

**Economics Legislation Committee**  
**ANSWERS TO QUESTIONS ON NOTICE**  
Industry Portfolio  
Budget Estimates Hearing 2014-15  
2-3 June 2014

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**AGENCY/DEPARTMENT:** Anti-Dumping Commission

**TOPIC:** Extensions to Exporters

**REFERENCE:** Written Question – Senator Carr

**QUESTION No.:** BI-167

In relation to the Commission's policy on granting extensions to exporters in terms of deadline that they need to submit documents in response to initiations, Statements of Essential Facts, or any other matters in the course of the investigation (including requests for information from the Commission):

- a. Is it the Commission's policy to always grant extensions on request?
- b. How many times has a request for an extension not been granted?
- c. Is it the Commission's policy to always place documents relating to requests for extensions and responses to requests for extensions on the Electronic Public Record?
- d. Have there been any investigations when requests for extensions or letters in response granting extensions have not been placed on the Electronic Public Record?
- e. Has the Commission ever accepted documents from exporters after deadlines despite there being no extension granted/it being submitted beyond the deadline?
- f. Has there been any direction to change policy or has there been any change in practice since the 2013 election, given the Coalition's election policy to 'introduce more stringent and vigorous enforcement for deadlines for submissions'?

**ANSWER**

- a. The Anti-Dumping Commission's (the Commission's) policy is to consider extension requests on a case-by-case basis. Extensions requests are not automatically granted. Extensions will *only* be granted if considered warranted by the Commission.

All interested parties, including exporters, have several opportunities to make submissions to an investigation. Extensions will not be granted if they would prevent the timely preparation of the final report for an investigation. For this reason, extensions (sought by any interested party) to the due date for submissions in response to a Statement of Essential Facts are not granted.

Extensions are predominantly sought by foreign exporters in relation to due dates for questionnaire responses.

- b. In 2013-14, for each new anti-dumping investigation initiated, at least one request for an extension to an exporter questionnaire made by an exporter has been rejected.
- c. To enhance the transparency of Australia's anti-dumping system, the Commission recently adopted the practice of placing documents relating to requests for extensions to exporter questionnaire responses on the electronic public record (EPR). In the future, all documentation for exporter questionnaire extensions will be placed on the EPR.

- d. Until recently, it has not been the Commission's practice to place documentation relating to requests for extensions to exporter questionnaire responses on the EPR. Therefore, documentation relating to exporter questionnaire extensions for certain investigations may not be accessible on the EPR.
- e. If an extension has not been granted, the Commission will not accept questionnaire responses submitted by exporters after the specified deadline.
- f. The Government is currently finalising a reform package and expects to make some announcements in coming months.