

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
AUSTRALIAN CUSTOMS AND BORDER PROTECTION SERVICE

Question No. 6

Senator Xenophon asked the following question at the hearing on 29 May 2013:

Senator XENOPHON: ...I just want to ask you about solar panels. ...

Senator XENOPHON: I have had discussions with Tindo Solar. They are a small company with a first-class product. I hope they do not mind me saying this, but they were quoted something like a million dollars to run an anti-dumping case. They just do not have those sorts of resources in terms of the legal fees.

Mr Pezzullo: I am not sure who is quoting them what numbers, but—

Senator XENOPHON: They were quoted by a law firm that specialises in these sorts of matters.

Ms Vivian: With the AIG group there is now an officer who has been particularly put in place to assist companies that cannot afford to run the anti-dumping investigations to put some of their applications together.

Senator XENOPHON: But they will not be able to run a case for someone. They can give general advice, but they cannot actually run a case.

Ms Vivian: No. They assist people in putting together their application to make a case.

Senator XENOPHON: But you realise that it is a very specialised and technical field that requires an enormous amount of evidence gathering, which is itself quite expensive. It means going to China and forensically looking at their books.

Ms Vivian: Certainly they are some of the costs that we bear.

Mr Pezzullo: That work is undertaken by Commonwealth officials, currently by officers of Ms Vivian's division and shortly by officers of the Anti-Dumping Commission who will be based in Melbourne. So, I do not know, and I will have to take on notice, what costs a company bears in forming the application. ...

Senator XENOPHON: ... Can I get a separate briefing on notice with the department in relation to this and perhaps with representatives from Tindo Solar?

Mr Pezzullo: Yes we can do that.

The answer to the honourable senator's question is as follows:

Officers from the Australian Customs and Border Protection Service provided a verbal briefing to Senator Xenophon on 19 June 2013. Representatives from the company Tindo Solar were not present.