



Application for review of a Commissioner's decision

Negative prima facie, negative preliminary or rejection decision

Customs Act 1901 s 269ZZQ

This is the approved¹ form for applications made to the Anti-Dumping Review Panel (Review Panel) on or after 11 January 2023 for a review of certain reviewable decisions² of the Commissioner of the Anti-Dumping Commission.

Section 269ZZO of the *Customs Act 1901* sets out who may make an application to the Review Panel for a review of a decision of the Commissioner.

All sections of the application form must be completed unless otherwise expressly stated in this form.

Time

Applications must be made within 30 days after the applicant was notified of the reviewable decision.

Conferences

The Review Panel may request that you or your representative attend a conference for the purpose of obtaining further information in relation to your application or the review. The conference may be requested any time after the Review Panel receives the application for review. Failure to attend this conference without reasonable excuse may lead to your application being rejected. See the Review Panel website for more information.

Further application information

You or your representative may be asked by the Member to provide further information in relation to your answers provided to questions 9, 10, 11, 12 and/or 13 of this application form (s269ZZQA(1)). See the Review Panel website for more information.

Withdrawal

You may withdraw your application at any time, by following the withdrawal process set out on the Review Panel website.

International Trade Remedies Advisory (ITRA) Service

Small and medium enterprises (i.e., those with less than 200 full-time staff, which are independently operated and which are not a related body corporate for the purposes of the *Corporations Act 2001*), may obtain assistance, at no charge, from the ITRA Service.

¹ By the Senior Member of the Anti-Dumping Review Panel under section 269ZY *Customs Act 1901*.

² This application form should be used for the following decisions: section 269ZZN(a), (c) and (d) *Customs Act 1901*.

For more information on the ITRA Service, visit www.business.gov.au or telephone the ITRA Service Hotline on +61 2 6213 7267.

Contact

If you have any questions about what is required in an application, refer to the Review Panel website. You can also call the Review Panel Secretariat on (02) 6276 1781 or email adrp@industry.gov.au.

PART A: APPLICANT INFORMATION

1. Applicant's details

Applicant's name:
Address:
Type of entity (trade union, corporation, government etc.):

2. Contact person for applicant

Full name:
Position:
Email address:
Telephone number:

3. Set out the basis on which the applicant considers it is entitled to apply for review to the Review Panel under section 269ZZO

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4. Is the applicant represented?

Yes No

If the application is being submitted by someone other than the applicant, please complete the attached representative's authority section at the end of this form.

****It is the applicant's responsibility to notify the Review Panel Secretariat if the nominated representative changes or if the applicant become self-represented during a review.****

PART B: REVIEWABLE DECISION TO WHICH THIS APPLICATION RELATES

5. Indicate the section(s) of the *Customs Act 1901* the reviewable decision was made under:

- Subsection 269TC(1) or (2) – *a negative prima facie decision*
- Subsection 269X(6)(b) or (c) – *a negative preliminary decision*
- Subsection 269YA(2), (3), or (4) – *a rejection decision*

Please only select **one** box. If you intend to seek review of more than one reviewable decision, **a separate application form must be completed.**

6. Provide a full description of the goods which were the subject of the reviewable decision:

7. Provide the tariff classifications/statistical codes of the imported goods:

8. Provide the date the applicant received notice of the reviewable decision:

****Attach a copy of the notice of the reviewable decision to the application and any reasons provided****

PART C: GROUNDS FOR YOUR APPLICATION

Confidential or commercially sensitive information must be **highlighted in yellow**.

For lengthy submissions, responses to this part may be provided in a separate document attached to the application. Please check this box if you have done so:

- 9. Set out the grounds on which the applicant believes that the reviewable decision is not the correct or preferable decision:**

- 10. Identify what, in the applicant's opinion, the correct or preferable decision (or decisions) ought to be, resulting from the grounds raised in response to question 9:**

- 11. Set out how the grounds raised in question 9 support the making of the proposed correct or preferable decision:**

- 12. Set out the reasons why the proposed decision provided in response to question 10 is materially different from the reviewable decision:**

Only answer this question if your application is in relation to a reviewable decision made under subsection 269X(6)(b) or (c) of the Customs Act 1901.

13. Please list all attachments provided in support of this application:

Ensure that you include a copy of the notice of the reviewable decision and any reasons provided to the applicant to support that decision.

PART D: DECLARATION

The applicant/the applicant's authorised representative [*delete inapplicable*] declares that:

- The applicant understands that the Review Panel may hold conferences in relation to this application, either before or during the conduct of a review. The applicant understands that if the Panel decides to hold a conference *before* beginning to conduct a review, and the applicant (or the applicant's representative) does not attend the conference without reasonable excuse, this application may be rejected; and
- The information and documents provided in this application are true and correct. The applicant understands that providing false or misleading information or documents to the Review Panel is an offence under the *Customs Act 1901* and *Criminal Code Act 1995*.

Signature:

Name:

Position:

Organisation:

Date: / /

PART E: AUTHORISED REPRESENTATIVE

This section must only be completed if you answered yes to question 4.

Provide details of the applicant's authorised representative

Full name of representative:
Organisation:
Address:
Email address:
Telephone number:

Representative's authority to act

****A separate letter of authority may be attached in lieu of the applicant signing this section****

The person named above is authorised to act as the applicant's representative in relation to this application and any review that may be conducted as a result of this application.

Signature:

(Applicant's authorised officer)

Name:

Position:

Organisation:

Date: / /