

Standing Committee on Agriculture and Industry
ANSWERS TO QUESTIONS ON NOTICE
Anti-Dumping Commission
Circumvention of anti-dumping laws inquiry hearing
27 November 2014

AGENCY/DEPARTMENT: DEPARTMENT OF INDUSTRY

TOPIC: Case statistics

Circumvention of antidumping laws

REFERENCE: Hearing Questions on Notice – Senators Pasin/O’Neil/Zappia

QUESTION No.:

1. In terms of new complaints (let me call them that) rather than matters that are tailing off or previous decisions, how many on average do you receive a quarter? Can we have those specific statistics on notice? (Senator Pasin)
2. Could I also have another thing on notice too – the average length of an investigation? (Senator Pasin)
3. Could you add how they (investigations) are resolved or the outcome – in favour of or against the importer? The percentage that you uphold basically. (Senator O’Neil)
4. Can you tell us how many matters have been referred to you, albeit that the investigation has not proceeded (number only)? (Senator Zappia)

ANSWERS

1.

Number of Anti-Dumping Cases Received	1 Jul 13-30 Sep 13	1 Oct 13 – 31 Dec 13	1 Jan 14-31 Mar 14	1 Apr 14-30 Jun 14	1 Jul 14-30 Sep 14	<i>Average per Quarter</i>
Anti-dumping/subsidy investigations ⁽¹⁾	18	5	11	15	8	<i>11.4</i>
Anti-dumping/subsidy - review of measures, duty assessments and continuation inquiries	8	7	9	7	8	<i>7.8</i>
Other investigations – accelerated reviews, reinvestigations and exemptions ⁽²⁾	20	22	19	4	33	<i>19.6</i>
Total number of investigations and reviews	46	34	39	26	49	<i>33.8</i>

1. New investigations counted by number of countries investigated, includes resumed investigations.

2. Refers to investigations where a 155 day time frame does not apply (accelerated reviews, reinvestigations & exemptions).

2.

The Australian legislation obliges the Anti-Dumping Commission (the Commission) to provide its final report to the minister within 155 days from the date of initiation of the investigation. The minister must then decide whether or not to impose duties within 30 days of receiving the report. The legislation allows for extensions under S269ZH of the *Customs Act 1901*.

For dumping and countervailing investigations finalised in the period of 1 July 2013 to 30 November 2014, the average length for the seven investigations completed was 275.8 days.

3.

For dumping and countervailing investigations finalised in the period of 1 July 2013 to 30 November 2014, 83 per cent of cases resulted in measures being imposed.

4.

Between 11 June 2013 (when the anti-circumvention framework was established) and 27 November 2014, there were 10 anti-circumvention related referrals to the Commission.

The referrals were made to the Commission by the Australian Customs and Border Protection Service compliance / investigations work areas or by stakeholders through the Dumping hotline.

A "referral" is not a formal application.