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Senate Economic Legislation Committee
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Senate Economics Legislation Committee Inquiry into Anti-Dumping Bills 2015.

The Australian Forest Products Association (AFPA) welcomes the opportunity to provide comment on the Senate Economics Legislation Committee (Committee) Inquiry into Anti-Dumping Bills 2015 (Bills).

AFPA is the peak national body for Australia's forest, wood and paper products industry. We represent the industry's interests to governments, the general public and other stakeholders on matters relating to the sustainable development and use of Australia's forest, wood and paper products.

Wood and paper products are internationally traded commodities. Australian wood and paper product manufacturers face significant international competition, and incidences of competition from foreign producers selling below 'normal value' and producers that have government support (ranging from direct financial support to tariff assistance and tax credits) that may not reflect the 'true' cost of inputs for competing products around the globe.

Australia's commercial environment is completely exposed to international trade and is not a level playing field. AFPA members consider that the anti-dumping system is complex, onerous, time consuming and costly even though positive ongoing reforms and work by the Anti-dumping Commission (ADC) have improved aspects of the system. However, anti-dumping and countervailing provisions are the only mechanism available to Australian industry to help achieve a level playing field, and to redress subsidies on imported goods, and combat predatory and anti-competitive behaviour by international companies exporting into the Australian market.

It should be noted that the antidumping provisions applied to international exports into Australia are seen as being less stringent than regulations applied to Australian domiciled companies engaged in similar anti-competitive and predatory pricing activities in Australia (i.e. under Trade Practices Act, ACCC regulation etc).

AFPA has both actively participated in, and commented on, the ongoing reform process to the antidumping system over the last few years. We appreciate that the proposed Bills amend the overarching *Customs Act 1901* to implement more reform process outcomes.

AFPA supports many of the proposed amendments detailed in the Bills seeing that they will strengthen and clarify aspects of the Australian antidumping system, including (but not limited to):

- strengthening provisions dealing with the submission of information in anti-dumping and countervailing duty investigations
- simplify and modernise publication provisions for anti-dumping notices
- consolidate lodgement provisions for anti-dumping applications and submissions
- clarify the length of the investigation periods in anti-dumping matters
- clarify the cumulative assessment of injury and aspects of material injury determinations
- clarify normal value provisions
- clarify the calculation of the dumping margin

However, if the International Trade Remedies Forum (ITRF) is abolished via the Bills, AFPA urges that an alternative effective industry consultative mechanism is established to replace the ITRF. AFPA has actively engaged with the ITRF, finding it a useful forum to discuss key anti-dumping system issues and implementation constraints. An effective replacement mechanism is needed to continue this constructive dialogue with affected industries.

Recent reforms and reviews have gone some way to improving the existing system including this set of Bills, however the current antidumping system's provisions and its implementation still need ongoing work.

Further improvement, in both the structure (such as continued improvements in import data collection including improving the coarseness and availability of relevant import data) and especially the effective implementation of the system (such as the adequate resourcing of the ADC; broader training and skills for ADC staff; continuing engagement of independent industry experts where required; and decreasing investigation and application of measures delays) is needed to continue to ensure that the system is more accessible, timely and effective.

The forest, wood and paper products industry welcomes the opportunity to provide comment on the Inquiry.

Yours sincerely

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