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Communique

CAG Meeting 17 September 2024

The ABF convened the second CAG meeting of the year at the ABF Headquarters in Canberra ACT. The Acting Chair, Mr David Henderson, Acting Commander, Customs and Trade Compliance, conducted opening formalities and meeting administration. The agenda was designed to progress discussion on matters previously brought before CAG and for the ABF to provide updates of strategic importance.

The meeting commenced with an update to members in relation to the World Trade Organization (WTO) decision DS603 Australia - Anti-Dumping and Countervailing Duty Measures on Certain Products from China. It was noted that on 26 April 2024, outcomes of the WTO Panel were adopted by the WTO Dispute Settlement Body and are now binding. While the WTO panel did not agree with all of China's claims challenging anti-dumping and countervailing duties, it acknowledged that Australia's Anti-Dumping Commission had not properly calculated its anti-dumping duties on three Chinese steel products (railway wheels, wind towers and stainless steel sinks). Members heard that the Anti-Dumping Commission (ADC) is currently implementing the decision on those items which retained duties; with a review of duties on stainless steel sinks currently underway.

The discussion then turned the passage through Parliament and Royal Assent granted to the Customs Amendment (Strengthening and Modernising Licensing and Other Measures) Bill 2024 and Customs Licensing Charges Amendment Bill 2024 on 5 September 2024. The amendments contained in the Bills will commence on a date by fixed proclamation; advice will be provided to industry following confirmation. Members queried the impact of the changes to Section 183CD regarding non-compliance, with advice provided that both corporate and nominee brokers are bound by licence obligations. Concerns with ABF security of B1555 information storage and information-sharing processes was raised, with agreement from the Chair to investigate additional options. Verification of the validity of overseas identity documents was raised, with advice provided to members that this is an industry obligation.

Members were updated regarding progress made in developing the Australian Trusted Trader 2.0 (ATT 2.0) program. The proposal will explore enhanced data-sharing arrangements for Trusted Traders (TTs), and the opportunities that a tiered framework may offer. The complexities surrounding a tiered program were noted; with discussion then considering the benefits of seeking input from those companies that have declined to participate in the ATT program to date; the definition of data sharing; including exporters in consultation processes; and ATT green trade requirements.

The last agenda item provided members with a summary of changes to the Defence Trade Controls Amendment Act 2024 (the Act), and advised industry regarding options for engaging with Defence to better understand defence export obligations. Members noted the Defence Strategic Goods List (DSGL), used for the regulation and export control of 2500 defence-related items. A licence-free environment has now been implemented between

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Australia, UK and the US for export items listed on the DSGL. In order to be eligible to participate in the program, exporters are required to enrol via the defence website.

The next CAG meeting will be held in March 2025.

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