



ANTI-DUMPING NOTICE NO. 2015/03

Amendment to Anti-Dumping Review Panel forms

Customs Act 1901 – Part XVB

Purpose

The purpose of this Anti-Dumping Notice (ADN) is to advise the general public that changes have been made to the application forms used to seek a review of certain anti-dumping decisions of the Minister for Industry and Science (Minister) and the Commissioner of the Anti-Dumping Commission (Commissioner) by the Anti-Dumping Review Panel (ADRP). Applicants will be required to use the updated forms from 9 January 2015.

Background

The ADRP was established in June 2013 and reviews certain decisions of the Minister and the Commissioner under the *Customs Act 1901* (the Act) in relation to dumping and countervailing investigations, reviews and continuations.

Amendments to application forms

The following forms for making an application for a review by the ADRP under Subdivision B of Division 9 of Part XVB of the Act (Review of Ministerial decisions) or Subdivision C of Division 9 of Part XVB of the Act (Review of the Commissioner's decisions) have been amended:

- i) Application for review of a decision of the Minister to alter, or not to alter, a dumping duty notice and/or a countervailing duty notice following an anti-circumvention inquiry;
- ii) Application for review of a decision of the Minister to publish a dumping duty notice or countervailing duty notice;
- iii) Application for review of a decision of the Minister to secure, or not to secure, the continuation of dumping measures and/or countervailing measures;
- iv) Application for review of a decision of the Minister following a review inquiry;
- v) Application for review of a decision of the Commissioner to reject an application for a duty assessment or to terminate the examination of an application;
- vi) Application for review of a decision of the Commissioner to terminate an investigation;
- vii) Application for review of a decision of the Commissioner to reject an application for publication of a dumping duty notice or countervailing duty notice; and
- viii) Application for review of a decision of the Commissioner in respect of an assessment of an amount of dumping or countervailing duty payable.

Requirement to provide a statement identifying what should be the correct or preferable decision

In the 'Information for Applicants' section of each application form, applicants will now be required to provide a statement identifying what the applicant considers the correct or preferable decision should be, that may result from the grounds raised in their application. If there is more than one such correct or preferable decision, then all of these decisions should be identified, depending on the grounds that have been raised in the application.

The existing requirement under subsection 269ZZE(2)(b) of the Act that an application must contain a statement with the applicant's reasons as to why the Minister's or Commissioner's decision was not the correct or preferable one remains unchanged.

Anti-Dumping Review Panel Secretariat details

The ADRP Secretariat has transferred from the Australian Customs and Border Protection Service (ACBPS) to the Department of Industry and Science as part of the 2013 Machinery of Government changes.

The ADRP forms have also been updated to reflect the ADRP Secretariat's new contact details.

Approval of forms

I have approved both the forms and the manner for making an application described in each under section 269ZY of the Act.

The forms and the manner of making an application described in each are approved for use from 9 January 2015.

The updated forms can be found at <http://www.adreviewpanel.gov.au>

Dale Seymour
Commissioner
Anti-Dumping Commission

9 January 2015