

**Economics Legislation Committee**  
ANSWERS TO QUESTIONS ON NOTICE  
Industry, Innovation and Science Portfolio  
2016 - 2017 Additional Estimates  
2 March 2017

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**DEPARTMENT:** DEPARTMENT OF INDUSTRY, INNOVATION AND SCIENCE

**TOPIC:** SME Industry Applicants

**REFERENCE:** Question on Notice (Hansard, 2 March 2017, page 63)

**QUESTION No.:** AI-10

Senator XENOPHON: Mr Seymour, I have two questions. Can you advise how many applications from SME industry applicants have resulted in the publication of a dumping and/or countervailing duty notice since July 2013? I am not sure whether you want to take that on notice or have a stab at it now.

Mr Seymour: If you would not mind, I will take that on notice.

Senator XENOPHON: Sure. Further, can you advise how many applications from SME industry applicants have been terminated, including any part termination of investigations? Finally, are you looking at a ministerial directive on material harm to make sure that, when dumpers make choices about where they dump, they do not come anywhere near Australia? In other words, so that, if other countries tighten up, Australia does not turn into a dumping ground as the softest target or the weakest link in terms of goods being dumped here.

Mr Seymour: May I take those on notice and respond?

Senator XENOPHON: Yes.

## **ANSWER**

### **SME applications**

Seven applications for dumping and/or countervailing notices from SME industry applicants (less than 200 employees at the time) were initiated from 1 July 2013 to 28 February 2017:

- Five of these seven applications resulted in the publication of a dumping and/or countervailing duty notice, and in two cases the investigation was terminated;
- Three of the five applications that resulted in a duty notice were partly terminated (meaning they were terminated in regards to some, but not all, of the exporters and/or countries under investigation).

### **Ministerial Direction**

Australia has a robust anti-dumping regime consistent with our World Trade Organization (WTO) commitments. The *Ministerial Direction on Material Injury 2012* directs the Anti-Dumping Commissioner in applying the concept of 'material injury' to ensure injury to Australian industry is comprehensively considered during investigations, and is drafted to be consistent with section 269TAE of the *Customs Act 1901* and those WTO commitments. The department is not aware of any Government plan to amend the direction.