

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

AGENCY/DEPARTMENT: DEPARTMENT OF INDUSTRY

TOPIC: Anti-Dumping Regime Review

REFERENCE: Question on Notice (Hansard, 2.06.2014, Page 39)

QUESTION No.: BI-17

Senator Xenophon: Let's move on, because of time constraints. Under the current model, industry bears most of the responsibility and all of the cost, in that they have to bring cases before the commission before any action is to be taken. I put this to the department and to the minister: has any modelling or research been done on the benefits to Australian industry and the system as a whole if the commission were to take a more proactive role? Again, it is not a criticism of the commission.

Ms Beauchamp: We are looking at implementing the government's election commitments that were made in August 2013. The minister has also asked us to look at whether any other reforms or processes are needed to improve the competitiveness of Australia's industries. Obviously, we will take back the issues you have raised. But I know discussions were occurring about the government or the department taking a more proactive role, not just the legislative requirements of Mr Seymour's commission. We will look at that in the context of options that are being put to government this year in anticipation that the election commitments will be implemented from early next year.

Senator XENOPHON: As part of that review, does that include the way that we interpret the WTO agreements, given that the same agreements seem to be interpreted differently by other countries, particularly the United States, in terms of ensuring that dumped products do not damage their domestic industry?

Ms Beauchamp: We will be looking at those interpretations.

Senator XENOPHON: When will we know the outcome of that, and will that process include consultation with Australian industry in respect of that review?

Ms Beauchamp: We will take those issues on board. We are working through the options with the minister at the moment. In terms of consultation, I would have to take that on notice.

ANSWER

The Department of Industry (the department) looks to the Department of Foreign Affairs and Trade (DFAT) and the Office of International Law, within the Attorney-General's Department (AGD), for advice on the appropriate interpretation of Australia's international agreements.

The Government seeks to ensure that any reforms to the anti-dumping system comply with Australia's obligations under World Trade Organization agreements and the department liaises with DFAT and AGD to ensure that individual reforms are compliant. In relation to any future reforms of the system, the Government is considering the scope of consultation on its reform package.