



# ADRP Conference Summary

## Review No. 155 – Aluminium Extrusions exported from Malaysia and the Socialist Republic of Vietnam (Vietnam)

Panel Member	Jaclyne Fisher
Review type	Review of Minister's decision
Date	17 October 2022
Participants	Mayuran Jeyarajah, Tim King, Terese Barber, and Helen Tsirlina Anti-Dumping Commission (ADC) representatives
Time opened	3.00 AEDST
Time closed	3.16 AEDST

### Purpose

The purpose of this conference was to provide further information and clarification in relation to the reinvestigation letter sent to the ADC on 5 October 2022. The reinvestigation is required pursuant to s.269ZZL of the *Customs Act 1901* (the Act). It relates to a review application lodged by Capral Limited (Capral) which is before the Anti-Dumping Review Panel (Review Panel) in relation to Aluminium Extrusions (the goods) exported from Malaysia and Vietnam (Review No 155).

The conference was held pursuant to section 269ZZHA of the Act.

The conference was not a formal hearing of the review and was not an opportunity for any party to argue their case before me.

I have only had regard to information provided at this conference to the extent that it relates to relevant information within the meaning of section 269ZZK of the Act. Any conclusions reached at this conference are based on that relevant information. Information that relates to some new argument not previously put in an application is not something that the Review Panel may have regard to and, therefore, is not reflected in this conference summary.

At the time of the conference, I advised the participants:

- That the conference was being recorded and transcribed by Express Virtual Meetings Pty Ltd, and that the recording would capture everything said during the conference.



- That the conference was being recorded for the Review Panel to have regard to when preparing a conference summary. The conference summary would then be published on the Review Panel's website.
- Any confidential information discussed during the conference would be redacted from the conference summary prior to publication.

Prior to the conference, participants were provided with a copy of the Review Panel's Privacy Statement. The Privacy Statement outlines who the conference recording and transcript may be disclosed to. The Privacy Statement is available on the Review Panel's website [here](#). The participants indicated that they understood the Privacy Statement and consented to:

- The recording of the conference; and
- The recording being dealt with as set out in the Privacy Statement.

## Discussion

The Review Panel notes that the ADC sought to ensure that it understood the scope of the reinvestigation required pursuant to s.269ZZL of the Act as requested by the Review Panel in its letter dated 5 October 2022.

1. The Review Panel observed that the letter to the Commissioner requiring the reinvestigation focuses on the findings in Report 591<sup>1</sup> (REP 591) related to price and whether material injury is likely to continue or recur in the absence of measures. It was noted that the findings in both the original inquiry as detailed in Report 362 (REP 362) and REP 591 relied on price analysis to a large extent, noting the volumes exported from Malaysia and Vietnam.
2. The Review Panel noted that given the issues identified in relation to confidential price analysis undertaken by the ADC (at conferences held with the ADC and the Review Panel on 7 and 14 September 2022), that this analysis could not be relied upon by the Review Panel in its consideration of whether the Minister's decision should be affirmed or revoked. It appears that the price analysis underpinned a range of subsidiary comments and observations in REP 591 relating to whether material injury was likely to continue or recur in the absence of measures.

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<sup>1</sup> REP 591 Inquiry into the Continuation of anti-dumping measures applying to Certain Aluminium Extrusions exported to Australia from Malaysia and the Socialist Republic of Vietnam dated May 2022.



**Australian Government**  
**Anti-Dumping Review Panel**

The reinvestigation letter indicates that the price analysis and whether material injury is likely to continue or recur if the measures expire, require reinvestigation.

The Review Panel advised that this conference summary would be provided to attendees within one working day, and it would be appreciated if any comments regarding accuracy and confidentiality could be provided to the Anti-Dumping Review Panel Secretariat within two working days.

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