



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

*Customs Act 1901*

Notice under section 269ZZG(1)

**Aluminium Extrusions exported from the People's Republic of China**

The Anti-Dumping Review Panel (Review Panel) has received an application for review of the decision by the Minister for Industry and Science made under subsection 269ZDB(1) of the *Customs Act 1901* (the Act) in respect of Aluminium Extrusions exported from the People's Republic of China (China) (the Reviewable Decision). The application was made by Tai Shan City Kam Kiu Aluminium Extrusions Co., Ltd (Kam Kiu).

Under section 269ZYA of the Act, the Senior Member of the Review Panel has specified in writing that the Review Panel is to be constituted by me, Andrew Stoler.

Pursuant to section 269ZZG(1)(b), the Review Panel is not satisfied that the grounds mentioned in paragraph 269ZZE(2)(b) support the making of the proposed decision. Furthermore, pursuant to section 269ZZG(1)(c), the Review Panel is not satisfied that the proposed decision is materially different from the Reviewable Decision. For this reason the Review Panel requests the following further information as outlined below in relation to particular grounds:

Ground Two:

Kam Kiu claims that the ascertained export price (AEP), the ascertained normal value (ANV) and accordingly, the dumping margin, were incorrectly determined in the Reviewable Decision. Please provide further information relating to Kam Kiu's calculation of the:

- AEP;
- ANV; and
- the resulting dumping margin and how this is materially different to the dumping margin established in the Reviewable Decision.

Ground Three:

Kam Kiu claims that the Reviewable Decision is not correct or preferable as it failed to include a statement specifying that a different variable factor, namely, the non injurious price (NIP) to that specified in the original dumping notice. Is the applicant contesting the way the Minister applied the lesser duty rule or is the applicant concerned about the ascertainment of non-injurious price? Please provide the confidential information provided to Kam Kiu in relation to the variable factors<sup>1</sup>, that is:

- The normal value of the goods;
- The export price of the goods;
- The non-injurious price of the goods;
- The amount of the countervailable subsidy received in respect of the goods.

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<sup>1</sup> Section 269T(4D) of the Act specifies the variable factors.

I note that Australian Dumping Notice 2023/051 notes that for confidentiality reasons this information (the variable factors) as it relates to particular exporters is not made public.

As referred to above, this notice requires submission of this further information by no later than 30 November 2023.

A handwritten signature in black ink, appearing to read "Andrew L Stoler". The signature is fluid and cursive, with a large initial 'A' and 'S'.

Andrew Stoler  
Panel Member  
Anti-Dumping Review Panel  
24 November 2023