

Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
 Industry and Science Portfolio
 Additional Estimates 2014-15
 26 February 2015

AGENCY/DEPARTMENT: DEPARTMENT OF INDUSTRY AND SCIENCE

TOPIC: Circumvention of Anti-Dumping Laws

REFERENCE: Question on Notice (Hansard, 26 February 2015, page 142)

QUESTION No.: AI-40

Senator KETTER: Okay. There were a series of statistics provided by the department as a result of questions on notice from the Standing Committee on Agriculture and Industry, and these go to the issue of circumvention of antidumping laws. I have been asked to seek an update on those very useful statistics that were provided on that last occasion.

Mr Trotman: I do not have those statistics with me, Senator, but I am happy to take that on notice.

Senator KETTER: It goes to the number of antidumping cases received and various outcomes under that heading. The statistics go up to 30 September last year, so we are seeking an update on those.

Mr Seymour: I will provide that information, if you like.

Senator KETTER: Beg your pardon?

Mr Seymour: I can take it on notice and provide the information.

ANSWER

In terms of new complaints (let me call them that) rather than matters that are tailing off or previous decisions, how many on average do you receive a quarter? Can we have those specific statistics on notice?

Summary Table: All Anti-Dumping matters to 31 December 2014

Number of Anti-Dumping Cases Received	1 Jul 13-30 Sep 13	1 Oct 13 – 31 Dec 13	1 Jan 14-31 Mar 14	1 Apr 14-30 Jun 14	1 Jul 14-30 Sep 14	1 Oct 14-31 Dec 14	Average per Quarter
Anti-dumping/subsidy investigations ⁽¹⁾	18	5	11	15	8	6	10.5
Anti-dumping/subsidy - review of measures, duty assessments and continuation inquiries	8	7	9	7	8	8	7.8
Other investigations – accelerated reviews, reinvestigations and exemptions ⁽²⁾	20	22	19	4	33	21	19.8
Total number of investigations and reviews	46	34	39	26	49	35	38.2

1. New investigations counted by number of countries investigated, includes resumed investigations.

2. Refers to investigations where a 155 day time frame does not apply (accelerated reviews, reinvestigations & exemptions).

Could I also have another thing on notice too – the average length of an investigation?

The Australian legislation obliges the Anti-Dumping Commission (the Commission) to provide its final report to the minister within 155 days from the date of initiation of the investigation. The minister must then decide whether or not to impose duties within 30 days of receiving the report. The legislation allows for extensions under S269ZH of the *Customs Act 1901*.

For dumping and countervailing investigations finalised in the period of 1 January 2013 to 31 December 2014, the average length for the ten investigations completed was 276.4 days.

Could you add how they (investigations) are resolved or the outcome – in favour of or against the importer? The percentage that you uphold basically.

For dumping and countervailing investigations finalised in the period of 1 January 2013 to 31 December 2014, 85 per cent of cases resulted in measures being imposed.

Can you tell us how many matters have been referred to you, albeit that the investigation has not proceeded (number only)?

Between 11 June 2013 (when the anti-circumvention framework was established) and 19 March 2015, there were 12 anti-circumvention related referrals to the Commission.

The referrals were made to the Commission by the Australian Customs and Border Protection Service compliance / investigations work areas or by stakeholders through the Dumping hotline.

A "referral" is not a formal application.