GENERAL AGREEMENT ON

TARIFFS AND TRADE

RESTRICTED

ADP/W/177
15 June 1988

Special Distribution

Committee on Anti-Dumping Practices

Original: English

ANTI-DUMPING LEGISLATION OF AUSTRALIA

The following communication has been received from the Permanent Mission of Australia in response to a question by the delegation of Sweden (ADP/W/171):

Question:

Referring to paragraph 31 in the minutes of the meeting of the Committee on Anti-Dumping Practices*, the Swedish delegation would appreciate to be informed by the Australian delegation if the Dumping Control Branch or the Dumping Operations Branch on their own initiative undertake an investigation in order to learn if a complaint is filed by the industry concerned as defined in Articles 4 and 5 in the Code.

Answer:

In the course of an investigation the Australian Customs Service examines the complainant's status as an Australian industry. Section 269B of the Customs Act provides the criteria for determination of whether or not goods were in fact produced in Australia. The criteria generally concentrate on the value added by the complainant at the factory works cost level.

The ACS also investigates all known manufacturers in an industry to determine the particular production levels of these manufactuters and to ensure that, in accordance with Article 4 of the GATT Anti-Dumping Code, the complaint is supported by a major proportion of the Australian industry operating in the particular market under consideration.

*ADP/M/20