Anti-Dumping Authority Bill 1988

Date Introduced: 28 April 1988
House: House of Representatives
Presented by: Hon. B.O. Jones, MP

Digest of Bill

Purpose
The Bill will establish the Anti-Dumping Authority. The Authority's main purpose will be to inquire into, and report on, allegations of dumping.

Background
Refer to the Digest for the Customs tariff (Anti-Dumping) Amendment Bill 1988.

Main Provisions
The Anti-Dumping Authority (the Authority) will be established by clause 4.

Clause 7 provides for the Authority to make recommendations to the Minister on whether a dumping duty notice should be published following the referral of a matter under proposed section 269TD of the Customs Act 1901 (see the Digest for the Customs Legislation (Anti-Dumping Amendments) Bill 1988). The Authority is to investigate the matter and, before the end of the specified period, give a report to the Minister recommending what action, if any, should be taken. The Authority is also to hold inquiries into applications that a notice be revoked.

Clause 8 provides for the Authority to review decisions made under proposed section 269TB of the Customs Act 1901 not to proceed with an application. The Authority is to determine if there are sufficient grounds for the matter to proceed.

Clause 9 will allow the Minister to refer matters to the Authority for consideration. The Authority is to present a report on the matter.
Without limiting the matters that may be considered, the Authority is to have regard to the Government's anti-dumping policies and Australia's obligations under the General Agreement on Tariff and Trade (GATT) (clause 10).

Clause 12 provides for the Minister to give directions on matters of general principle as to how the Authority is to perform its functions.

Part III of the Bill deals with the constitution of the Authority. The Authority is to consist of one member appointed for a maximum of five years by the Governor-General (clause 13). The remainder of the Part contains standard provisions dealing with such matters as remuneration, removal, etc.

Inquiries are dealt with in Part IV. The Authority will not be bound to act in a formal manner or to obey the rules of evidence (clause 22). It will be an offence to provide information that the supplier knows is false (clause 24), as it will for an employer to prejudice an employee because they helped the Authority (clause 27).

The Authority is to prepare Annual Reports (clause 29), and is to maintain confidentiality (clause 33).

For further information, if required, contact the Economics and Commerce Group.

25 May 1988

Bills Digest Service
Legislative Research Service

This Digest does not have any official legal status. Other sources should be consulted to determine the subsequent official status of the Bill.

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