



## **AUSTRALIAN CUSTOMS DUMPING NOTICE NO 2010/19 (REVISED)**

### **PRODUCTIVITY COMMISSION REPORT ON AUSTRALIA'S ANTI-DUMPING AND COUNTERVAILING SYSTEM**

#### **Media announcement – release of report**

On 27 May 2010, the Assistant Treasurer, Senator the Hon Nick Sherry and the Minister for Home Affairs (Minister), the Hon Brendan O'Connor MP, announced the release of the Productivity Commission's (Commission) report on Australia's anti-dumping and countervailing system (the report). A copy of the media release is available through the "anti-dumping" hyperlinks on the Australian Customs and Border Protection Service (Customs and Border Protection) website at [www.customs.gov.au](http://www.customs.gov.au)

#### **Commission's review**

In July 2008, the Council of Australian Governments agreed that anti-dumping was a priority area for competition reform. On 26 March 2009, the Government requested the Commission to review Australia's anti-dumping and countervailing system.

The Commission inquired into the effectiveness and impact of Australia's anti-dumping and countervailing system. Its review included both the policy and administration of the system.

On 18 December 2009, the Commission presented its report to the Assistant Treasurer.

#### **Commission's recommendations**

The Commission has concluded that Australia should retain an anti-dumping and countervailing system and has made 20 recommendations on the following issues:

- the introduction of a public interest test;
- the practice of zeroing;
- provisional measures;
- limit to the scope for extending anti-dumping / countervailing measures;
- reviews of anti-dumping / countervailing measures and improving the currency of measures;
- mechanism for duty collection;
- seeking feedback from interested parties;
- aligning Australia's legislation regarding actionable subsidies;
- administrative roles of the Minister, Customs and Border Protection and the Trade Measures Review Officer;
- appeal arrangements (merit review of Ministerial decisions);
- extension timeframes for investigations;
- time limit for Ministerial decisions;
- resourcing and skilling;
- comparative case analysis;
- additional annual reporting and improving transparency;
- publication of measures and variable factors and improving transparency;
- accessing import data;
- implementation timeframes for new reforms; and
- a proposed public review of reformed anti-dumping / countervailing system.

Interested parties can access the final report from the Commission's website at [www.pc.gov.au](http://www.pc.gov.au).

## **Submissions on the report**

Interested parties are invited to review the Commission's final report and make submissions on the recommendations by the close of business on **Tuesday 31 August 2010**. Customs and Border Protection has been asked to coordinate submissions, which should be addressed to:

National Manager Trade Measures  
Australian Customs and Border Protection Service  
Customs House  
5 Constitution Avenue  
CANBERRA ACT 2601

Or by email:

[tmpolicy@customs.gov.au](mailto:tmpolicy@customs.gov.au)

Submissions and comments may be reproduced in part or in whole and may be made public, unless otherwise requested. Submissions received may be made available on Customs and Border Protection's website.

Submissions will be taken into account in the development of the Government response to the Commission's report, which will be considered in the 2011-2012 Budget process.

## **Customs and Border Protection contact**

Inquiries concerning this notice may be directed to Trade Measures Branch on telephone: 02 6275 6136 or by email [tmpolicy@customs.gov.au](mailto:tmpolicy@customs.gov.au)

Geoff Johannes  
National Manager  
Trade Measures Branch  
Canberra ACT  
10 June 2010