



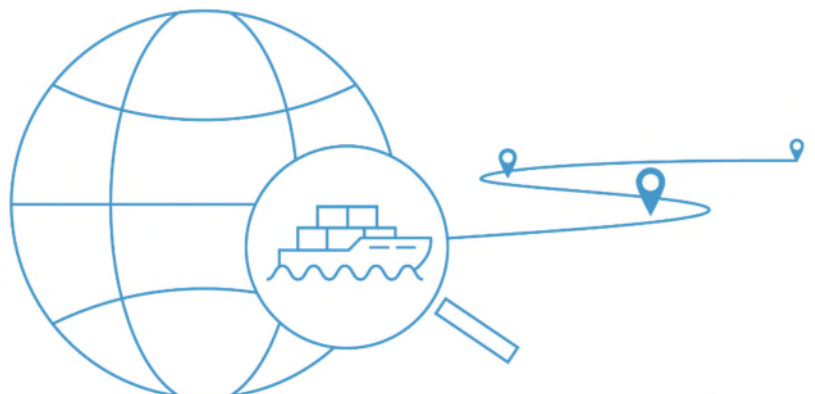
Australian Government
Department of Industry,
Science and Resources

Anti-Dumping
Commission

International Trade Remedies Forum Meeting Minutes (CH Rules)

27 April 2023

Anti-Dumping Commission website:
www.adcommission.gov.au



Agenda Item 1 – Introduction and Welcome

The Anti-Dumping Commission (the commission), opened the meeting and thanked members for attending. The Commission also individually welcomed the new members to the ITRF (see Attachment A for attendee list).

The commission noted it was the first time since 2020 that an ITRF meeting has been held outside of the commission's Melbourne office. This followed feedback from ITRF members that meetings should be held around Australia. Newcastle had been selected due to its significant industrial activities.

Action Items from last meeting

The single action from September 2022 was to establish a sub-committee on strengthening the anti-dumping system. This sub-committee was established in December 2022.

Agenda Item 2 – Anti-Dumping Commission update

Operational Update:

The commission advised that it has 37 cases on hand. Currently none with the Minister. There are 72 measures in force covering 20 countries and 26 commodities.

The commission confirmed it continues to work to reduce the backlog of duty assessments while focusing on achieving balance across case types within a framework of legislative deadlines.

The commission noted it has resumed overseas verifications. A verification team travelled to South Korea in December 2022. A second verification will be conducted in South Korea in May 2023, with further verifications planned to Malaysia and China.

The commission confirmed it will prioritise verifications where onsite verification will be most valuable, within resourcing constraints. Ongoing use of virtual verification will supplement and support on-site verification as appropriate.

Members welcomed the resumption of onsite verifications and discussed case timeframes, commission resourcing levels and possibility of an increase in subsidies investigations.

Members discussed the impact of ADRP reviews and reinvestigations on commission workload and case priorities.

Engagement Update:

The commission gave an update of the commission's resourcing and staffing approach. The commission is working to predict and plan for natural attrition by holding bulk recruitment rounds and creating merit lists. It is focused on reducing contractors and developing depth in its staffing profile noting that staffing accounts for the greatest portion of the commission's budget.

The commission provided an update on the commission's recent and upcoming domestic and international engagements with stakeholders and site visits. The commission welcomes member suggestions for further stakeholder engagements and site visits.

The commission updated members on the commission's approach to continuous improvement, including the upgrade to the Case Management System and policy and practice changes (discussed further at Agenda Item 8).

Agenda Item 3 – Department of Industry, Science and Resources (DISR)

DISR provided an update on their organisational restructure, including the placement of the Anti-Dumping Policy Section and the commission in the Industry and Commercialisation Group. The Commission reflected positively on this change and work alignment.

DISR noted it will continue to keep ITRF members and the Subcommittee on Strengthening the Anti-Dumping System informed on any reform work planned.

Agenda Item 4 – Australian Border Force (ABF)

Compliance update

ABF provided an update on compliance and enforcement of trade remedies measures. ABF discussed work on pre-clearance intervention and border checks of post-clearance audits as well as continued audits for recidivist behaviour.

Agenda Item 5 – Department of Foreign Affairs and Trade (DFAT)

DFAT provided an update on the status of the following WTO disputes relating to anti-dumping and countervailing measures: DS598 China – Barley, DS602 China – Wine and DS603 Australia – AD/CVD on Certain Products.

Agenda Item 6 – Sub-committee update

Strengthening the Anti-Dumping System

The sub-committee outlined discussions on strengthening the system, noting various perspectives and proposals and challenge of reaching consensus.

The commission encouraged all ITRF members to reach out to the Secretariat if they have an issue they want considered by the sub-committee.

Action items:

- 1) The Secretariat to circulate sub-committee minutes to the broader ITRF for comment.
- 2) Sub-committee members to clarify how all ITRF members will be engaged on materials and considerations outside forum meetings.

Compliance and Anti-Circumvention sub-committee update

Sub-committee members discussed the absence of a clear pathway to make recommendations to the Minister. Members were concerned that this was halting progress for the final anti-circumvention report.

The commission noted that once ITRF members reach an agreement on the ITRF Terms of Reference (ToR), that might provide a more solid pathway and discussion was carried over to Agenda Item 7.

Members discussed the challenge of getting consensus on recommendations. The commission suggested that while consensus is ideal, the committee could focus on robustly articulating different views and options.

Action item: Following agreement on the ToR, subcommittee to discuss what the final report will look like.

Agenda Item 7 – ITRF Terms of Reference

A draft Terms of Reference was presented to all committee members to facilitate discussion and provide comments. Agreement on the Terms of Reference was not sought at this meeting.

Action item: The Secretariat to circulate the draft Terms of Reference for members' consideration and comment. Period of consideration to be 4 weeks from circulation.

Agenda Item 8 – Other business

Late submissions policy paper

The commission introduced a proposal in relation to acceptance and consideration of late submissions. The commission noted the challenges posed by regular receipt of late submissions and the impact on investigations timeframes. Members were interested in the impact on timeframes, ability to make rebuttal submissions and intersection with preliminary affirmative determinations.

Action item: The Secretariat to circulate the consultation paper for members' consideration and comment. Period of consideration to be 4 weeks from circulation.

ITRF membership 2024 and 2025

The Secretariat noted current membership expires on the 31 December 2023 and appointment recommendations will be made to the Minister later in the year. Commission sought views and recommendations on composition from members, including representation of SMEs and consumer groups.

Action item: The commission to seek formal responses from members as to interest in reappointment.

Upcoming Commissioner visits (TAS & NT)

The commission informed members of two upcoming industry visits to the Northern Territory and Tasmania. The commission places high priority on engagement with industry stakeholders, including through the opportunity to conduct site visits with industry members across Australia. The commission noted there was a range of interest for potential visits so far.

Action item: Members were encouraged to contact the Secretariat with suggestions for these upcoming visits.

Agenda Item 9 – Next meeting and closing remarks

The commission thanked members for their participation in the meeting and advised that the next meeting will be held in the second half of this year.

Action item: Members were encouraged to send suggestions on locations for the next ITRF meeting to the Secretariat.

Attachment A – Attendee list

Anti-Dumping Commission	Dr Bradley Armstrong PSM, Commissioner
	Jessica Casben, Deputy Commissioner
	Isolde Lueckenhausen, Deputy Commissioner
	Laura Stoddart
	Tyler Neil
	Lucy Rudd
	Daniel Hyde
	Alex Cassie
Australian Border Force	Brett Cox
Australian Chamber of Commerce and Industry	Chris Barnes
	Lachlan Smith
	Elenor Berkh?
Australian Forest Products Association	Tim Lester
Australian Industry Group	Dr Jeffrey Wilson – on behalf of Louise McGrath
Australian Manufacturing Workers' Union	Dr Katie Hepworth
Australian Pork	Charley-Rose Ford
Australian Steel Association	David Buchanan
Australian Steel Institute	Mark Cain
Australian Workers' Union	Taylor Rundell
BlueScope Steel Limited	Marc Cousins
	Chad Uphill
Capral Limited	Luke Hawkins
Freight and Trade Alliance	Russell Weise
Chemistry Australia	Samantha Read
Construction, Forestry, Maritime, Mining and Energy Union	Travis Wacey
Department of Foreign Affairs and Trade	James Baxter
	Jeremy Shirm
	Dean Yeaman
	Nathan Bartlett
Department of Industry, Science and Resources	Julia Pickworth
	Rebecca Wilson
	Karl Brennan

	Julian Stockwell
	Rosie Wagner
Department of Industry, Science and Resources (International Trade Remedies Advisory Service)	Mark Wright
	Sanjay Sharma
Law Council of Australia	Ross Becroft
InfraBuild Australia Pty Ltd	Matt Condon
	Arthur Vlahonasios
National Farmers' Federation	Kade Denton
Food and Beverage Importers Association	Andrew Hudson
Rio Tinto Limited	Lachlan Smith
Oceanic Glass	Anthony Alembakis
IFCBAA	Brad Leonard