



Australian Government
**Department of Industry,
Innovation and Science**

Senator Sean Edwards
Chair
Senate Economics Legislation Committee
Parliament House
CANBERRA ACT 2600

Dear Senator Edwards

On reviewing the Proof Hansard of the testimony that the department provided to the Senate Estimates hearing of 11 February 2016, it has been determined that some information provided to the Committee would benefit from clarification or correction.

The following exchange occurred during discussions with Senator Ketter regarding the imposition of an application fee for reviews made to the Anti-Dumping Review Panel (page 128 of Hansard):

Mr Squire: The other issue to note, of course, is that if there was an attempt to game the system, the large firm that induced the smaller firm to seek the review of the decision would not be the beneficiary if the decision were overturned.

Senator KETTER: Just in terms of the actual application fee, I suppose.

Mr Squire: I guess that is the point I am making. I struggle to see how the large firm would benefit, because, if the decision were overturned, they would not get the benefit of having that decision overturned. So there is no incentive in that sense for them to encourage a smaller importer to seek a review of the decision.

It is possible, though not guaranteed in all cases, that a large firm could benefit from a review applied for by a smaller firm. Accordingly, there may be some incentive for a large firm to encourage a smaller importer to seek review of a decision despite the uncertain outcome. I should note however that on 2 March 2016 the fee instrument for the Anti-Dumping Review Panel fees was disallowed.

I apologise any inconvenience caused by this error and ask that you alert other members of the Committee to the correction.

Yours sincerely,

Mike Lawson
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Portfolio Strategic Policy Division

13 April 2016