

26th July 2019

Mr Karl Brennan
Manager, Anti-Dumping Policy Section
Department of Industry, Innovation and Science
10 Binara Street
Canberra ACT 2601

Email: karl.brennan@industry.gov.au

Dear Mr Brennan,

RE: Comments on public interest test

Thankyou for the opportunity to comment on the proposal for a public interest test associated with the anti-dumping system, as was discussed at the most recent International Trade Remedies Forum meeting on 9th July 2019.

Manufacturing Australia (MA) is led by the CEOs of some of Australia's largest manufacturing companies: Adelaide Brighton, BlueScope, Brickworks, Capral, Cement Australia, CSR, DuluxGroup, Incitec Pivot, Orora, Rheem and Tomago Aluminium. MA's members provide direct and indirect employment to around 250,000 Australians and operate some 300 plants or smaller facilities around Australia, notably in outer suburban and regional Australia.

MA supports the need for a robust and effective anti-dumping system in Australia, which provides fair outcomes for trade-exposed industries and conforms to World Trade Organisation guidelines.

Manufacturing Australia does not support an additional public interest test. It would add unnecessary complexity and duplication of existing measures, prolong assessments and undermine confidence in the anti-dumping system.

This view has been consistently put forward by Manufacturing Australia, and other industry stakeholders, during previous inquiries and reviews, and we note that the Federal Government has considered and rejected a public interest test on at least three occasions in recent years.

On each of those occasions, the Federal Government was satisfied that the public interest is adequately considered as part of the anti-dumping system, in two key ways:

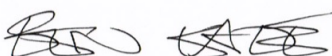
1. A public interest provision already exists in the form of the lesser duty rule, which ensures measures are only applied at a level sufficient to remove the injury from dumping. It is a non-discriminatory, efficient, transparent way of balancing the affected domestic industry's interests against broader economic impacts.
2. The responsible Minister's has the power to accept or reject any recommendation made by the Anti-Dumping Commission, enabling the Minister to make a secondary assessment of the public interest, taking into account circumstances in either the affected industry or broader economy at that time.

Mr Brennan, the strengthening of the anti-dumping system in recent years has given local manufacturers greater confidence to re-invest in their own plants, to drive innovation in their businesses and to realise growth in their operations, for the benefit of all Australians. That has been achieved with broad bi-partisan support and while maintaining a rigorous, transparent and evidence-based assessment process that already provides adequate avenues for the investigative agency and the decision maker to balance the interests of various groups in the economy.

Manufacturing Australia's sees no need for, nor benefit in, introducing an additional public interest test that would duplicate existing provisions, add complexity, cost and delay, and undermine confidence in the anti-dumping system.

I would be very happy to discuss these views with you, should you find it useful.

Yours Faithfully,



Ben Eade
Chief Executive Officer