



ANTI-DUMPING NOTICE NO. 2019/04

Customs Act 1901 – Part XVB

Certain aluminium extrusions

Exported to Australia from Malaysia

Termination of Accelerated Review No. 498

Premium Aluminium (M) Sdn Bhd

Introduction

On 13 December 2018, I, Dale Seymour, the Commissioner of the Anti-Dumping Commission, published Anti-Dumping Notice (ADN) No. 2018/186 to notify interested parties that an accelerated review of the anti-dumping measures applying to certain aluminium extrusions exported to Australia from Malaysia, in so far as they relate to a new exporter, Premium Aluminium (M) Sdn Bhd (the applicant) had commenced. The application lodgement date of 19 November 2018 was the commencement date of the accelerated review.

Pursuant to subsection 269ZH(b) of the *Customs Act 1901*¹, the Commonwealth required securities in respect of interim dumping duty and interim countervailing duty that may be payable on exports of the goods by the applicant for the period of the accelerated review.

ADN No. 2018/186 is available on the Anti-Dumping Commission's (the Commission's) website at www.adcommission.gov.au.

Grounds for termination

If, during the course of an accelerated review, I become satisfied that the applicant is refusing to cooperate with any aspect of the review, I may terminate the review under subsection 269ZE(3)(a).

On 23 November 2018, the Commission sent a questionnaire to the applicant. The questionnaire requested information necessary to complete the accelerated review. A response to the exporter questionnaire was due on 26 December 2018 and was received by the due date.

¹ Unless stated otherwise, all legislative references in this notice are to the *Customs Act 1901*.

The applicant's response to the exporter questionnaire contained material deficiencies, the nature and scope of which are extensive. The information provided in the response to the exporter questionnaire is not complete, relevant and accurate such that it is capable of verification. The deficiencies that I have identified could not, in my view, be rectified quickly and easily in a further response.

Based on the applicant's response, further time to provide a supplementary response would significantly impede the completion of this accelerated review in a timely and efficient manner.

Noting that the applicant has failed to provide the information required to complete the accelerated review, I am satisfied that the applicant is refusing to co-operate with an aspect of the accelerated review. Accordingly, I am terminating the accelerated review in accordance with subsection 269ZE(3)(a).

Effect of the termination of the accelerated review

Termination of this accelerated review means that any securities required and taken in relation to the goods exported by the applicant and entered for home consumption from 19 November 2018 will now be converted to interim dumping duty and interim countervailing duty.

The applicable rates of duty are those applicable to 'all other and uncooperative exporters'. The applicable rates were specified in the notices published on 27 June 2017 (ADN Nos. 2017/72 and 2017/73). ADN No. 2017/72 set a fixed component of dumping duty at 13.0 per cent, with a variable rate of duty payable where the export price is below the ascertained export price. ADN No. 2017/73 set the relevant rate of countervailing duty as 3.2 per cent of the export price. Future exports of the goods by the applicant will be subject to these rates of duty.

Termination of the accelerated review does not affect the applicant's right to apply for another accelerated review.

Enquiries about this notice may be directed to the case manager on telephone number +61 3 8539 2514, or email investigations3@adcommission.gov.au.

Dale Seymour
Commissioner
Anti-Dumping Commission

07 January 2019