



10 March 2022

The Hon Angus Taylor MP
Minister for Industry, Energy and Emissions Reduction
Parliament House
Canberra ACT 2600

Dear Minister

I am pleased to respond to your Statement of Expectations of 9 February 2022 with this Statement of Intent.

Consideration of the economic and social environment

The international trade environment is evolving rapidly with significant volatility and contestability in the system. Domestic manufacturers, importers, exporters and foreign governments have an increased level of sophistication in their pursuit of trade remedies. Cases have become increasingly complex. The recent increase in international trade disputes involving Australia has sharpened attention on the work of the Anti-Dumping Commission (the Commission).

In Australia's endeavours to ensure a level playing field for Australian commerce, it is my intention for the Commission to maintain its high standards of professionalism and to be an exemplar trade remedy authority for the benefit of both business and consumers.

The Commission will continue to operate objectively to deliver even-handed, robust and evidence-based investigations and inquiries that withstand domestic and international scrutiny. My staff and I remain committed to conducting robust and defensible dumping and/or subsidisation investigations and to providing timely recommendations. These endeavours will contribute to maintaining trust and confidence in Australia's trade remedy system.

Conduct

My vision is for the Commission to be recognised domestically and internationally as a competent trade remedy authority. The Commission will expand its understanding of industry stakeholders (including small and medium enterprises) with a focus on engaging with industry along the supply chain. My team will perform our functions consistent within the governing legislation, and we will conduct our investigations with appropriate quality controls. Through a collaborative culture, my staff and I will strive to make robust and evidence-based decisions, and provide defensible advice and recommendations to you.

The Commission will continue to track trade flows of goods subject to measures. In relation to potential non-compliance and circumvention, we will liaise closely with our partner agency, the Australian Border Force (ABF).

I will advise you should any special circumstances arise such that it may be appropriate for you to initiate an investigation, a review of measures or an anti-circumvention inquiry.

The Commission also recognises the ongoing value of publicly reporting trade flows through the Trade Remedy Index to provide information to those engaging in the anti-dumping system. My staff will ensure this product meets the needs of our users.

Best practice regulation

The Commission will strive for continuous improvements in our performance, capability and culture, in close consultation and partnership with the Department of Industry, Science, Energy and Resources (DISER). The Commission will look for opportunities to reduce red tape and increase the accessibility of the system, including for small and medium sized enterprises.

We will examine merits and judicial review findings in relation to your decisions to inform improvements to investigative and other processes, practices and the integrity of subsequent anti-dumping decisions.

The Commission is committed to advancing an end-to-end digital system to deliver a better stakeholder experience and improve our own efficiency. My staff will work closely with DISER's Chief Information Officer to advance this important initiative. We will work with the department to refine our website to make it easier for the public and business to better understand our operations.

The Commission is an open, accountable and transparent regulator, and provides access to information consistent with its legislative requirements, including under the *Customs Act 1901* and in line with the Australian Government's information sharing policies.

The Commission is focused on three areas to support transparency and openness of the system:

- **Scrutiny of decisions and recommendations:** Investigation documentation and relevant non-confidential information will be made publically accessible on the Commission's electronic public record. We will ensure the public record is complete, up-to-date and easy to access.
- **Reporting:** The Commission will report on our performance bi-annually and publish this on the Commission website. This will include aggregate reporting on the current measures in force, types of matters considered by the Commission, timeframes and outcomes.

I note that DISER is required to report under the *Public Governance, Performance and Accountability Act 2013*. The Commission will ensure our reporting is in line with legislated requirements to enhance overall transparency and accountability.

- **Openness:** The Commission will survey International Trade Remedies Forum (ITRF) members to measure stakeholder satisfaction with the Commission's administration of the trade remedies system.

Engagement

As an independent statutory officer reporting directly to you, I will make myself available for meetings with you as often as you require to advise and inform your ministerial decision making. I will also work closely with your office to ensure you and your ministerial staff have a full appreciation of the reasoning that has underpinned my recommendations to you. I will ensure Commission staff support your ministerial advisors and meet with them as often as is needed, including to discuss the details of my recommendations and other case matters. I will ensure your office is aware of forthcoming decisions and is kept up-to-date as to the current public timetable for planned Commission publications.

I will work closely with the Secretary of DISER to manage issues related to our operating requirements. I appreciate the role of the Secretary of DISER in relation to the allocation of resources for the Commission, including budget and staffing levels. I will liaise closely with the Secretary, Deputy Secretary Corporate and the Chief Financial Officer to ensure the Commission has the resources required to carry out my legislated functions in a timely manner and that Commission staff are appropriately supported.

My team is committed to working productively with the anti-dumping policy area of DISER to help ensure Australia's trade remedy framework and proposed policy changes are fit for purpose.

The Commission will invest in productive and constructive stakeholder engagements across government, industry and internationally. We will maintain and build our valuable networks with DISER, the ABF and the Department of Foreign Affairs and Trade (DFAT). Noting the particular importance of the ABF and DFAT, I have established quarterly high-level dialogues with both agencies and will work to ensure they remain mutually beneficial.

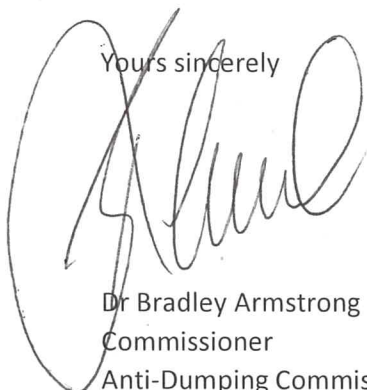
The Commission will support DFAT to defend and prosecute Australia's interests in the World Trade Organization's dispute settlement system. The Commission is committed to deepening relationships with our key international trade remedy administrators to leverage best practice and share insights. This includes, *inter alia*, the United Kingdom, Canada, New Zealand, the United States, the European Union, Japan and the Republic of Korea. I have already established relationships with many of my key counterparts in these administrations. I will make myself available to represent Australia at international fora on trade remedy matters.

I will convene at least two ITRF meetings per year. The Commission will learn from ITRF members about their key concerns and suggestions to help us deliver against our objectives. This includes suggestions and recommendations related to broader improvements to the trade remedies system. I will provide regular briefing to you on critical matters raised by ITRF stakeholders. Additionally, my team and I will engage with commercial entities and industry associations to lift the level of understanding of Australia's trade remedies regime, including through presentations at key industry events and factory site visits.

Conclusion

As Commissioner, I am committed to implementing this Statement of Intent. Your support for the Commission's mission to provide an even-handed, efficient and effective trade remedy service is appreciated.

Yours sincerely



Dr Bradley Armstrong PSM
Commissioner
Anti-Dumping Commission