

Joint Study of the Administration of Australia's Anti-Dumping System

Terms of Reference

The Minister for Justice and Customs and the Minister for Industry, Tourism and Resources have agreed to a Joint Study of the administration of the Australian anti-dumping system. The Joint Study is to be conducted by the Australian Customs Service (Customs), the Department of Industry, Tourism and Resources (DITR), the Department of Foreign Affairs and Trade (DFAT) and the Trade Measures Review Officer (TMRO) with assistance from other Government agencies as necessary.

The Joint Study team will examine Customs' current administrative practices and consider options to improve the operation of Australia's anti-dumping system within the current legislative arrangements and policy settings. The Joint Study will not examine the Government's anti-dumping policy nor the legislative basis for the current Australian anti-dumping system.

The agencies conducting the Joint Study will establish a Reference Group consisting of representatives of interested parties and representatives of Government agencies. The Reference Group will be consulted on issues raised relating to the administration of the anti-dumping system.

The Joint Study is to focus on:

- administrative procedures for the conduct of anti-dumping investigations including transparency matters and administrative procedures relating to verification and analysis of industry, importer and exporter information;
- access to the anti-dumping system, including liaison with potential applicants and other interested parties, screening of applications and the information required from applicants and respondents to an investigation; and
- the manner in which Customs monitors compliance with measures imposed.

A more detailed list of issues for consideration in the Joint Study is attached. The Joint Study team will advertise the study in national newspapers and seek submissions from interested parties relating to the matters listed above.

The Joint Study team will prepare a report to Ministers **within six months of the commencement of the study**. The report will provide an analysis of current administrative practices in relation to the matters listed above and will examine options for improving access to the system, particularly for small and medium enterprises. The report may include recommendations for improvement to Customs' administrative procedures including advice on practical implementation of any such improvements.