



Australian Government
Australian Customs Service

Dumping Commodities Register

Introduction to ICS

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What is the DCR?

The Dumping Commodities Register (DCR) lists all commodities subject to some form of dumping or countervailing measure. In addition, it includes all non-confidential dumping/countervailing information required to lodge a Full Import Declaration.

The Structure of the DCR

The DCR is broken into 3 sections, the DCR Checklist, the DCR Index and the actual DCR Pages.

The DCR Checklist

The DCR Checklist lists all commodities subject to dumping or countervailing measures. These are ordered according to their tariff classification. All odd-numbered pages are recorded together with the current revision number for that page and the date it was last revised.

The DCR Checklist also lists the pages of this document and specifies the current revision number.

The DCR Checklist also includes a table titled “List of DCR Pages Recently Removed”.

Please note: Any pages that are listed in the table “List of DCR Pages Recently Removed” should be removed from the DCR as they are no longer required. The details in this table are deleted each time the DCR Checklist is reprinted.

The DCR Index

The DCR Index lists in alphabetic order all commodities subject to any form of dumping or countervailing measures. Their applicable tariff classifications are also listed.

At the end of the DCR Index is a table called “Commodities No Longer Subject to Measures (since last revision)”. This table lists any commodities no longer subject to measures (since the most recent revision).

Please note: The DCR pages for commodities no longer subject to measures should be removed. The details in the “commodities no longer subject to measures” table are deleted each time the DCR Index is reprinted.

The DCR pages

Each commodity subject to any form of dumping or countervailing measure will have at least one DCR page. The pages are organised numerically according to the tariff classification of the commodity.

On the top left hand side of each odd-numbered DCR page is the revision number for that page. On the top right hand side of each odd-numbered page is the 6-digit tariff class and page number (expressed in a bracket).

Please note: These revision and page numbers should be the same as those on the DCR Checklist for that particular commodity. If they are not, please contact the Dumping Hotline on 02 6275 6066.

Change (12/10/2005)

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All non-confidential dumping/countervailing information required to lodge a Full Import Declaration can be found on the DCR pages. This includes the Dumping Specification Number (DSN), descriptions of the goods and, where relevant, the CCIDs (Customs Client Identifiers) for exporter specific measures.

No confidential information is included in the DCR. If you think you are entitled to confidential information please see the Confidential Information Section in this document.

Revision number and periodic reprinting

Whenever a change is made to a DCR page, the change is marked with the symbol ⇒. In addition, the revision number (which is on the top left hand side of the odd-numbered page) and the change date (at the bottom right hand side of the page) are amended. The change date is the date that the change took effect. These changes are then reflected in the DCR Checklist and if the commodity has not previously been subject to measures, it is added to the DCR Index.

Please note: While a commodity may have multiple DCR pages, it is not uncommon for the Trade Measures Branch to release a revision of only one of the pages.

When a page is no longer required in the DCR it is listed in the “List of DCR Pages Recently Removed” found at the end of the DCR Checklist.

Please note: If a page is listed in the “List of DCR Pages Recently Removed” please remove it from your DCR.

If measures are removed entirely from a commodity, the details of this commodity and the relevant DCR pages are listed at the end of the DCR Index in the “Commodities No Longer Subject to Measures (since last revision)”.

Please note: The DCR pages related to the commodities no longer subject to measures should be removed. The details in this table are deleted each time the DCR Index is reprinted.

Please note: The revision and page numbers on each DCR page should be the same as those on the DCR Checklist for that particular commodity. If they are not, please contact the Dumping Hotline on 02 6275 6066.

Dumping and Countervailing Changes Resulting from ICS

Customs' Integrated Cargo System (ICS) has resulted in a number of dumping related changes.

When a declaration is submitted, ICS checks to see if the commodities are subject to any form of dumping or countervailing measures. It does this by checking a combination of tariff classification, statistical code and country code. If the goods are subject to measures ICS will require that either a DSN and a dumping export price (DXP) be entered or that an exemption type be selected.

Please note: You cannot select an exemption type and enter a DSN for a single line.

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Elimination of Dumping Reason Codes

There are **no** Dumping Reason Codes (DRC) in ICS. In Compile DRCs were used to specify the type of measure or an exemption type. Both these are now handled in a different way as specified below.

Type of measure

In Compile to successfully lodge a dumping related entry, brokers were required to specify the type of measure applicable by using DRC 14, 15, 16, 17 or 18.

In ICS there is no need to specify the type of measure that goods are subject to.

The Dumping Specification Numbers (DSNs) are now linked in ICS to the measure type. This means that by simply entering the correct DSN for the goods ICS will automatically know the type of measure that the goods are subject to and calculate the duty payable accordingly.

THE USE OF DSNs WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Further information is in the sections below on pre 1993 measures and provisional measures. For more information on DSNs see the DSN section below.

Exemption Types

Previously an exemption was entered in Compile on the add info line as DRC = 11, 12 or 13. While there are **no** DRCs in ICS there are still three exemption types available.

They are **not the:**

- *Goods*;
- *Supplier*; and
- *Country* (which must be used in conjunction with the *Export Country Code* see the Export Country Section below).

Not the Goods

The not the *Goods* exemption can only be used if the goods are not subject to any form of dumping and/or countervailing measures, including a price undertaking.

THE USE OF EXEMPTIONS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Not the Supplier

The not the *Supplier* exemption can only be used if the exporter of the goods is specifically exempt from all forms of measures, including price undertakings.

THE USE OF EXEMPTIONS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Not the Country

The not the *Country* exemption can only be used if the country of export does not have measures against it. This exemption must be used in conjunction with the *Export Country Code* (see the Export Country Section below).

THE USE OF EXEMPTIONS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

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Where are Exemption Types entered in ICS?

In ICS there is a separate *Exemption Type* field. It is the third field in the *Dumping Details* section, which is at the bottom of the *Tariff Line Create Screen*.

If you are entitled to use an exemption you must select an exemption type (Goods, Supplier or Country) from the drop down menu.

THE USE OF EXEMPTIONS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Please note: You cannot select an exemption type and enter a DSN for a single line.

CCIDS

ICS links Custom Client Identifiers (CCIDs) to particular DSNs. Thus the use of a particular DSN or an exemption type is restricted to those authorised to use it. Notices published following an investigation will identify these parties, i.e. exporters exempt from measures and those with exporter specific measures.

Exporter specific measures

Where an exporter specific measure has been imposed a separate DSN will be allocated for that measure. By linking the exporter's CCID(s) against the exporter specific DSN, Customs has restricted the use of the exporter specific DSN to authorised exporters only.

Where an exporter specific measure exists, the CCID(s) for the specific exporter(s) will also be exempted against other DSNs that do not apply to them, such as the all other exporter rate. Therefore, exporters with exporter specific measures will generally be restricted to using the DSNs specific to them. For example, an exporter subject to an exporter specific rate will not be able to use the measure established for all other exporters.

THE USE OF PARTICULAR DSNS AND CCIDS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Relevant CCIDs listed in DCR

In order to assist with the transition, Customs has included the linked CCIDs for exporter specific measures in the DCR. If an exporter is subject to an exporter specific measure the goods can only be entered using one of the CCIDs listed in the DCR.

Please note: Circumvention of measures or incorrect payment of measures due to a failure to use a listed CCID will be investigated.

If you believe that a relevant CCID is not listed in the DCR, please contact the Dumping Hotline on 02 6275 6066. You may be asked to provide evidence to support the inclusion of a particular CCID.

THE USE OF PARTICULAR DSNS AND CCIDS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Exporters exempted from measures

The CCIDs for exporters entirely exempted from measures have also been linked to relevant DSNs to prevent misuse of exemption types. Exempted exporters will therefore not be able to enter a DSN on their Full Import Declaration.

Please note: This also means that only those CCIDs linked in the system as exempted exporters can successfully use the exemption type not the *Supplier*.

THE USE OF PARTICULAR DSNS AND CCIDS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

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Suppliers versus Exporters

Dumping and countervailing measures are generally set at the level of the “exporter”. The exporter(s) is identified in the Trade Measures Report following an investigation. However, Customs requires the CCID for the supplier of the goods to be entered on the Full Import Declaration in the *Supplier Id* field on the *Tariff Line Create Screen*.

At present ICS uses the CCID entered into the *Supplier Id* field on the *Tariff Line Create Screen* on the Full Import Declaration to perform the validations against the exemption types and the exporter specific DSNs.

To overcome this difference in terminology, where known, Customs has included the CCIDs (both for exemptions and exporter specific measures) for suppliers that source from particular exporters.

Please note: If you believe that you are entitled to use an exporter specific rate or an exemption but ICS will not allow you, it may be due to the supplier’s CCID not being appropriately linked. In this situation, please contact the Dumping Hotline on 02 6275 6066.

You will be asked to provide evidence that the supplier listed on the Full Import Declaration sourced the goods from the exporter listed in the DCRs. If you are unable to provide evidence to this fact the CCID will not be linked in ICS.

THE USE OF PARTICULAR DSNS AND CCIDS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

DSN/Specification No

If goods are subject to any form of dumping or countervailing measures the correct DSN that describes the goods must be entered. In ICS, DSNs are linked to authorised CCIDs. DSNs (and the CCIDs linked to exporter specific measures) are published in the DCR. See the section above on CCIDs for further information.

Please note: All goods subject to ANY form of measure, measures imposed before 1 January 1993 (known as old measures) and price undertakings now have a DSN which must be entered.

THE USE OF PARTICULAR DSNS AND CCIDS WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Where is the DSN entered in ICS?

In ICS there is a separate field for DSNs, called the *Specification No*. It is the fourth field in the *Dumping Details* section, which is at the bottom of the *Tariff Line Create Screen*.

Please note: You cannot select an exemption type and enter a DSN for a single line.

What do different DSNs mean?

Different DSNs are used to differentiate between different types of measures, exporters, models, types, sizes or grades of the goods and can specify different ascertained export prices (AEP) and levels of interim dumping duty (IDD) accordingly. DSNs for each commodity are published in the DCR.

Change (12/10/2005)

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When are DSNs required?

If goods are subject to any form of measures including pre 1993 dumping or countervailing measures, a DSN must be entered. In ICS all measures have a DSN. All DSNs are published in the revised ICS DCR.

Pre 1993 Measures – Old Measures

The introduction of ICS has impacted on measures imposed before 1 January 1993. These measures are known as “old measures” but are referred to in the DCR as “Anti-Dumping Duty” and “Countervailing Duty”.

Please note: In ICS all Dumping and Countervailing measures imposed before 1 January 1993 (i.e. Old Measures) have been allocated DSNs. These have been published in the revised ICS DCR.

Please note: In addition ICS will automatically calculate the amount of Dumping Duty or Countervailing Duty payable.

Previously if goods were subject to old measures but nothing was calculated as payable, DRC 14 was entered on the Compile Add Info Line. If duty was calculated as payable, DRC 15 was entered on the Compile Add Info Line. In both cases no DSNs were entered. As ICS automatically calculates whether any anti-dumping or countervailing duty is payable DSNs **MUST** be entered into ICS if the goods are subject to old measures.

DXP

What is the Dumping Export Price (DXP)?

The DXP is the actual export price of the goods. However, it must be adjusted so that it is expressed in the terms specified for the Ascertained Export Price (AEP) for the particular good – this can be found on the relevant DCR page for that commodity. The methods to calculate a DXP are detailed below.

Please note: The DXP refers to the full amount (adjusted) paid for the goods being entered, not the unit price of the goods.

In ICS when entering the DXP you must also specify the currency the DXP is expressed in. ICS will allow you to enter a DXP in a currency different to that used for the AEP. ICS will perform any conversion necessary.

Please note: The DXP must be expressed in the same terms as the AEP.

THE DXP ENTERED WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Where is the DXP entered in ICS?

The DXP is entered in the *Valuation Elements* on the *Tariff Line Create Screen*. The *Valuation Elements* is a drop down menu and the DXP is just one option available.

Please note: The DXP is a mandatory field if the goods are subject to ANY form of dumping or countervailing measure. You must also specify the currency code (see above).

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How to calculate the DXP

Calculating the DXP involves adjusting the actual export invoice price of the goods to the terms specified for the Ascertained Export Price (AEP) in the DCR. The DXP can, if necessary be entered in ICS in a currency different to that used for the AEP. However, the DXP must be expressed in the same terms as the AEP.

For example if the DCR specifies "Terms are FOB, cash, packed" and the actual invoice terms are "CIF, 60 days, packed", the overseas freight and insurance components will need to be subtracted from the export invoice price and an adjustment for interest on credit terms will also need to be made.

The method for calculating credit terms adjustments is detailed below.

DXP - adjustment for credit terms:

Where possible the normal export trading terms (identified during an investigation) for a commodity will be used in setting the levels of dumping and countervailing measures. However, where the actual export invoice has different payment terms to the DCR, an adjustment is necessary.

Generally, where actual credit terms are less than the credit terms specified for the commodity in the DCR, the invoiced price must be adjusted upwards. Conversely, if the actual credit terms exceed the terms specified in the DCR the invoiced price should be adjusted downwards (see the examples below which are all in Australian Dollars).

Example 1 - Where the interest rate is specified in the DCR:

Where the credit terms for the actual invoice export price differ from those specified in the DCR, the adjustment is calculated using the specified interest rate. See the examples below.

To calculate the required adjustment using a specified interest rate.

Terms specified in DCR	Actual terms
"FOB, cash, packed"	"CFR, 14 days, packed"
Interest rate specified in DCR	Invoiced freight amount
"6% per annum"	"\$100"

Directions to calculate the DXP

1. Apply 6% per annum interest rate to the invoiced price credit terms
i.e.: $6/365 \times 14 = 0.23\%$
2. As DCR terms are less than the invoiced terms, the invoiced CFR price is reduced by the credit amount i.e.:
 - reduce invoice price by 0.23% = CFR, cash, packed export price.
3. If invoiced CFR, 14 days, packed, price = \$2000
4. Then CFR, cash, packed, price = \$1995.40 (\$2000 less 0.23%)
5. FOB, cash, packed, price = \$1895.40 (1995.40 less invoiced freight amount (\$100))

The DXP = \$1895.40 FOB, cash, packed

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Example 2 - Unspecified interest rate - 1% per 30 days

Where the amount of credit adjustment is not specified in the DCR and suitable evidence cannot be proffered by the importer of the interest rate, then 1.0% per month (0.033% per day) should be applied to the actual invoice price credit terms.

To calculate a downward adjustment for credit terms.

Terms specified in DCR	Actual terms
"FOB, cash, packed"	"FOB, 30 days, packed"

Directions to calculate the DXP

1. Apply 1% per month interest rate to the invoiced price credit terms
i.e.: 30 days = 1%
2. If invoiced FOB, 30 days, packed = \$5000
3. Then FOB, cash, packed, price = \$4950 (\$5000 less 1%)

The DXP = \$4950 FOB, cash, packed

To calculate an upward adjustment in credit terms.

Terms specified in DCR	Actual terms
"FOB, 30 days, packed"	"FOB, cash, packed"

Directions to calculate the DXP

1. Apply 1% per month interest rate to the invoiced price credit terms
i.e.: 30 days = 1%
2. If invoiced FOB, cash, packed = \$5000
3. Then FOB, cash, packed, price = \$5050 (\$5000 plus 1%)

The DXP = \$5050 FOB, 30 days, packed

Export Country Code

The *Export Country Code* field is an optional field – its use is very limited. The *Export Country Code* is only to be used where the country of export is different from the country of origin e.g. where goods have been produced or manufactured in one country (country of origin) but have entered the commerce or trade of another country (country of export).

Please note: This must not be used for transhipped goods.

THE USE OF THE EXPORT COUNTRY CODE FIELD WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Where is the Export Country Code entered in ICS?

In ICS there is a separate *Export Country Code* field. It is the first field in the *Dumping Details* section, which is at the bottom of the *Tariff Line Create Screen*.

What does the Export Country Code do?

For dumping and/or countervailing calculations the *Export Country Code* overrides the *Origin Country Code* (the country where the goods were made or produced), which appears in the *Origin/Preference* section immediately following the *Valuation Elements*.

If the Export Country is not subject to Measures

If the Export Country is not subject to any form of dumping or countervailing measures then the Exemption Type not the *Country* must also be entered.

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Exchange Rate

The *Exchange Rate* field is an optional field – its use is very limited. When it is necessary for ICS to convert the DXP to the currency specified for the AEP, ICS will use the exchange rate applicable to the date of the export transaction, i.e. the Valuation Date.

If an amount is entered into the *Dumping Exchange* rate, ICS will substitute this specified exchange rate to convert the DXP to the currency specified for the AEP.

Please note: This field should only be used when the specified exchange rate is different to the exchange rate for the date of valuation, e.g. a forward exchange rate.

THE USE OF THIS FIELD WILL BE SUBJECT TO MONITORING AND COMPLIANCE CHECKS.

Where is the Exchange Rate found in ICS?

In ICS there is a separate *Exchange Rate* field. It is the second field in the *Dumping Details* section, which is at the bottom of the *Tariff Line Create Screen*.

Calculating the amount payable

IDD

Interim dumping duty (IDD) is comprised of two parts – the fixed and the variable components.

Fixed IDD

The fixed amount of IDD is a mandatory payment. Details of the fixed amount of the IDD are available to bona fide importers from Regional Dumping Liaison Officers (see section on Confidential Information below).

Please note: The fixed amount may in some instances be set at zero.

Variable IDD

The variable component of IDD is based on the comparison of the Dumping Export Price (DXP) and the Ascertained Export Price (AEP) published in the DCR.

Where the DXP is less than the AEP the difference is payable.

Where the DXP is greater than or equal to the AEP no variable component is payable.

Please note: ICS will automatically calculate the amount of IDD payable. Once a Full Import Declaration has been submitted you can view the dumping duty payable on the *Duty, Taxes and Charges Screen*.

Price undertakings

If the goods are subject to a price undertaking the appropriate DSN and a DXP must be entered in ICS. ICS compares the DXP (expressed in the same terms as the agreed undertaking) to the price undertaking amount.

Customs monitors exporters' compliance and importers should be aware that if an exporter breaches a price undertaking a subsequent investigation may result in measures being imposed against that exporter.

These measures may be imposed retrospectively from when the breach first occurred.

Payment of any duty that becomes payable as a consequence of measures being imposed following a breach of a price undertaking is the importer's responsibility.

Provisional Measures - Dumping

Provisional measures in the form of securities can be imposed by the CEO or his/her delegate following a Preliminary Affirmative Determination. The calculation of dumping securities is exactly the same as for IDD (see above).

Please note: At present the *Security Calculate Indicator* on the *Tariff Line Create – Additional Information* and the *Line Default Screen* does not work. Please contact your Regional Security Officer for assistance in correctly calculating the security amount payable.

Paying securities

If the goods are subject to provisional measures a Security Id is required before submitting a Full Import Declaration.

To get a Security Id, take a print out of the *Duty, Taxes and Charges Screen* of the Full Import Declaration (complete with correct security amount calculated) or evidence of the manual calculation to your Regional Security Officer. S/he will confirm the security payable. Once the required documentation is completed the Regional Security Officer will provide a Security Id.

Please note: The *Security Id* must be quoted in the *Security ID* field in the *Tariff Line Create – Additional Information* before submitting the Full Import Declaration.

Converting Provisional Measures to IDD

If the Minister signs a section 269TG(1) notice imposing IDD retrospectively, the Regional Security Officers will contact affected importers/brokers and advise which securities need to be converted to IDD and the process for achieving this.

This will basically require an Amending Full Import Declaration to be lodged quoting the appropriate security conversion DSN and the removal of the Security ID from the *Security ID* field in the *Tariff Line Create – Additional Information*. Security conversion DSNs will be published in the DCR.

Confidential Information

The DCR does not contain confidential information such as the actual normal values, ascertained export prices, dumping and IDD rates or non-injurious price levels (NIP or NIFOB). Confidential information is contained in the Confidential Instructions (CIs).

Please note:

- Confidential information is only available to **bona fide** importers (see below);
- Confidential information is only available from the Regional Dumping Liaison Officers. This information is not available from the Trade Measures Branch in Canberra or through the Dumping Hotline.
- Confidential Information will not be provided over the telephone.
- **Bona fide** importers will not receive photocopied pages of CIs.
- **Bona fide** importers are only entitled to as much of the contents of the CIs as is necessary to enter the goods.

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Identifying Bona Fide Importers

Confidential information on dumping or countervailing measures contained in the Confidential Instructions (CIs) will only be supplied to **bona fide** importers of the goods from the exporter or country (if country measures apply) in question. The onus is on the importer to demonstrate a trading history with the nominated exporter (or country of export, if applicable). If the importer cannot provide sufficient evidence then no confidential information about the measures will be supplied by Customs.

In the absence of trading history information, an importer must, as a minimum, provide an offer or a quote from a party in the country subject to measures before confidential information will be released. Similarly, where countrywide measures apply, a **bona fide** importer must offer the same level of evidence from an exporter in the nominated country.

Price Undertakings

Information relating to Price Undertakings is confidential to the nominated exporter. This information will not be disclosed by Customs to any other party as it may breach a confidentiality agreement between that exporter and the Minister. Any importer requesting information regarding a Price Undertaking will be referred to the exporter in question.

General Inquiries

Dumping or countervailing

General inquiries on dumping or countervailing should be directed to the Dumping Liaison and Implementation Unit of Trade Measures Branch in Canberra via:

- Dumping Hotline 02 6275 6066
- tmliaison@customs.gov.au

A copy of this document and other dumping information is available from the anti-dumping menu at <http://www.customs.gov.au>

ICS inquiries

Non dumping related ICS inquiries should be directed to the ICS Help desk via:

- 1300 558 099
- cargosupport@customs.gov.au