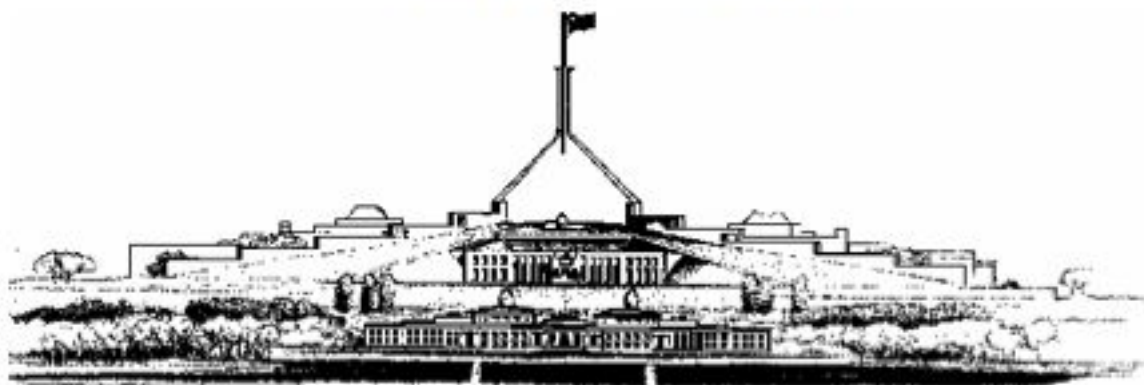




COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



HOUSE OF REPRESENTATIVES

BILLS

Customs Amendment (Anti-dumping Improvements) Bill 2011

Second Reading

SPEECH

Wednesday, 17 August 2011

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

SPEECH

<p>Date Wednesday, 17 August 2011 Page 8398 Questioner Speaker Mr ROBERT</p>	<p>Source House Proof No Responder Question No.</p>
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(Fadden) (NaN.NaN pm)

Mr ROBERT (Fadden) (18:14): I rise to make a few brief comments on the changes being proposed in the Customs Amendment (Anti-Dumping Improvements) Bill 2011. I make these comments in the hope that the bill will indeed seek to improve the current regime. I make these comments with the knowledge that on one hand the Labor administration is hoping to improve business through strengthening provisions within anti-dumping and in providing some safeguards and some actions on the minister. Yet at the same time and, indeed, in the same breath, the government is seeking to make it instrumentally difficult for business through implementing a carbon tax; the only economy-wide carbon tax in the world being considered and implemented—the words of the Productivity Commission in its latest report.

You would have thought that if a government comes to the dispatch box to look at issues that affect business—in this case to stop illegal dumping at a lower price—that there would be a degree of consistency in the values and principles by which they present legislation, and that that consistency would concern what makes it easier for business. But the only consistency we have seen so far is the impost on business. Even the Australian Industry Group is now looking at Labor's so-called Fair Work Bill and saying, 'You know what? It's neither fair nor leading to work.'

The carbon tax is now being universally described as a disaster right across the nation in terms of its antibusiness stance and how it affects the basic economics as well as business confidence in manufacturing. So many things this government does are harming business that it is hard to see a narrative about how they seek to help. So it is my hope that this bill will seek to make some improvements, and we shall be watching with great interest over the coming months and years to ensure that occurs.

A company in my electorate called JELD-WEN Australia is a company that has been through the mill twice on anti-dumping. The first time it was found to be unwarranted and the second time, I believe, the same will be found. It is hoped that these improvements will ensure that companies like JELD-WEN can face fairly and squarely the issues and that they can get the ministerial representation they need.

But it is also instructive that a company like JELD-WEN, which owns brands like Corinthian Doors and Stegbar, is experiencing a downturn in some areas of their business by as much as 20 per cent. Something like 80 per cent of our homes, offices and buildings contain at least something that JELD-WEN produces. If a company like JELD-WEN is experiencing such a dramatic downturn, it speaks volumes about what is happening in our economy.

If I look at the Gold Coast, at my electorate, there are three key things—three concerns—on people's minds. Number 1 is the carbon tax—the betrayal by the government—and the fact that the government will not listen to them. Number 2 is jobs and the loss of jobs, and number 3 is the increasing cost of living. That a company like JELD-WEN is showing such a downturn in this time of corporate downturn reinforces that people are hurting. The cost of living is increasing, people are not spending and people are worried about their jobs. The carbon tax is simply exacerbating a difficult situation.

All I ask for in this place—all we want from this government—is consistency, and the carbon tax shows there is none of that. I think we all agree that the basic purpose of anti-dumping is to allow countries to take action against foreign manufacturers who seek to export a product into Australia at a price which is lower than the price it charges in its home market and/or its costs of production. Whilst there are more technicalities involved in that, including shipping and the averaging of the cost of production if production is across multiple sites, the intent is to stop a major company coming through and exporting into Australia with a loss leader or dumping products that they cannot move and that fundamentally affect Australia's manufacturing or local industry. I think we all accept that that makes sense.

However, there is a range of issues with the current arrangements and the way they are implemented and administered. I think it is fair to say that there has been considerable frustration at the lack of timeliness and the effectiveness of the processes undertaken within Customs and the costs imposed on businesses where they are raising cases or seeking to address cases because of the multinational aspect of their business. Our system is widely regarded as being costly and for the most part reasonably unworkable. Perversely, it

imposes a greater burden of proof on local industries. Again, it is hoped that these amendments will seek to change that.

The introduction of this amendment is certainly a response from Labor to the concerns being raised. Like all things it takes a long time—ironical, as opposed to the carbon tax. Six or seven days after becoming the government—once the final numbers were in—the Prime Minister broke her word, 'There will be no carbon tax under the government I lead'. But when it comes to Australian business and Australian manufacturing apparently it takes years. Can I say to the government: the irony is not lost on the bulk of Australia's businesses. It is good to see that the coalition—and I acknowledge Senator Xenophon—industrial bodies, individual businesses and trade unions have said to the government that there needs to be a range of responses to deal with the issues.

These reforms will seek to bring in a range of amendments, including a time limit of 30 days on ministerial decision making—which is nice—widening the range of factors available for consideration in the determination of material injury and, of course, expanding the list of subsidies against which Australian industries can apply for countervailing duties. On the whole, these changes would appear to be sensible and practical, but like all things time will tell whether they are workable and time will tell whether the ministerial intervention is done appropriately, logically and sensibly.

Most seem to interpret the bill as a reasonably positive move that may help to address some of the inherent flaws in the way that business is currently done and the way that anti-dumping is currently looked at. The members of the coalition's anti-dumping task force—I acknowledge the Hon. John Cobb MP, Senator the Hon. Richard Colbeck, my good friend Michael Keenan MP, who is sitting at the desk now, and of course the shadow minister, Sophie Mirabella MP—have done a great job in consistently engaging with stakeholders and getting advice from business and industry associations. The general feel is for tacit support. We believe these moves are in the interest of the nation; let us wait and see how they go. It is our hope that these moves will improve the situation for business—hence the wide-ranging support we are giving to them. I personally hope that these moves will assist companies like JELD-WEN in my electorate, who have been at the receiving end of a range of cases that will assist them to defend themselves appropriately, properly and judiciously. I welcome the bill's introduction to the House.

Debate adjourned.