CROSS CUMULATION

The Australian Customs Legislation (Tariff Concessions and Anti-Dumping) Amendment Act 1992 allows for the application of anti-dumping or countervailing duties without requiring the Anti-Dumping Authority to quantify how much of the injury is attributable to dumping or subsidization. This provision of "cross cumulation" would possibly lead to the imposition of anti-dumping duties without actual injury findings, supposing that the injury was caused only by subsidized imports in the case where unsubsidized dumped imports and subsidized imports (without dumping) were involved and the injury was assessed cumulatively.

- How can Australia justify the application of "cross cumulation" under the Anti-Dumping Code?