



## REVIEW OF MEASURES APPLICATION - CONSIDERATION ASSESSMENT

(section 269ZB and section 269ZC of the *Customs Act 1901*)<sup>1</sup>

<b>Case number:</b>	667
<b>Applicant:</b>	Press Metal Aluminium (Australia) Pty Ltd (PMAA)
<b>Goods:</b>	Aluminium extrusions
<b>Proposed review period:</b>	1 April 2024 to 31 March 2025
<b>Coverage of review:</b>	Single exporter revocation review
<b>Subject of application for Div 5 Review:</b>	PMB Aluminium Sdn Bhd (PMBA) from Malaysia

### **PART A:**

### **ASSESSMENT OF THE REQUIREMENTS OF SECTION 269ZA AND SECTION 269ZB(1)**

#### **Anti-Dumping Commission's (commission) assessment:**

Section 269ZA does not prevent the applicant from applying for a review of measures. The application has satisfied the requirements of section 269ZB(1).

<b>1. Requirements under section 269ZA(2)</b>	<b>Assessment</b>
<p>An application for review of anti-dumping measures must not be made:</p> <p>(a) if the measures involve the publication of a dumping duty notice or a countervailing duty notice – earlier than 12 months after:</p> <p>(i) the publication of the notice; or</p> <p>(ii) the publication of a notice declaring the outcome of the last Division 5 review of the notice.</p>	<p>The measures involve a dumping duty notice.</p> <p>The publication of a notice declaring the outcome of the last Division 5 review of the dumping and countervailing duty notices was on 2 June 2021 (ADN 2021/037, following <i>Anti-Dumping Commission Report No 544</i>).</p> <p>PMAA submitted an application on 6 March 2025. Accordingly, the date the application was lodged is greater than 12 months from the date of publication of a notice declaring the outcome of the last Division 5 review of the dumping duty notice.</p>

<sup>1</sup> All legislative references in this assessment are to the *Customs Act 1901* unless otherwise specified.

<b>2. Requirements under section 269ZA(4)</b>	<b>Assessment</b>	
<p>If, as a result of a person’s application under Division 6 for accelerated review of a dumping duty notice or a countervailing duty notice, the Minister has made a declaration under section 269ZG(3):</p> <p>(a) that person may not make an application for a review of that notice earlier than 12 months after the making of that declaration.</p>	<p>The Minister has not made a declaration under section 269ZG(3) as a result of an application by PMAA for a Division 6 accelerated review within the 12 month period preceding this application for a Division 5 review of measures.</p>	
<b>3. Requirements under section 269ZB(1)</b> <b>An application must:</b>	<b>Assessment of whether the application meets requirements</b>	
(a) be in writing;	The application is in writing.	Satisfied
(b) be in a form approved by the Commissioner of the Anti-Dumping Commission (Commissioner);	The application is in the approved form (Form B602 – application for a review of measures).	Satisfied
(c) contain such information as the form requires;	The application contains such information as Form B602 requires.	Satisfied
(d) be signed in a manner indicated by the form; and	The application is signed in the manner required by Form B602.	Satisfied
(e) be lodged in a manner approved under section 269SMS <sup>2</sup>	The application was lodged in a manner approved by the Commissioner under section 269SMS, being by email to the commission’s nominated email address, <a href="mailto:clientsupport@adcommission.gov.au">clientsupport@adcommission.gov.au</a> .	Satisfied

<sup>2</sup> [Anti-Dumping Notice 2024/075](#).

**PART B:  
ASSESSMENT OF THE REQUIREMENTS OF SECTION 269ZB(2) AND  
SECTION 269ZB(1)(c)**

<b>Commission's assessment:</b> The application has satisfied the requirements of sections 269ZB(2) and 269ZB(1)(c).		
<b>Requirements under section 269ZB(2) An application must include:</b>	<b>Assessment of whether the application includes relevant information</b>	
a description of the kind of goods to which the measures the subject of the application relate;	A description of the goods was provided. <u>Attachment A</u> sets out the description of the goods provided in the application.	Satisfied
a description of the measures the subject of the application;	The application provides details of the measures as last ascertained by the Minister for Industry and Science at the recommendation of <i>ADRP Report 155</i> , as published in a public notice under section 269ZZM(4) dated 14 December 2023. <sup>3</sup>	Satisfied
if the application is based on a change in variable factors – a statement of the opinion of the applicant concerning: <ul style="list-style-type: none"> <li>the variable factors relevant to the taking of the measures that have changed</li> <li>the amount by which each such factor has changed and</li> <li>the information that establishes that amount.</li> </ul>	Not applicable.	Satisfied
if the application is based on circumstances that in the applicant's view indicate that the anti-dumping measures are no longer warranted – evidence, in accordance with the form, of the circumstances.	The applicant has provided evidence, in accordance with Form B602, of the circumstances that in the applicant's view indicate the anti-dumping measures are no longer warranted.  The details of the commission's assessment of the applicant's claims are in Part D.	Satisfied

<b>The application contains such information as the form requires (section 269ZB(1)(c))</b>	<b>Assessment of whether the application contains information</b>	
Name of other parties supporting this application.	PMB Aluminium Sdn Bhd (PMBA)	Satisfied
Describe your interest as an affected party;	The applicant is an importer of aluminium extrusions from Malaysia.  The applicant (PMAA) imports aluminium extrusions from PMBA.	Satisfied
Provide details of the current anti-dumping measures ( <i>aligns with section 269ZB(2)(b)</i> );	The application provides details of the measures as they were last ascertained by the Minister for Industry and Science at the recommendation of <i>ADRP Report 155</i> , as published in a public notice under section 269ZZM(4) dated 14 December 2023.	Satisfied

<sup>3</sup> [Notice under section 269ZZM\(4\), dated 14 December 2023.](#)

**PUBLIC RECORD**

<b>The application contains such information as the form requires (section 269ZB(1)(c))</b>	<b>Assessment of whether the application contains information</b>	
<p>If you are an exporter of the goods the subject of this application:</p> <p>Have you exported the goods to Australia during the review period? If yes, what was the total quantity and total value of the goods exported to Australia during the review period?</p> <p>Have you previously (prior to the review period) exported the goods to Australia? If yes, provide the total quantity and total value of the goods exported to Australia each year during the three years prior to the review period.</p> <p>Have you exported like goods to countries other than Australia during the review period? If yes, provide the total quantity and total value of exports of the goods to each other country during the review period.</p>	<p>The applicant does not export the goods to Australia. However, the applicant's related party, PMBA, is the exporter of the goods to Australia from Malaysia.</p> <p>PMBA exported the goods to Australia and the commission has examined the total quantity and value of the goods exported to Australia by PMBA within the last 4 years.</p> <p>The commission's analysis is in <b>Confidential Attachment 1</b>.</p>	<p>Satisfied</p>
<p>Provide the names, addresses, telephone numbers, fax numbers of other parties likely to have an interest in this matter.</p>	<p>The application contains the contact details of interested parties.</p>	<p>Satisfied</p>
<p>Public record and confidential versions are marked clearly.</p>	<p>The application contains a public record and confidential version of the application.</p>	<p>Satisfied</p>
<p>Provide a statement of opinion of the causes of the change in variable factors and whether these causes are likely to persist.</p>	<p>Not applicable.</p>	<p>Satisfied</p>

**PART C:  
APPLICANT'S STATEMENT OF OPINION AND INFORMATION UNDER  
SECTION 269ZB(2)(c)**

**Commission's assessment:** The application meets the requirements of section 269ZB(2)(c).

**Applicant's claims and evidence for why the measures are no longer warranted**

**Summary**

The applicant submits that the current anti-dumping measures applying to PMBA's exports of the goods from Malaysia are no longer warranted. The applicant considers:

- PMBA's exports from Malaysia have not been dumped for an extended period of time and are not currently dumped
- it is unlikely that PMBA's exports from Malaysia will be dumped in the future if the measures are revoked
- the absence of dumping means that the Australian industry is unlikely to experience material injury caused by PMBA's exports if the measures are revoked
- the Australian industry producing like goods has not experienced material injury since 2019, and is unlikely to experience material injury in the future if the measures are revoked.

**Evidence that dumping is not likely to continue or recur**

In support of its application, the applicant referred to recent findings by the commission in relation to Review 640 and 3 dumping duty assessments (DA0225, DA0243, DA0254). Collectively, these cases cover a period from 27 December 2020 to 31 December 2023.

The applicant claims that these cases demonstrate that PMBA's exports were not dumped in the period 27 December 2020 to 31 December 2023.

The applicant also provided information relating to its domestic selling prices and export prices for calendar year 2024. The applicant claims that these prices demonstrate that its exports were not dumped in 2024.

The applicant also highlights that the period of review for *Review 640* (1 January 2023 to 31 December 2023) covers a period in which the measures did not apply. The applicant claims that this period in which the measures did not apply and PMBA was found not to be dumping support a finding that dumping is not likely to recur if the measures are revoked. PMAA also refers to an increase in its selling prices into the Australian market following the then expiry of measures on 27 June 2022.

To further support that PMBA is not currently dumping, the applicant provided price information for PMBA's domestic and export sales in calendar year 2024. The applicant also provided an estimation of its dumping margin for the first 6 months of 2024.

The applicant concludes that this extended period where it was found not to be dumping by the commission coupled with the lack of dumping in 2024 indicate that it is unlikely that dumping will recur if the measures are revoked.

**Evidence that material injury is not likely to continue or recur**

The applicant claims that as there is no likelihood of dumping recurring, then there will necessarily be no material injury for the measures to prevent.

In the event that dumping does recur, the applicant claims that material injury is unlikely to recur, as:

- there has been no direct finding that PMBA's exports have caused material injury to the Australian industry
- the finding in *Reinvestigation Report 591* and *ADRP Report 155*, that material injury would recur if measures expired, did not eventuate as demonstrated by the negative dumping margin found in *Review 640*.
- the recently announced USA tariffs are more likely to lead to a reduction in current prices of aluminium and lessen (or possibly negate) the effect of those tariffs on global supply and subsequent material injury to the Australian industry

**Evidence that material injury is not likely to continue or recur (cont...)**

- Capral Limited, and by extension the rest of the Australian industry, are not experiencing material injury, as evidenced by Capral Limited's annual reports that show it has been profitable and is forecast to remain so.
- The Australian industry is unlikely to experience material injury in the future due to the strong demand for aluminium extrusions in Australia, particularly for the residential construction sector. Any competition would be from increased demand and not linked to dumping. Likewise, opportunities may become available such as government support of renewable energy costs, which will ensure pricing remains competitive.

**PART D:  
COMMISSION'S ANALYSIS OF CLAIMS**

**Commission's assessment:** The application demonstrates that there appear to be reasonable grounds to assert that the anti-dumping measures applying to PMBA's exports to Australia from Malaysia are no longer warranted.

**Assessment of whether the measures are no longer warranted**

**Evidence that dumping is not likely to continue or recur**

The evidence provided by the applicant to support its assertion that PMBA is not dumping includes duty assessments, the commission's preliminary findings in *Review 640*, and domestic and export pricing from PMBA for calendar year 2024.

The results of duty assessments are confidential. However, the commission considers that the outcomes of duty assessments are relevant evidence when assessing whether dumping is occurring. The commission considers that the duty assessments referred to in the application provide some support that PMBA was not dumping.

The commission has also found that PMBA's exports were not dumped in the period 1 January 2023 to 31 December 2023 as part of *Review 640*. In that review, the commission has preliminarily found that PMBA was not dumping at a margin of negative 4.4%. The Statement of Essential Facts for *Review 640* was published on 19 March 2025.<sup>4</sup> The period examined in *Review 640* coincides with a period for which the measures did not apply. The measures expired on 27 June 2022 following *Continuation Inquiry 591*.<sup>5</sup> The measures were subsequently re-applied on 15 December 2023 following *ADRP Review 2022/155*.<sup>6</sup> The commission considers that a finding that PMBA's exports were not dumped at a time when the measures did not apply supports the applicant's assertion that dumping by PMBA is not likely to recur if the measures are revoked.

The commission considers that the price information for PMBA's domestic and export sales also supports the applicant's assertion that PMBA's exports were not dumped in 2024. The information shows that the movement in PMBA's domestic and export selling prices over 2024 were similar. The margin between domestic and export prices provides an indication of the potential dumping margin. As the margin between PMBA's domestic and export prices was maintained over 2024, this suggests that dumping by PMBA did not recur. The commission's assessment of PMBA's pricing in 2024 is at **Confidential Attachment 2**.

The commission considers that the application supports the applicant's assertion that PMBA's exports were not dumped for a period of 3 years (from 2022 to 2024). This period includes a time for which the measures did not apply. On this basis, the commission considers that there appear to be reasonable grounds for the applicant to assert that the measures are no longer warranted.

<sup>4</sup> [Electronic Public Record 640](#), no 19.

<sup>5</sup> [Anti-Dumping Notice 2022/042](#).

<sup>6</sup> [Public Notice – Minister's Decision](#), published 15 December 2023.

**Evidence that material injury is not likely to continue or recur**

The commission has not further examined the applicant's grounds relating to material injury. The commission considers that there appear to be reasonable grounds to assert that the measures are no longer warranted based on the evidence relating to dumping.

**PART E:**

**COMMISSION'S RECOMMENDATIONS TO COMMISSIONER RE:  
ASSESSMENT OF THE REQUIREMENTS OF SECTION 269ZC**

**Recommendation:** That the Commissioner be satisfied of the matters in section 269ZC(2).

Requirements under section 269ZC(2)(a)	Assessment of whether the application meets requirements
Does the application comply with section 269ZB?	Satisfied Please refer to Parts A, B, C and D for assessment.
Requirements under section 269ZC(2)(b)(i)	Assessment of grounds for assertion
Do there appear to be reasonable grounds for asserting that the variable factors relevant to the taking of the anti-dumping measures have changed?	Not applicable
Requirements under section 269ZC(2)(b)(ii)	Assessment of grounds for assertion
Does there appear to be reasonable grounds for asserting that the anti-dumping measures are no longer warranted?	Satisfied There appear to be reasonable grounds for asserting that the anti-dumping measures are no longer warranted.

**Attachments**

<b>Confidential Attachment 1</b>	Assessment of PMBA exports
<b>Confidential Attachment 2</b>	PMBA Exports and Domestic Sales 2024

## **Attachment A – Goods description**

The goods subject to this application for a review of measures are:

Aluminium extrusions produced via an extrusion process, of alloys having metallic elements falling within the alloy designations published by The Aluminium Association commencing with 1, 2, 3, 5, 6 or 7 (or proprietary or other certifying body equivalents), with the finish being as extruded (mill), mechanical, anodised or painted or otherwise coated, whether or not worked, having a wall thickness or diameter greater than 0.5 mm, with a maximum weight per metre of 27 kilograms and a profile or cross-section which fits within a circle having a diameter of 421 mm.

The goods include aluminium extrusion products that have been further processed or fabricated to a limited extent, after aluminium has been extruded through a die. Aluminium extrusion products that have been painted, anodised, or otherwise coated, or worked (e.g. precision cut, machined, punched or drilled) fall within the scope of the goods.

The goods do not extend to intermediate or finished product that are processed or fabricated to such an extent that they no longer possess the nature and physical characteristics of an aluminium extrusion, but have become a different product.

The goods are generally, but not exclusively, classified to the following tariff subheadings of Schedule 3 to the *Customs Tariff Act 1995*.<sup>7</sup>

<b>Tariff Subheading</b>	<b>Statistical Code</b>	<b>Description</b>
7604	ALUMINIUM BARS, RODS AND PROFILES:	
7604.10.00	06	Of aluminium, not alloyed
7604.21.00	07	Of aluminium alloys of hollow profiles of angles and other shapes and sections
	08	Of aluminium alloys of other hollow profiles
7604.29.00	09	Of other angles and other shapes and sections
	10	Other
7608	ALUMINIUM TUBES AND PIPES:	
7608.10.00	09	Of aluminium, not alloyed
7608.20.00	10	Of aluminium alloys
7610	ALUMINIUM STRUCTURES (EXCLUDING PREFABRICATED BUILDINGS OF 9406) AND PARTS OF STRUCTURES (FOR EXAMPLE, BRIDGES AND BRIDGE-SECTIONS, TOWERS, LATTICE MASTS, ROOFS, ROOFING FRAMEWORKS, DOORS AND WINDOWS AND THEIR FRAMES AND THRESHOLDS FOR DOORS, BALUSTRADES, PILLARS AND COLUMNS); ALUMINIUM PLATES, RODS, PROFILES, TUBES AND THE LIKE, PREPARED FOR USE IN STRUCTURES:	
7610.10.00	12	Doors, windows and their frames and thresholds for doors
7610.90.00	13	Other

<sup>7</sup> These tariff classifications and statistical codes may include goods that are both subject and not subject to the anti-dumping measures. The listing of these tariff classifications and statistical codes is for convenience and reference only and does not form part of the goods description. Please refer to the goods description for authoritative detail regarding goods subject to the anti-dumping measures.