

Interview

Dr. Bradley Armstrong, Commissioner – Anti Dumping Commission

Sal Milici – Head of Border and Biosecurity, Freight & Trade Alliance (FTA) recently had the opportunity to speak to Dr. Bradley Armstrong about his role as the Anti-Dumping Commissioner

1. Sal Milici - Brad, you are the new Anti-Dumping Commissioner. Can you tell us a bit about yourself?

First of all, it's a pleasure to be interviewed for 'Across Borders' in my role as head of Australia's international trade remedies agency the Anti-Dumping Commission (ADC), which I've been in since February.

This particular position brings together various aspects of my working and academic career.

A large portion of my government career has focussed on trade and economic issues. In addition to my time in charge of the Customs Group at the Australian Border Force (the focus of my first Across Borders' interview), I've worked across government, including with

the Department of Foreign Affairs and Trade, Treasury, Home Affairs, and the Office of National Intelligence (formerly ONA). I have been a trade negotiator, diplomat, policy officer and regulator. At university, amongst other things, I studied economics and international trade law. I also have an understanding of the private sector having worked for 11 years in commercial banking and corporate management both in Australia and overseas. I started my career as an apprentice carpenter in the building trade.

A bit more about myself ... as the ADC has offices in both Melbourne and Canberra, COVID restrictions permitting, I split my time between the two locations. I am originally from Western Australia and was born in the beautiful coastal town, Albany. I have spent many years working and living in Perth, the Pilbara, Canberra, Indonesia and Papua New Guinea.

My diverse working, educational and locational background leaves me well-placed to perform the functions of the Anti-Dumping Commissioner.

2. Sal Milici – Brad, can you explain the role of the Anti-Dumping Commission?

As Australia's international trade remedies authority, Commission staff investigate allegations of unfair trade practices involving exports entering Australia. These investigations seek to deliver a level playing field for industry. In undertaking our work, we perform the important function of administering Australia's anti-dumping legislation. Professionalism, excellence and independence underpins the Commission's approach.

In conducting our investigations, we strive to be as objective as possible. All of my staff understand that industry requires access to the most competitively priced goods, provided the goods haven't been dumped. If a business believes dumped or subsidised goods are injuring them, they can ask us to investigate. Once the Commission finishes an investigation, I advise the Minister about whether or not he should impose anti-dumping and subsidy measures.



The Commission also allows importers to seek a refund where they believe they have overpaid duties. They can also ask us to review or revoke anti-dumping measures.

Australia has a transparent, robust and contestable anti-dumping system. In all of our work, we strive to ensure our investigations are rigorous and completed in accordance with domestic legislation and Australia's international World Trade Organisation obligations. We accept submissions from all businesses, whether they are a manufacturer or importer. We also receive the views of foreign governments and foreign manufacturers. My team works across public and private sectors to inform and drive policy reform. We also engage with domestic and international stakeholders and contribute to policy development.

3. Sal Milici - What are your priorities as a new Commissioner?

I became Commissioner at a time of unprecedented challenge to the global trading system. This reinforced to me the need for an even-handed anti-dumping system that is transparent, impartial, independent, and evidence based. This will maintain our reputation as a highly effective trade remedy authority. I want to work with industry to make the system more efficient and accessible for all businesses in the supply chain. One way we are looking to do this is through digital transformation. By leveraging digital technology, we are making the trade remedies system more user friendly and streamlined. We are also working with the Department of Industry, Science, Energy



and Resources to deliver legislative reforms to improve the system and make it easier for businesses to engage.

4. Sal Milici - How can Australian business interact with the anti-dumping system?

If you believe dumped goods have injured your business, you can apply to the Commission. Also, if you are an importer or buy imported goods, you can make a submission to inform our work.

At the Commission, we want businesses to engage fully with the system. If you are a broker, for example, our Client Support Service can help you find useful information on the Commission's processes and existing measures.

I would like the business community to know that the Commission is even-handed in our approach. The recommendations I make are open to merits and judicial reviews. This process gives both domestic and foreign parties confidence in the integrity of the system.

5. Sal Milici - How do government and industry work together to ensure the system remains effective?

The Minister and I regularly seek feedback from stakeholders such as the International Trade Remedies Authority (ITRF) members to make sure Australia's anti-dumping system remains fit for purpose. The Freight & Trade Alliance (FTA) is of course one of the current ITRF members. Having joined in 2020, the FTA has been a valuable member of the ITRF and constructively represents its members' interests. I know the impact trade remedy measures can have on business, both up and down the supply chain. That is why I want to work with Australian businesses to make the system as efficient and responsive as we can. I know that businesses value certainty in their dealings with us.

6. Sal Milici - What about small and medium size businesses? Do they receive support to engage with the system?

The Australian Government understands that small and medium sized businesses need support to navigate the anti-dumping system. That is why the International Trade Remedies Advisory (ITRA) Service was established. It provides free assistance to smaller businesses.

If you would like to know more about trade remedies, you can get in touch with the ITRA Service for advice. They can help with preparing applications and submissions. It is independent of the Anti Dumping Commission.

7. Sal Milici - What has been the impact of COVID-19 and how has the Commission's approach to work changed?

Whether you are in business or in government, we can all agree that the global pandemic has had an impact on us all. The pandemic has changed the way the Commission works but it has not changed the job the Commission does. We respond to applications from businesses, and we verify the information we get as rigorously as ever. The difference is that we now must perform most of our work virtually. To give you an example, before the travel restrictions, our investigators would travel to exporters' sites to verify information. We want to resume this once travel restrictions lift. For now, we have been working hard to establish a robust virtual verification process to complete cases. This means that we can verify information without having to visit exporters on-site.

8. Sal Milici - Finally Brad, what else is new in Australia's anti-dumping world?

There are a number of reforms in the pipeline to improve Australia's anti-dumping system and make it easier for businesses. These reforms have largely come about because of the feedback businesses have given to the Australian Government through forums such as the ITRF. For instance, of interest to FTA members are the proposed reforms that will:

- Provide clarity and certainty by allowing importers to apply for binding advice on whether a particular product is subject to dumping or countervailing duties.
- Streamline the exemption process by automatically exempting goods from dumping and countervailing duties where a Tariff Concession Order (TCO) is in place.

The final point I would like to make is that the Commission continues to explore further reform options that we believe will assist importers to engage with the anti-dumping system.