

Economics Legislation Committee
ANSWERS TO QUESTIONS ON NOTICE
Industry, Innovation and Science Portfolio
2015-16 Supplementary Budget Estimates Hearing
22 October 2015

DEPARTMENT: DEPARTMENT OF INDUSTRY, INNOVATION AND SCIENCE

TOPIC: Safeguards – Productivity Commission

REFERENCE: Questions on Notice – Hansard, 22 October 2015, page 104

QUESTION No.: SI-39

Senator KIM CARR: Commissioner, in terms of your understanding of emergency safeguard matters under the WTO, is there an applicable case for Australian steel in that regard?

Mr Seymour: As the senator correctly answered a moment ago, the proscribed authority for safeguard actions is the Productivity Commission. The Anti-Dumping Commission has no jurisdiction in that regard. My understanding is that it is a matter for the Treasurer on advice from agencies, and we have no jurisdictional coverage.

Senator KIM CARR: So because you have no jurisdiction you have no opinion of that?

CHAIR: You are not asking the commissioner—

Senator KIM CARR: Do you have any capability to assess that matter?

Mr Seymour: In a framework sense there are three World Trade Organisation agreements that form the trade remedy offer. One is the anti-dumping agreement, the second is the subsidies and countervailing measures agreement and the third is the safeguards agreement. For many years in the Australian model, the first two have been allocated to the agency looking after anti-dumping and countervailing, which is customs in our industry. More recently, through the government's model of the Anti-Dumping Commission, the third—as far as I am aware—has been referred to the Productivity Commission for some years as a proscribed authority under the act.

Senator KIM CARR: We will have to take that up with them. While I do understand that the Productivity Commission is the Australian agency for the safeguard provisions, has the Productivity Commission had any conversations with you in recent years about these matters?

Mr Seymour: The Productivity Commission and the Anti-Dumping Commission have met recently on a number of matters, but the safeguards issue was not raised as part of those conversations. It was to do with a review of the Productivity Commission's 2009 report into anti-dumping in Australia and an update on that review.

Senator KIM CARR: I understand that there were some conversations about pig meat industries and tomatoes in 2013. I also understand that there has been no action taken with regard to safeguard measures.

Mr Seymour: I might have to take on notice whether anybody from the Anti-Dumping Commission discussed safeguard matters with the Productivity Commission in 2013.

ANSWER

The Anti-Dumping Commission has recently met with the Productivity Commission to discuss a range of matters; safeguards were not discussed at these meetings. The Anti-Dumping Commission has no record of meetings with the Productivity Commission to discuss safeguards in 2013.