aluminium Extrusions

Exported to Australia from The People's Republic of China

Initiation of an exemption inquiry

Customs Tariff (Anti-Dumping) Act 1975

I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, have initiated an exemption inquiry in relation to anti-dumping measures applying to certain aluminium extrusions exported to Australia from The People's Republic of China (China). The exemption category being sought is under subsections 8(7)(a) and 10(8)(a) of the *Customs Tariff (Anti-Dumping) Act 1975* (Dumping Duty Act). Under these provisions the Assistant Minister for Science, Jobs and Innovation (the Assistant Minister) may exempt goods from dumping and countervailing duties where satisfied:

'that like or directly competitive goods are not offered for sale in Australia to all purchasers on equal terms under like conditions having regard to the custom and usage of trade'.

The Anti-Dumping Measures

Anti-dumping measures in the form of a dumping duty notice and countervailing duty notice (the notices) were initially imposed on aluminium extrusions on 28 October 2010, following consideration of *Trade Measures Report No. 148* by the then Attorney-General.

The notices continued to have effect for a further five years from 28 October 2015, to which *Anti-Dumping Commission Report No. 287* refers.

The current rates of dumping duty and countervailing duty on aluminium extrusions exported to Australia from China are set out in Anti-Dumping Notice 2017/138, following a review of measures with which *Anti-Dumping Commission Report No. 392* refers.

The Exemption Goods

The goods the subject of the exemption inquiry (the exemption goods) are described by the applicant as aluminium sideforms, produced by an extrusion process, intended to operate as part of a system for casting concrete, to support the concrete as it is poured and as it sets. The exemption goods are of the following dimensions:

- Height range of 100 mm to 600 mm; and

- Lengths from 5,800 mm.

Other physical characteristics of the exemption goods are considered by the applicant to be commercially sensitive.

The exemption goods are classified to the tariff subheading 7604.29.00 (statistical codes 09 and 10) of Schedule 3 to the *Customs Tariff Act 1995*.

The exemption inquiry will examine whether the goods the subject of the application satisfy the conditions of subsections 8(7)(a) and 10(8)(a) of the Dumping Duty Act.

The Current Inquiry

An application for exemption has been made to the Assistant Minister by Concrete Formwork Technologies Pty Ltd (CFT).

After making inquiries of the Australian industry producing aluminium extrusions and other interested parties, I will recommend to the Assistant Minister whether the goods should be exempted from the anti-dumping measures.

Public Record

There is no legislative requirement to maintain a public record for exemption inquiries. However, in the interests of transparency, a public record will be maintained. This notice, along with a non-confidential version of the application and any non-confidential submissions that are received, will be published on the public record, available at www.adcommission.gov.au.

Lodgment of Submissions

Interested parties are invited to lodge written submissions concerning this inquiry not later than the close of business **15 September 2018** and addressed to:

The Director
Operations 2,
Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601

or by email to investigations2@adcommission.gov.au, or by fax to (03) 8539 2499 or +61 3 8539 2499 (outside Australia).

Interested parties wishing to participate in the inquiry must ensure that submissions are lodged promptly.

Interested parties claiming that information contained in their submission is confidential, or that the publication of the information would adversely affect their business or commercial interests, must:

- (i) provide a summary containing sufficient detail to allow a reasonable understanding of the substance of the information that does not breach that confidentiality or adversely affect those interests; or
- (ii) satisfy me that there is no way such a summary can be given to allow a reasonable understanding of the substance of the information.

Submissions containing confidential information must be clearly marked 'FOR OFFICIAL USE ONLY'.

Interested parties must lodge a non-confidential version or a summary of their submission in accordance with the requirement above (and clearly marked 'PUBLIC RECORD').

Report to the Assistant Minister

There is no legislated timeframe for completing the report and recommendation to the Assistant Minister.

Anti-Dumping Commission contact

Enquiries about this notice may be directed to the Case Manager on email to investigations2@adcommission.gov.au

Dale Seymour
Commissioner
Anti-Dumping Commission
9 August 2018