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駐澳大利亞代表處經濟組 函

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受文者：經濟部國際貿易局

發文日期：中華民國107年10月30日
發文字號：澳經發字第10700006700號
速別：最速件
密等及解密條件或保密期限：
附件：如文，共2頁 (A1070000670-1.pdf)

主旨：有關澳洲反傾銷委員會公告對「自中國大陸經第三地出口
鋁擠型產品反規避案」之裁定結果事，請查照。

說明：

一、依據澳洲反傾銷委員會(ADC)本(107)年10月25日2018/155
號公告辦理。

二、前揭公告要點略如次：

- (一)澳洲反傾銷委員會(ADC)自2017年10月16日展開對中國
大陸之鋁擠型產品(Aluminium Extrusions)經第三地(註：馬來西亞、泰國及台灣)出口之反規避案展開調查，產品稅則號列為7604.10.00、7604.21.00、7604.29.00、7608.10.00、7608.20.00、7610.10.00及7610.90.00，該委員會業完成本案相關調查結果報告與建議(第447號報告《REP 447》)並陳報澳產業暨科技部長在案；
- (二)產業暨科技部長依據1901年關務法(The Customs Act 1901)及1975年關稅(反傾銷)法(The Customs Tariff 《Anti-Dumping》 Act 1975)之相關規定，裁定本案成立，並裁定涉案7家業者之臨時反規避及反傾銷合計稅率(

國際貿易局 107/10/30



Effective rate of combined interim countervailing duty and interim dumping duty)為64.4%，其中我國涉案業者源鑫企業有限公司(Yun Sin Enterprise Co., Ltd.)。

(三)本案利害關係人得於本公告發布日起30日內向澳洲反傾銷委員會複審小組(ADRP，網址：www.adreviewpanel.gov.au)提出複審，相關詢問可透過電郵(investigations2@adcommission.gov.au)或電話(+61-3-8539-2428)逕洽本案專案經理。

三、檢送澳洲反傾銷委員會本案公告文件一份如附件，併請查參。

正本：經濟部國際貿易局

副本：電子公文交換章
2018/10/30 14:39:04

駐澳大利亞代表處經濟組



Anti-Dumping Notice No. 2018/155

Customs Act 1901 – Part XVB

**CERTAIN ALUMINIUM EXTRUSIONS
EXPORTED THROUGH ONE OR MORE THIRD COUNTRIES
FROM THE PEOPLE'S REPUBLIC OF CHINA
Findings in relation to Anti-Circumvention Inquiry 447**

Public Notice under subsection 269ZDBH(1) of the *Customs Act 1901*

The Commissioner of the Anti-Dumping Commission has completed Anti-Circumvention Inquiry 447, which commenced on 16 October 2017, concerning the export of certain aluminium extrusions (the goods) to Australia through one or more third countries to avoid anti-dumping measures.

Recommendations resulting from that inquiry, reasons for the recommendations and material findings of fact and law in relation to the inquiry are contained in *Anti-Dumping Commission Report No. 447 (REP 447)*.

I, KAREN ANDREWS, the Minister for Industry, Science and Technology, have considered REP 447 and have decided to accept the recommendations and reasons for the recommendations, including all the material findings of facts and law set out in REP 447.

Under subsection 269ZDBH(1)(b) of the *Customs Act 1901* (the Act), I declare, for the purposes of the Act and the *Customs Tariff (Anti-Dumping) Act 1975*, alterations to the original subsection 269TG(2) and subsection 269TJ(2) notices are taken to have been made to those notices, with effect on and after 16 October 2017. Under subsection 269ZDBH(5), this declaration has effect according to the terms of this notice. The terms of this notice are that the original notices are to be altered as follows:

- under subsection 269ZDBH(2)(c), exports of the goods from:
 - Malaysia by Zinaco Industrial and Hardware Industries Ltd and Foshan ZP Aluminium Co., Ltd;
 - Taiwan by Yun Sin Enterprise Co., Ltd; and
 - Thailand by Bay Enterprise Co., Ltd, Slam Industrial Supplies Ltd, V-Power Biotech Limited Partnership and Foshan ZP Aluminium Co., Ltd;
- are to be subject to the original notices; and
- under subsection 269ZDBH(2)(e), specification of variable factors in respect these exporters.

The interim duty that will be determined is an amount worked out in accordance the combination of fixed and variable duty method, as detailed in the table below.

Exporter/country	Dumping Margin	Subsidy Margin	Effective rate of combined interim countervailing duty and interim dumping duty	Duty/Method
Siam Industrial Supplies Ltd from Thailand Bay Enterprise Co., Ltd from Thailand V-Power Biotech Limited Partnership from Thailand Foshan ZP Aluminium Co., Ltd from Thailand Zinaco Industrial and Hardware Industries Ltd from Malaysia Foshan ZP Aluminium Co., Ltd from Malaysia Yun Sin Enterprise Co., Ltd from Taiwan	59.1%	8.1%	64.4%	Combination of fixed and variable duty method consisting of a fixed rate of IDD and ICD plus a variable component of IDD equal to the amount, if any, by which the actual export price is lower than the ascertained export price.

* The calculation of combined dumping and countervailing duties is not simply a matter of adding the dumping and subsidy margins together for any given exporter, or group of exporters. The collective interim dumping duty and interim countervailing duty imposed in relation to the goods, is the sum of:

- the subsidy rate calculated for all countervailable programs, and
- the dumping rates calculated, less an amount for the subsidy rate applying to Program 15 (where this has been received by the exporter).

REP 447 has been placed on the public record and may be examined at the Anti-Dumping Commission office during business hours by contacting the case manager using the contact details provided below. Alternatively, the public record is available at www.adcommission.gov.au. Interested parties may seek a review of this decision by lodging an application with the Anti-Dumping Review Panel; (www.adreviewpanel.gov.au), in accordance with the requirements in Division 9 of Part XVB of the Act within 30 days of the publication of this notice.

Enquiries about this notice may be directed to the Case Manager on telephone number +61 3 8539 2428 or by email to investigations2@adcommission.gov.au.

Dated this 25th day of October 2018


KAREN ANDREWS

Minister for Industry, Science and Technology