



THE ANTI-DUMPING AND SUBSIDIES COMMISSION

A Portfolio Agency of The Ministry of Industry, Commerce, Agriculture and Fisheries

Annual Report

April 1, 2018 to March 31, 2019



*By Cabinet decision in September 2020, The Ministry of Industry, Commerce, Agriculture and Fisheries was separated into two Ministries,
1. The Ministry of Industry, Investment and Commerce 2. Ministry of Fisheries and Agriculture.*

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Table of Contents

LIST OF ABBREVIATIONS	IV
BOARD OF COMMISSIONERS' STATEMENT	1
AGENCY PROFILE: THE ANTI-DUMPING AND SUBSIDIES COMMISSION	3
EXECUTIVE SUMMARY	6
BOARD OF COMMISSIONERS AND GOVERNANCE.....	7
ADSC ORGANISATIONAL CHART	9
THE STAFF OF THE ANTI-DUMPING AND SUBSIDIES COMMISSION	10
STRATEGIC AND OPERATIONAL PLAN COVERING FY2018/19.....	11
PERFORMANCE AGAINST TARGETS FY2018/2019	13
HIGHLIGHTS OF ACHIEVEMENTS FOR THE FY2018/19	18
COMMITMENT TO EXCELLENCE: CONTINUOUS IMPROVEMENT	24
PROJECTIONS FOR APRIL 2019 TO MARCH 2020	25
FINANCIAL OVERVIEW.....	26
APPROVED BUDGET	26
SENIOR EXECUTIVE COMPENSATION FOR FY2018/2019.....	27
DIRECTORS' COMPENSATION FOR FY2018/2019.....	28
APPENDIX: FINANCIAL STATEMENTS FOR APRIL 1, 2018 TO MARCH 31, 2019	29

List of Abbreviations

ADSC	The Anti-dumping and Subsidies Commission (The Commission)
AGC	Attorney General's Chambers
AGD	Attorney General's Department
ATPC	Advanced Trade Policy Course
CDDSA	Customs Duties (Dumping and Subsidies) Act, 1999
CCIC	Caribbean Climate Innovation Centre
CPC	Chief Parliamentary Counsel
CSME	Caribbean Single Market Economy
EPA	Economic Partnership Agreement
FFA/FC	Forensic and Financial Analyst/ Financial Controller
FAAA	Financial Administration and Accountability Act
FD	Final Determination
FTC	Fair Trading Commission
GDP	Gross Domestic Product
GOJ	Government of Jamaica
ISO	International Organization for Standardization
JAMPRO	Jamaica Promotions Corporation
JTAT	Jamaica Trade Adjustment Team
MDAs	Ministries, Departments and Agencies
MFAFT	Ministry of Foreign Affairs and Foreign Trade
MFN	Most Favoured Nation
MICAF	Ministry of Industry, Commerce, Agriculture and Fisheries
MSME	Micro, Small and Medium Enterprises
MTF	Medium Term Socio-Economic Policy Framework
MOU	Memorandum of Understanding
NT	National Treatment
PD	Preliminary Determination
PBMAA	Public Bodies Management and Accountability Act 2001
SA	Safeguard Act 2001
SRC	Scientific Research Council
STATIN	Statistical Institute of Jamaica
SPPMED	Strategic Planning Performance Monitoring and Evaluation Division
UNDP	United Nations Development Programme
WTO	World Trade Organization

BOARD OF COMMISSIONERS' STATEMENT

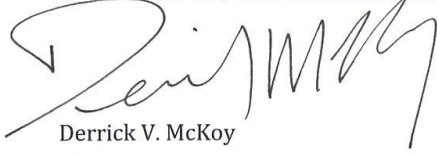
In accordance with Section 3(2) of the Public Bodies Management and Accountability Act 2001 (PBMA Act or PBMAA), the Board of Commissioners of the Anti-dumping and Subsidies Commission (the Commission) here submits to the portfolio minister, the Annual Report for the Financial Year, April 1, 2018 to March 31, 2019 (hereinafter FY2018-2019). The Annual Report (includes the audited financial statements, presented at the Appendix. Under the PBMA Act, the Minister shall cause the report and statements to be laid on the Table of the House of Representatives and of the Senate.

The Commission has prepared this Report in accordance with Part 1 of the Second Schedule, without prejudice to the provisions of any relevant enactment or constituent documents in relation to the preparation of annual reports by a public body, as provided for in Section 22 of the PBMAA.

Part1 (3) of the Second Schedule of the Public Bodies Management and Accountability Act requires as part of the Annual Report of the public body, a report from the Board of Directors to include the items listed below. This Annual Report covers, according to the reliable record of the Commission, all the requirements outlined in the PBMAA for the period April 1, 2018 to March 31, 2019, during which the undersigned was Chairman of the Board of Commissioners, as follows:

- a) A review of all operations;
- b) A statement on any proposed change in the nature and scope of the activities of the body;
- c) Any modification or proposed modification to the corporate plans;
- d) A summary of the achievement of the body measured against appropriate performance targets;
- e) Forecast and projects of the key financial and operating measures of the next twelve months; and;
- f) Where applicable, notifications of payments of dividends. The Anti-dumping and Subsidies Commission is an entity which does not pay dividends.

ANTI-DUMPING AND SUBSIDIES COMMISSION



Derrick V. McKoy
Chairman

EXECUTIVE DIRECTOR'S MESSAGE



The Anti-dumping and Subsidies Commission, Kingston, Jamaica (ADSC or Commission) is pleased to offer this Annual Report for the fiscal year (FY) 2018-2019. The ADSC is the Agency of the Government of Jamaica, under the then Ministry of Industry, Agriculture and Fisheries (MICAFA), which has the mandate to defend producers of goods in Jamaica, within the World Trade Organisation (WTO) framework of agreements on antidumping, subsidies and countervailing duties and safeguard measures. The regime is collectively referred to as International Trade Remedies.

Robust global trade presents Jamaica with opportunities for new markets and exports, but unchecked importation into Jamaica also presents challenges for producers of goods in Jamaica. The Jamaican economy is small and open with an unbridled appetite for imports, an intransigent trade deficit and sustained high debt to gross domestic product (GDP). Imported products may be dumped, subsidized or enter the Jamaican market in sharply increased volumes that cause or threaten injury to producers here, of goods which are “like” or directly compete with them. The Commission is a strategic part of the enabling business environment. Its mandate is to apply duties to promote the defence of producers of goods in Jamaica from injury flowing from unfairly traded or increased volume of imported goods under prescribed circumstances.

The ADSC Staff trains producers, their managers, employees, consultants and others to identify the appropriate use of a trade remedy and how to access remedies by lodging a properly documented complaint with the Commission. The Staff also does research and data-driven analysis to give advice to stakeholders to support the formulation of trade policy, negotiations and relevant legislative changes. The work of the Commission helps producers to integrate knowledge of trade remedies in their overall business strategy to defend and expand market share and profitability in Jamaica and in export markets. Through effective trade remedy administration and enforcement of the rules, the Commission helps to strengthen the economy by supporting the performance of manufacturers, stable employment and increased investment in Jamaica. The Commission contributes to reducing the shocks that can flow from business failures resulting from injury to domestic producers.

The Commission’s strategy to overcome resource challenges has long been to be a recognised Centre of Excellence in trade remedy matters. The Staff are experts in international trade law, economics and related disciplines. They dedicate their efforts to excellent implementation of the regime. The Commission continued to execute its operations and pursue its mandate with diligence. Highly regarded among its peers and colleagues across the world as an exemplary trade remedy investigating authority, the Commission pursued its mandate for the benefit of producers of goods in Jamaica and began the Quality Management Certification journey.

Sincerely

Andrea Marie Dawes
Executive Director

AGENCY PROFILE: THE ANTI-DUMPING AND SUBSIDIES COMMISSION



Establishment, Role and Function

The **Anti-dumping and Subsidies Commission (“the Commission,” or “ADSC”)** is an agency of the Industry and Commerce portfolio, which during the reporting period FY2018-2019, was under the Ministry of Industry, Commerce, Agriculture and Fisheries (“the Ministry” or “MICAF”).¹

The Commission’s role is to apply international rules of trade, agreed by Members of the World Trade Organisation (WTO) to benefit the producers of goods in Jamaica. The Commission investigates cases of dumping and improper subsidisation of imported goods and determines appropriate levels of antidumping and countervailing duties on imports of goods to defend industries which make like goods in Jamaica. The Commission also investigates and determines safeguards on goods which are imported in sharply increased quantities causing injury to domestic industries. The Commission also works to increase the knowledge of the use and benefits of trade remedies by industries and awareness of the regime of the general public.

The core mandate of the Commission is derived from Jamaica’s rights and obligations as a signatory to the three World Trade Organisation (WTO) multilateral agreements on Dumping, Subsidies and Countervailing Measures, and Safeguards. Collectively, the regime implemented and enforced by the ADSC are referred to as Trade Remedies. They are exceptions to the basic tenets of the WTO, which are:

- > **Tariff Bindings** – agreements not to exceed agreed upon low tariffs on imported goods;
- > **Most Favoured Nation (MFN)**, the principle by which any favourable treatment granted to one WTO Member is extended to all other Members; and
- > **National Treatment (NT)**, the principle which requires a WTO Member to give the same favourable treatment to imports as domestically made goods.

The Commission was established under the 1999 Customs Duties (Dumping and Subsidies) Act (CDDSA). Dumping is the practice of reducing the price of exports to Jamaica below its normal value, the price at which it is sold in the country of the exporter. Subsidies are contributions which convey a benefit to the exporter by the exporter’s government, also deemed unfair. With the passage of the Safeguard Act (SA) in 2001 and Regulations in 2003, implementation of Safeguards was added to the mandate of the Commission. Safeguards are used when increased volumes of imported goods cause or threaten serious injury to the domestic producer of like or similar products.

As Jamaica moved to realise its Vision 2030 National Development Plan, the Commission had official targets which were integrated into the Development Plan’s Medium-Term Socio-Economic Policy Framework 2015-2018.

¹ By Cabinet decision in September 2020, The Ministry of Industry, Commerce, Agriculture and Fisheries was separated into two distinct Ministries, 1. The Ministry of Industry, Investment and Commerce 2. Ministry of Fisheries and Agriculture

Impact of the ADSC

The ADSC is a key agency in the international trade infrastructure of the Government of Jamaica. Like most nations, Jamaica has developed strategies to manage the adverse impact of globalisation, while gleaning the benefits of international trade on its domestic economy, development and living standards. As Jamaica's Trade Remedies Investigating Authority, the Commission defends Jamaica's economic interests from unfair global trade practices and routinely provides input in developing the country's trade legislation, policies and overall strategy.

The ADSC promotes an environment that helps to sustain and even promote economic growth and job creation as implementing the trade remedies regime aids in defending local producers against unfairly traded imports which can negatively affect sales, market share, employment and other aspects of the welfare of domestic producers.

The ADSC has served as a resource for other members of CARICOM in building the capacity and knowledge of trade remedies. The ADSC has acted in an advisory capacity to comparable economies, nationally, regionally and outside the region, by sharing experience and knowledge. The ADSC officials have also participated in trade remedies and other dispute settlement work overseas.

Principal Activities

The main activities engaged in by the Commission in carrying out its mandate are as follows:

- > Consultations with Industries
- > Training of Businesses, Industry Teams and their Consultants
- > Public Education
- > Research and Analysis
- > Trade Policy Support

Additionally, from time to time, the ADSC undertakes projects and initiatives to provide support to the trade environment and improve access to trade remedies for goods-producers in Jamaica.

As a Public Body of the Government of Jamaica, the Commission seeks to perform its mandate well, while being also compliant with the Acts, Regulations and directives from the portfolio Ministry, the Cabinet Office, Ministry of Finance and public sector directorates of the Government of Jamaica.

Mandate, Mission, Vision, Core Values

MANDATE

The Commission's core mandate is to enforce Jamaica's international trade remedy laws, the Customs Duties (Dumping and Subsidies) Act and Safeguard Act, implementing World Trade Organization (WTO) Agreements and take account of other Trade Agreements (CARICOM, EPA, and others). The work of the Commission aims to sustain the viability of Jamaican industries and maintain jobs. Where warranted, the Commission determines the application of tariffs to remedy injury to the domestic industry caused by dumping or subsidies and increased imports in prescribed circumstances. The regime enhances the ability of Jamaican producers to compete in the open international trading environment. The Commission also equips industry and professionals serving them to understand and use the remedies.

VISION

A Centre of Excellence in International Trade Remedies, acclaimed worldwide as a vanguard Investigating Authority.



MISSION

To identify and apply appropriate remedies to dumped or subsidized imports or increased imports that injure Jamaican producers, promote awareness of trade remedy laws and assist in trade remedy policy formulation and implementation by being:

- > ***Client-focused***, resulting in a large percentage of Jamaican producers and stakeholders who are trained and able to use trade remedies to help Jamaican industries thrive.
- > ***A high-performance, specialist organization*** with expert and motivated staff
- > ***A provider of high-impact services*** to stakeholders, primarily producers, importers, and including all players in Jamaica's international trade environment.

CORE VALUES

The Commission has **GREATT Core Values**

- > **Global expertise**
- > **Regional Integration**
- > **Excellence**
- > **Accountability**
- > **Transparency**
- > **Through Teamwork**

EXECUTIVE SUMMARY

FY2018/19 saw continued developments and some challenges in the global trading landscape. The period was marked by heightened tensions and uncertainties surrounding international trade policies and relationships. Against this backdrop, the Commission pursued its mission to fortify Jamaica's trade resilience and competitiveness.

The Commission aimed to equip professionals and industries to navigate challenges and capitalize on opportunities in the global marketplace, while conducting operational functions and improving its institutional capacity. This report outlines the Commission's efforts, achievements and initiatives during this timeframe. The Commission's Operational Plan is a part of the Strategic Plan covering the longer period. The Commission is committed to promoting awareness and use of trade remedy laws and assisting in trade remedy policy formulation for the benefit of Jamaica's goods producing industries.

In alignment with the Government of Jamaica (GOJ) Vision 2030 National Development Plan and the Strategic Priorities outlined by the parent Ministry, the Commission achieved many of the plans made for FY 2018/2019. These achievements included hosting training seminars and workshops, exceeding training targets, partnering with relevant stakeholders such as WTO and HEART Trust/NTA for capacity building initiatives and providing expert advice to government and international bodies on trade and industry matters. The Executive Director's presentation on "Actioning Trade Policy - The Key Link in the Growth Agenda" and her work on WTO dispute settlement panels highlighted the influence and expertise in international trade. Other achievements include advancements in employee development, increased social media engagement and Board leadership of the organisation.

Pivotal to its pursuit of becoming a Centre of Excellence, the Commission concentrated on key operational areas, including Human Resources, Financial Management, and Information Communications Technology. This strategic approach contributed to Jamaica's trade infrastructure, and to strengthening manufacturers' resilience, growth, and competitiveness. The Commission also increased the Staff's attention to equipping professionals and industry personnel to monitor and respond to the presence of imports in the market that cause or threaten injury to domestic industry.

Progress was made in the period, but the planned development of an Industry Help Desk encountered challenges. Nevertheless, the Commission and its dedicated staff pursued success by reorganising the approach to the activity and reset its objectives despite resource constraints. The recruitment of a skilled technical and administrative staff played a significant role in bringing reporting current. The Commission continues to be a highly regarded trade remedies investigating authority.

BOARD OF COMMISSIONERS AND GOVERNANCE

The Commission achieves its responsibilities through a five-member Board of Commissioners consisting of the Chairman and four (4) Commissioners. Commissioners are appointed for up to three-year renewable terms by the Minister with portfolio responsibility, in that period, Honourable Audley Shaw, Minister of Industry, Commerce, Agriculture and Fisheries (MICAF). Commissioners are private citizens from various academic, business and related disciplines with diverse backgrounds and operate part-time to carry out mandate and Board functions. They adjudicate and direct mandate matters and provide guidance and leadership to the Executive Director and Staff of the Commission in operational issues.

The Board of Commissioners in the period first included Mr. Peter Champagnie, Attorney-at-Law, who served two months before resigning in June 2018. Thereafter, the Board appointment was made on May 21, 2018 by Honourable Audley Shaw, Minister of Industry, Commerce, Agriculture and Fisheries. Dr. Derrick McKoy was reappointed as Chairman of the Commission. Three other Commissioners, Dr. Karl Reid, Ms. Gaunique Williams and Mr. Clyve Jacks were reappointed to serve, along with one (1) new Commissioner, Miss Dorothy Lightbourne, Q.C. Though she is a legal luminary, because of the specialised nature of the Commission's mandate, the Technical Staff set about tailoring training to deliver to Commissioner Lightbourne who quickly received the training in Trade Remedies in the period following her appointment. All the Commissioners were also included in training sessions to refresh and preserve their technical competencies in the Commission's mandate. Commissioners also participated in rigorous training sessions focussed on governance matters to reinforce and enrich their capacity to perform in their roles as directors.

The following persons made up the Board of Commissioners in the reporting period:

Role	Name	Occupation/Discipline	Attendance (10 meetings held)
Chairman	Dr. Derrick McKoy	Attorney-at-Law	10
Member	Mr. Clyve Jacks	Real Estate Developer	9
Member	Dr. Karl Reid	Management Consultant	9
Member	Ms. Gaunique Williams	Attorney-at-Law	9
Member	Miss Dorothy Lightbourne	Attorney-at-Law	7

The Commissioners met as a Board ten (10) times during the fiscal year. Meeting attendance was retained in the record of the Commission by signatures collected at Board meetings and shown in the table above.

The ADSC Board continued to be assisted by two (2) sub-committees, identified below:

- (1) The Audit and Finance (A & F) Committee provides oversight for financial management. It performs all the requirements of an Audit Committee in accordance with the PBMA Act. The Committee was chaired by Commissioner Dr. Karl Reid. It included two (2) Commissioners (Dr. Karl Reid and Mr. Clyve Jacks) and three (3) additional co-opted members with finance, accounting and budget expertise, Mrs. Kerry-Ann Lewars-Jackson, Mr. Emru Williams and Mr.

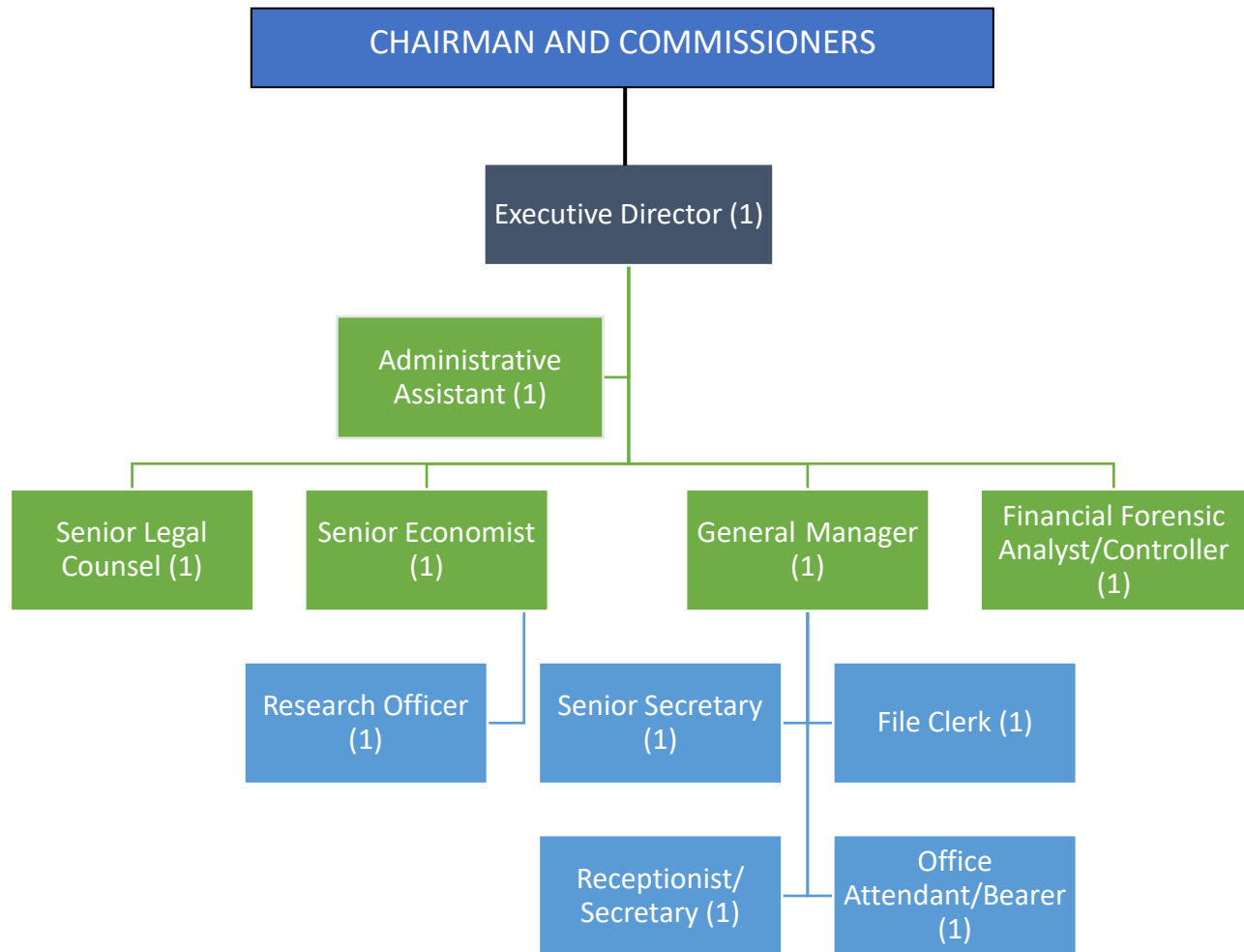
Dwight Salmon. The three (3) non-Commissioner members served the previous Board and agreed to continue serving the newly appointed Board. The Committee convened meetings to fulfil its role and focus on the matters required three (3) times during the reporting period, in May, September 2018 and January 2019. Aside from meetings, the members remained available, reviewed records and gave advice to the Staff as needed.

- (2) The Human Resource and Management (HRM) Committee included Commissioners Karl Reid, Clyde Jacks and Committee Chairperson, Miss Gaunique Williams. This Committee met as needed to support the Executive Director and Management team in matters related to HR Management and Administration. They also answered questions and reviewed documents, such as appraisals and examined and endorsed recommendations to the Board provided by the Staff as it related to staffing discussions and served on interview panels to assist with recruitment, primarily of the critical Forensic and Financial Analyst/Controller (FFA/FC) post in October 2018 and filling the Administrative Assistant post in January 2019.

Payments to Board Members were administered in keeping with guidelines from the Ministry of Finance and Planning, which sets specific annual compensation for the Commissioners of this Agency. Payments were made quarterly, as reflected in the Financial Reports. Payments to the Audit and Finance Committee were made according to the scheduled payments as directed by the Ministry of Finance relevant circulars and made after attendance at scheduled meetings.

The Commissioners are supported in their service by the Staff.

ADSC ORGANISATIONAL CHART



The year began with only eight (8) posts out of eleven (11) filled. The vacant positions of Forensic Financial Analyst/Financial Controller and Administrative Assistant were filled in October 2018 and January 2019, respectively.

A 2010 Post Audit conducted by the Ministry of Finance indicated that a fifteen-person establishment would be a more appropriate structure for the Agency than the previous ten-person establishment. The Commission negotiated in the period to activate a new Research Officer post from the 2010 audit. An intern operated in the post until July 18 then that post was empty until September 2019.

Information Technology and other support continued to be supplied by an external contractor.

THE STAFF OF THE ANTI-DUMPING AND SUBSIDIES COMMISSION



L-R R. Galloway, N. McLeish, A. Stewart, R. Evans, E Lewis, A. Dawes, T. Evans-Rose, A. Mighty

The Executive Director led the Team in fulfilling its mandate. The General Manager, Senior Legal Counsel, Forensic and Financial Analyst/Controller (FFA/FC) and Senior Economist served in their primary roles as the Technical Staff and all served in expanded roles to enable the functions of the leadership and management team to be performed.

The ADSC had a staff complement approved of eleven (11) persons, as the Research Officer post was recently activated. The Administrative Assistant supported the Executive Director and the Board of Commissioners. A Senior Secretary, a File Clerk and a Receptionist provided general secretarial and clerical support, including an attendant/bearer who provided ancillary and courier support services. The active posts are reflected in the Organisational Chart on page 6.

The Commission had only eight staff members for the majority of the year, making the task of meeting targets even more strenuous. Human Resource functions, including recruitment, staff training and development, were handled by the leadership team. Support sought from the Ministry for the task of filling two vacancies. The positions of Forensic Financial Analyst/Financial Controller and Administrative Assistant were filled and the two (2) new team members started in October 2018 and January 2019 respectively. A Research Officer post was filled by an Intern up to July 2018, then was vacant until September of the following year.

External contractors provided Information Technology, maintenance, and other such support services.

Technical Staff	Name
Executive Director	Mrs. Andrea Marie Dawes
General Manager	Mr. Ryan Evans
Senior Legal Counsel	Mrs. Tara Marie Rose
Senior Economist	Mr. Andrew Mighty
Forensic and Financial Analyst/ Financial Controller	Mr. Rickurt Galloway

STRATEGIC AND OPERATIONAL PLAN COVERING FY2018/19

The Commission engaged in the strategic planning process in collaboration with the parent Ministry. The Management performed a comprehensive review of the Commission's existing strategic plan in September 2017 to ensure its alignment with the strategic direction of the Ministry and GOJ policy. This process involved extensive discussions between the Commission's staff and the Ministry. The Ministry convened a strategic planning retreat for its Departments and Agencies, at which it outlined the Ministry's framework and strategic objectives for the next period. This planning process concluded with the submission of the ADSC Strategic Plan and Operational Plan to the Strategic Planning and Performance Monitoring and Evaluation Division of MICA, as required by the PBMAA.





The Ministry's policy priority was derived from Vision 2030 National Development Plan, Outcome No 8: "An Enabling Business Environment" and National Strategy 8.3: "Use Trade and Foreign Relations to Create an Enabling External Environment for Economic Growth. The policy priority was to foster "an enabling environment and facilitatory framework, infrastructure and services to support growth of agriculture, industry and commerce".

Within that framework, the Commission outlined its targets for the period to accomplish four strategic outcomes. The Commission's Sector Strategy was to "**Build Business Capacity to Take Trade Remedy Defensive Action**" in the manufacturing and other goods producing sectors in Jamaica. The planned outcomes were:

- Outcome #1: Implementation of Jamaica's Trade Remedy Laws
- Outcome #2: Industry Training and Public Education
- Outcome #3: Trade Policy Advice and Facilitation
- Outcome #4: The Commission as a Centre of Excellence

The Operational Plan served as a roadmap, directing the Commission's efforts in a cohesive manner, fostering accountability and driving effective execution of its mandate during the year.

Summary of Outcomes and Targets for FY 2018/2019

	Outcomes	Targets
1	 <p>Implement Jamaica's international trade remedy laws, the Customs Duties (Dumping and Subsidies) Act and Safeguard Act within the administrative and legislative framework of the World Trade Organization (WTO) Agreements and other trade agreements; including identifying breaches of international obligations by trading partners which give rise to the need or opportunity to apply trade remedies to help provide a level playing field for Jamaican producers.</p>	<ul style="list-style-type: none"> • 7 industries consulted • 90% compliance of investigations, if received • Help Desk developed and operationalised • Submit 100% WTO notifications
2	 <p>Advise and facilitate the ongoing development in Jamaica of trade remedies and related legislation within the international trade policy framework.</p>	<ul style="list-style-type: none"> • Review legislation and agreements; offer amendments • Provide technical expertise and assistance to MDAs and companies
3	 <p>Educate industry to use trade remedy regime. Educate the public to understand the regime.</p>	<ul style="list-style-type: none"> • Train 7 entities/industries • Prepare 2 industry reports • Increase Social Media Engagement
4	 <p>Priority Policy initiatives are to be carried out while building the capacity of the Commission and using international best practices and good governance principles in applying the remedies in Jamaica and promoting same in the global marketplace for Jamaica's exports.</p>	<ul style="list-style-type: none"> • 90% utilisation of WTO capacity building programmes • 90% compliance with GOJ reporting requirements • Convene regular board and sub-committee meetings.

PERFORMANCE AGAINST TARGETS FY2018/2019

The Agency's performance against targets for FY2018/2019 according to the four Outcomes set forth in its Operational Plan follow:

Outcome #1: Implementation of Jamaica's Trade Remedy Laws

The planned targets are set forth in the Table 1 below.

Table 1: Summary of Implementation of Jamaica's Trade Remedy Laws Results

Results	Planned Targets
Trade Remedies Consultations with five (5) industries	Trade Remedies consultations with seven (7) industries
One (1) Draft complaint received, reviewed and guidance provided timely	90% Compliance of investigations conducted with legislative provisions and guidelines, if any received
100% Bi-annual WTO notifications submitted	100% Bi-annual WTO notifications submitted
100% Review of Trade Agreements	100% Review of Trade Agreements
Help Desk Targets Revised	Help Desk developed and operationalised

The ADSC Technical Staff identified domestic producers who could benefit from trade remedies intervention and training. The Staff engaged in surveillance of global trade environment and analysed import trends. Companies in sectors to which the research and data review pointed were engaged.



Consultations were provided to companies which were experiencing challenges.

Consultation services were provided by the Staff to five (5) industries and one (1) industry advisor, who provides services to industries (lawyers, accountants, other consultants). The Staff trains such persons to equip them to assist industries to use trade remedies. Industry stakeholders in the period included

domestic producers as shown in Table 2. As part of the consultation process, the Staff visited a number of offices, factories, and business locations of producers. This helped to increase understanding of the operational dynamics of the producers with whom we were consulting. Insight gathered, proved to be valuable for Staff to assist industries to integrate trade remedies knowledge into their business practices.

Table 2: Industry Engagements during FY 2018-2019

Industry	Consultations	Tailored Training/ Site Visit
Foods/Grains	✓	✓
Chemical and Allied Products	✓	
Plastics, Foil, and Coated Paper Bags	✓	
Paper and Paper Products	✓	
Meat and Poultry	✓	
Industry Advisors/Support Services*	✓	✓

The Commission gave special assistance to two (2) industries during the period to support their efforts to prepare complaints for investigation into unfair trade practices or surges in import volumes. Support was provided through ongoing training, face to face meetings, electronic communication, telephone calls and site visits, along with economic research and technical analysis. One of the two industries consulted with submitted a Draft Application to Initiate An Investigation for review by the Staff in September 2018. The Staff reviewed the draft complaint and provided guidance on completing the complaint to the industry within one week. The industry did not lodge a final complaint during the period.

The Commission accomplished its planned target of timely submitting all the required notifications to the WTO Committee on Goods, Sub-Committees on Anti-dumping, Subsidies and Safeguards.

The Staff reviewed all the revisions and proposals relating to trade agreements that were relevant to the mandate of the Commission.

The Help Desk concept arose to address the challenges that industry faces to file properly documented complaints. The ADSC Staff cannot draft complaints for industry. Industry has resource constraints to hire consultants to file cases on their behalf. The Staff made progress towards seeing the Help Desk concept realised over a longer period than planned in following way:

1. The Staff responded by increasing its consultation support to assist industries to draft portions of a complaint themselves. They were encouraged to present draft sections to receive feedback from the Staff. This service was characterised by the Staff as a partial Help Desk rollout. Used by two industries in the year, this resulted in the Staff receiving the partial Draft Complaint.
2. The Staff was invited to submit to the Ministry, the proposal for the Industry Help Desk to be developed as part of the Manufacturing Growth Strategy which was making its way toward approval by the Cabinet on behalf of manufacturers in Jamaica. A concept note was prepared and submitted to the Ministry for inclusion in the proposed Strategy.

Outcome #2: Industry Training and Public Education

The Commission achieved notable successes in amplifying its programme of industry training. The Commission coordinated a range of training programmes to increase the knowledge of trade remedies and the work of the Commission among industry executives, management and professional advisors.

The Operational Plan projected that training would be provided to seven (7) to engage entities following research and surveillance efforts. The ADSC trained ten (10) entities and sixty-nine (69) persons.

Table 3: Industry Training and Public Education

Performance	Planned Targets
Training sessions delivered to 10 industries	Deliver training to seven (7) entities/industries in the year
One (1) Industry report drafted	Two (2) industry reports prepared
Increased engagements on Facebook	Increased Social Media Engagement

To build capacity in industry advisors, the Commission delivered training programmes for lawyers which were granted accreditation by the General Legal Council for Continuing Legal Education credits. The Staff also trained fifteen (15) lawyers from two (2) corporate area law firms.

The Staff arranged for industry representatives and other public sector colleagues to also benefit from one public session facilitated by visiting trainers from the WTO in February 2019. The workshop provided an opportunity for forty-two participants to learn or refresh their understanding of fundamentals of trade rules from the visitors. Many expressed appreciation for the insight gained.

The ADSC harnessed the power of its growing social media presence, particularly Facebook, to disseminate trade remedy knowledge to wider audiences. This strategy yielded results, with increased engagements on Facebook. The team developed new, engaging content and ensured that social media posts were made on a regular basis.

The newspaper also recorded a story of the Minister, Honourable Audley Shaw addressing the issue in which he noted the Government's commitment to support manufacturing using the trade defence regime housed at the Commission in the article, *Shaw Promises Trade Protection*, See Christopher Serju, The Daily Gleaner Newspaper, Kingston, Jamaica, Thursday June 21, 2018.

A draft industry report was prepared for one industry.

Outcome #3: Trade Policy Advice and Facilitation

The Commission advanced the development of trade remedies legislation, specifically the amendments pending to the Customs Duties (Dumping and Subsidies) Act 1999. The Staff reviewed legislation and international agreements and provided recommendations for amendments.



The Commission provided technical expertise and assistance to Government Agencies. The Staff rendered assistance to more than five (5) MDAs and other entities in the policy space. Some areas in which the Commission's Staff contributed Trade Policy Advice and Facilitation were:

1. The Staff contributed an article which featured in the April 2018 issue of the Jamaica Customs Agency's newsletter, "TRADEBEAT." The article, "International Trade Remedies" highlighted the work of the Commission and the launch of its 2018 Trade Remedies Seminar Series in March of 2018.

2. The Commission participated in stakeholder meetings led by the Planning Institute of Jamaica to prepare the Vision 2030 Medium-Term Framework (MTF) 2018-2021. The work of the Commission was included in the national sector strategy, "Build business capacity to take trade remedy defensive action." The Commission would train fifty (50) entities and professionals to enable industries to take trade remedy action.

3. The Commission participated in ongoing discussions with the Ministry of Foreign Affairs and Foreign Trade (MFAFT) and reviewed documentation being drafted to incorporate into the framework of trade agreements administered, the United Kingdom's pending exit from the European Union (EU). The anticipated exit of Britain from the EU, colloquially referred to as "Brexit" was expected to impact Jamaica, as part of the partners of the network of trade agreements including, not least, the CARIFORUM-EU Economic Partnership Agreement (EPA).
4. The Staff responded to queries from governments and Jamaican Missions overseas, including:
 - a. Government of Guyana for assistance with prices for flour in some CARICOM countries.
 - b. Canada regarding steel goods and whether Jamaica has a steel exporting sector.

Table 4: Advice and Facilitation including Legislative Amendment and Development

Performance	Planned Targets
Drafting instructions were submitted to the Chief Parliamentary Counsel.	Review legislation and international agreements and provide suggested legislative amendments
Technical expertise and assistance provided to five (5) local and international Government Agencies.	Technical expertise and assistance provided to Government MDAs and individual companies

Outcome #4: The Commission as a Centre of Excellence

The Commission surpassed the target of a 90% utilization of WTO capacity-building programmes available in the period. The Staff was able to utilize 100% of a plethora of learning opportunities presented.

The Technical Staff engaged with a comprehensive training programme in antidumping investigation called the i-trADe virtual learning platform, designed for practising antidumping investigators. This enhanced the Staff's capacity to improve the materials and provided forms, structure and information to support the agency's continuing development of training programs for industry and its stakeholders. Additionally, the programme provided staff members who had not yet experienced a complete investigation to simulate that experience and thereby, to better imagine and prepare themselves for investigation conditions.

The Senior Economist was nominated by the Executive Director and the Ministry of Foreign Affairs and Foreign Trade to participate in the Advanced Trade Policy Course, which was scheduled for two months at the WTO Headquarters in Geneva, Switzerland. He participated well in the training and met a host of colleagues from across the world as well as the staff at the Jamaican Mission and returned having enhanced his own expertise and the that of the team.

The Commission adheres to governance and accounting requirements, with its practices being aligned with governing legislation. In the period, the Board of Commissioners met monthly and convened ten (10) meetings. Subcommittees met as required, supporting the Commissioners and Staff in overseeing compliant operations. Challenges, which included a lengthy period in which the Financial Analyst/Controller function remained vacant, previous staffing misalignment and the Ministry being reorganised caused ongoing delay in filing of Annual Reports. However, the Finance post was well filled in October 2018. Thereafter, through cooperation with the Auditor General's Department and an

external chartered accounting firm which assisted the management while the post was being filled, the field work for two years of audits was completed. The Commission continued to demonstrate its commitment to transparency and accountability, achieving full compliance with other GOJ reporting requirements.

The Commission focussed on enhancing its technical capacity and processes to bolster its research, training, public education, and investigative capabilities. The Commission made the best use of available technology in accomplishing its mandate.

Table 5: The Commission as a Centre of Excellence

Performance	Planned Targets
100% utilisation of WTO capacity building programmes	90% utilisation of WTO capacity building programmes
100% Compliance with GOJ reporting requirements	90% Compliance with GOJ reporting requirements
Monthly Board meetings held - ten (10) in the period	The Board and sub-committees conduct regular meetings.

HIGHLIGHTS OF ACHIEVEMENTS FOR THE FY2018/19

Enhancing Trade Remedies Knowledge: Seminars and Workshops

During the reporting period, the Commission achieved notable successes in its efforts to amplify trade remedy awareness and foster stronger engagements with industries. Various training and public education events were staged in keeping with the targets and Operational Plan, some in collaboration with MICA, other MDAs and international partners. Highlights of main accomplishments for the reporting period are outlined below.

Trade Remedies Seminar Series.

The Commission launched its 2018 Trade Remedies Seminar Series with two days of training on May 17 and 18, 2018 at the Courtleigh Hotel, Kingston. The Technical Staff presented a raft of short seminars on topics which included: “How to File an Anti-dumping Complaint” and “How to File a Subsidies Countervailing Duty Complaint”. The seminars were well supported with twenty-seven (27) participants attending over the two (2) days, representing from manufacturers, attorneys-at-law and other industry advisors, private sector organisations including the Jamaica Manufacturers and Exporters Association and Government agencies.

ANTI-DUMPING AND SUBSIDIES COMMISSION

2018

Trade Remedies Seminar Series

Thursday May 17th
How To File An Antidumping Complaint

Wednesday May 30th
How To File A Countervailing Duty Complaint

At the Courtleigh Hotel and Suites, Knutsford Boulevard, Kingston 5
8:00 a.m. to 12:00 p.m.
Course Fee: \$4,000 per person;
Early Bird Discount (on or before May 11 & 22, 2018): \$3,500
Group Discount of \$10,000 for 3 persons.
(Course Fee includes materials & coffee break)

To REGISTER:
Email: antidump@jadsc.gov.jm
Telephone: 876-978-1800
Visit us on Facebook: www.facebook.com/jadsc.gov.jm
Registration is open until Monday, May 14, 2018 and Monday May 28, respectively.

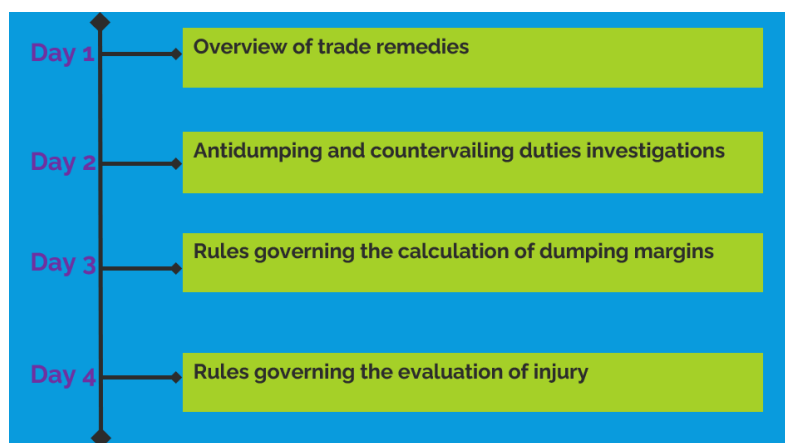
The sessions were well received by attendees. Participant surveys administered during the event indicated that the objectives of the workshop were met as attendees self-reported that they found the training sessions to be informative and useful. Sixty-eight percent (68%) of participants indicated that the content was very valuable in terms of its potential value to self and organization. 100% of participants found the workshop useful to their needs. 52% of respondents indicated that they were very satisfied with presenters (presentations, knowledge and that the presenters provided clear responses). The remaining 48% noted that they were satisfied.

National Workshop on Trade Remedies Addressed by WTO Training Mission to Jamaica



The Commission received a high-level technical training team from the World Trade Organization Rules Division for delivery to the Staff of a four-day training workshop from February 25-28, 2019 at the Terra Nova Hotel. During this event, the Commission's staff and other workshop attendees benefitted from advanced level training in Trade

Remedies, expertly delivered by the visiting trade experts from WTO.



The officials from the WTO Rules Division's dedicated the first two days, February 25 -26, 2023 to providing expert trade remedies training exclusively for the Commission's Technical Staff. The intensive training aimed to build the trade remedy capabilities, aligning with the Agency's mission. It enabled the staff to apply in practice the concepts and analyses for trade remedies investigations in accordance with global standards. It

offered practical insights and analyses for conducting trade remedy investigations in accordance with global standards. Moreover, the staff gained exposure to recent developments in WTO Trade remedy laws, gaining valuable insights into their implications for national investigations.

Enhancing Trade Remedies Knowledge: Seminars and Workshops for Industry Advancement



The Commission took proactive steps to enhance trade remedy awareness and engagement in Jamaica. Through a series of impactful initiatives, including the Trade Remedies Seminar Series and the National Workshop on Trade Remedies, the ADSC has been fostering knowledge, collaboration and expertise among industry stakeholders. These efforts underscored the Commission's commitment to building trade remedies knowledge. This section delves into two significant initiatives that have been instrumental in raising awareness and competence in trade remedies among various stakeholders.

The subsequent two days of the workshops provided the opportunity for the forty-two (42) industry stakeholders to learn the fundamentals of international trade rules which affect their business and secure technical advice of strategic importance to specific industries. This event attracted participants from the CARICOM region, as well as key strategic public sector partners and manufacturers, who were actively considering the filing unfair trade related complaints. Representatives from several government Ministries, Departments, and Agencies joined manufacturers, agricultural producers, and other industry participants in demonstrating their strong commitment to the workshop's objectives. Upon successful completion of these training sessions, participants were duly awarded certificates.



Promoting Trade Policy for Sustainable Development: Executive Director's Presentation at Inaugural Conference

The Executive Director presented on the subject of “*Actioning Trade Policy - The Key Link in the Growth Agenda*” at the Department of Government, University of the West Indies “*Governance for Tomorrow: Innovation, Politics, Policy and Sustainable Development*” Conference at the Conference Centre in Montego Bay on Wednesday, July 25, 2018, through July 26, 2018. The conference aimed to increase the understanding of the different activities within various government agencies, share information and build capacity among the other stakeholders who interact with these agencies. The topics covered over the three days include ‘Governance, Innovation and the Politics of Transformation’, ‘Strengthening Participation for Development’, ‘Innovations in Transparency and Accountability’, and ‘Innovation and Youth: Issues of Opportunity and Exclusion’.



and Youth: Issues of Opportunity and Exclusion’.

The Executive Director of the Commission spoke on the role of the Anti-dumping and Subsidies Commission as a strategic response by the Government of Jamaica to manage the impact of this phenomenon and its work is a key part of the Government’s trade policy and its value in supporting the Growth Agenda and Vision 2030.

Other presenters at the conference included President of Jamaica Promotions Corporation (JAMPRO), Dianne Edwards; Head of the Caribbean Climate Innovation Centre (CCIC), Carlington Burrell; United Nations Development Programme (UNDP) Deputy Resident Representative, Dr. Elsie Laurence-Chounoune and Executive Director of the Scientific Research Council (SRC), Dr. Clifford Riley.

“Trade Remedies (antidumping, subsidies countervail and safeguards) form a critical policy tool to defend domestic industries from injury and deter unfair outcomes. In some cases, trade remedies help to fend off complete annihilation of promising Jamaican industries and give them time to become better able to compete with imports at home and with competitors in export markets.”

Excerpt from the Executive Director’s Speech at the Conference

Trade Remedies Capacity Enhanced Through Advanced Trade Policy Course (ATPC) Participation

The Commission seized the valuable opportunity for staff to participate in the Advanced Trade Policy Course at the WTO in Geneva, Switzerland, from October 6 to December 1, 2018. During the course, the Senior Economist received the highest level of training within the WTO's progressive learning framework, focusing on practical skills development in various trade-related areas such as policy, analysis, negotiations, dispute settlement, and monitoring.



The participation of the Senior Economist in this course yielded significant benefits for the Commission and its Staff. Notably, it provided a platform for networking with international trade bodies and experts, fostering valuable connections in the field. Engaging in roundtable discussions, sharing experiences, and debating trade topics enables the Senior Economist to gain insights and access best practices. The acquired knowledge and enhanced skills will contribute to the Commission's capacity to effectively analyse trade-related issues, engage in negotiations, and stay up to date with WTO rules and disciplines. Ultimately, this experience elevates the Commission's expertise and strengthens its ability to fulfil its mandate in the realm of international trade.



Enhancing Trade Remedies Application Through Strategic Engagements

With an unwavering commitment to excellence, the Commission has embraced a multifaceted strategy that encompassed collaboration and active participation in local and global trade remedies discourse. By positioning itself as a centre of excellence and fostering strategic partnerships, the Commission's endeavours have not only fortified its own capabilities but have also contributed significantly to Jamaica's standing on the global trade stage. Highlights of strategic partnerships engaged in and showcase of the expertise of the staff served to bolster the nation's trade remedies infrastructure.

Human Employment and Resource Training Trust, National Training Agency (HEART Trust/NTA): During the reporting period, the Commission continued its collaboration with the Human Employment and Resource Training Trust, National Training Agency (HEART Trust/NTA) towards the development of a Memorandum of Understanding (MOU) aimed at supporting training initiatives. These initiatives are focused on enhancing the knowledge and awareness of Trade Remedy disciplines among Jamaicans. Significant progress was made in the Implementation Plan through three working meetings held in January 2019, which resulted in the creation of a budget and agreement on activities for different phases. This partnership between the Commission and HEART Trust/NTA aims to address the lack of awareness of trade rules and procedures, enabling the full utilization of the Commission and other trade enforcement mechanisms. The training initiatives will enhance institutional and industry capacity in international trade remedies across all parishes in Jamaica, equipping participants with the necessary knowledge and skills to effectively utilize trade remedies.

Service to Dispute Settlement Panel by Executive Director: The reporting period witnessed a significant contribution by the Executive Director of the Commission to the World Trade Organization (WTO) dispute settlement panels, underscoring the Commission's expertise in international trade matters. WTO panels are the quasi-judicial bodies, charged with initially adjudicating disputes between members. The Executive Director's appointment as an expert demonstrates not only the intrinsic expertise within the Commission but also its active participation in global trade discourse. These panels are comprised of between three and five trade specialists from diverse countries who evaluate the pertinent factual and legal issues objectively to determine whether the challenged action complies with the covered agreement(s) cited by the complainant. The adjudicated on two panels during the period: Panel No. DS516 *China- EU Anti-dumping Methodologies* and Dispute Settlement Panel No. DS516, *European Union – Measures Related to the Price Comparison Methodologies*. At a key juncture in trade policy and substantial advancements on the trade front, particularly the growth of Jamaica as a major logistics centre, presence at this level contributed to the capacity building initiatives of the Agency to carry out the mandate and the Ministry's Mission with the utmost expertise. This engagement signified the Commission's commitment to enhancing its capacity and expertise, especially in the context of Jamaica's evolving role as a significant logistics hub and the nation's growing prominence on the global trade stage.

COMMITMENT TO EXCELLENCE: Continuous Improvement

The Commission fosters a strong and adaptable manufacturing and goods producing sector that can prosper in the global economy. Despite the challenges during the reporting period, the Commission executed core functions, through the provision of services to the manufacturing sector and other key stakeholders. The ADSC's efforts to continuously improve its service delivery and value to key stakeholders included improvements in the monitoring and reporting functions and increased engagements with stakeholders. It also involved gaining understanding to gear up to embark on the road to ISO Quality Management certification, encouraged by the parent Ministry and the Quality Management Unit colleagues there.

Improving the Quality Management Infrastructure

The Commission ended the year working towards enhancing the consistency of its customer excellence in operations through the implementation of an ISO 9001:2015 certifiable quality management system. This strategic initiative aims to improve operational efficiency and identify areas for optimization within the Commission's processes. The Executive Director, with the endorsement of the Board of Commissioners, allocated time and resources for measurable progress in pursuing ISO Certification.

To support this effort, the Commission engaged with Quality System Implementation Technicians under a project being implemented by the Ministry. Through collaborative sessions, the staff received initial guidance in the initial development stages of ISO documentation. This included outlining identifying the core processes to be certified, establishing sequential steps, and creating work instructions and documented procedures. By beginning to implement the required Plan Do Check Act cycle, which was already part of the Commission's cultural norms for processes, the Commission aimed to document its Quality Management System that ensured that its processes would be easily certified under the ISO 9000:2015 standard. Preparation for certification would involve a number of process audits and would involve greater ownership from assigned process owners, empowering staff members to enforce the quality standards, and implementing a comprehensive monitoring, measurement, analysis, and evaluation system to assess performance and drive continuous improvement.

The anticipated advantages of ISO certification for the Commission include the ability to routinely identify potential risks and opportunities within the business environment, maintain proper records of issues and develop long-lasting solutions.



PROJECTIONS FOR APRIL 2019 TO MARCH 2020

Key Financial and Operating Measures

The four-year strategic business plan (FY2019/2020-2022/2023) outlined the Commission's push towards increasing trade remedy awareness and use among industry personnel. The Commission intends to increase efforts in industry training, public education, consultations, and research to enhance capacity in trade remedy defensive actions.

The Key Financial and Operating Measures planned for FY2019/2020 and the years following were:

1. Deter through discipline unfairly traded imports which injure production in Jamaica

- Oversee 1 case filing by a domestic industry and/ or self-initiated within the ambit and scope of the legislation
- Three (3) consultations, technical advice and guidance per month
- Complete 4 trade research papers
- File 2 WTO notifications
- Complete Help Desk Business Plan
- Develop Help Desk policy and procedural manual

2. Train industry to Use Trade Remedies and Educate Public

- Deliver one (1) major trade remedies training seminar targeting 8 industries.
- Maintain website, targeting 900 hits annually
- Maintain and improve use of Facebook account and content

3. Legislative and Negotiation Advice

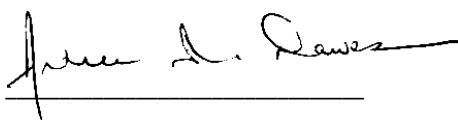
- Pursue completion of the CDDSA amendments with CPC
- Continue review of relevant local legislations and international agreements and the provision of suggested amendments to legislation

4. Increase Organizational and Management Excellence

- Conduct Board and Committee meetings periodically
- 100% compliance with Training Programme targets
- Provide trade policy support to Trade Facilitation Task Force Working Groups

ANNUAL REPORT OF THE ANTI-DUMPING AND SUBSIDIES COMMISSION for FY 2018 – 2019

Submitted by: Andrea Marie Dawes, Executive Director

Signed: 

Date: August 31, 2023

FINANCIAL OVERVIEW

Approved Budget

The financial implications of implementing identified strategies and achieving the Commission's performance targets over the period are shown below. Figures for the current budget year and for three previous years plus the amounts planned at the time are shown.

Item	15/16	16/17	17/18	18/19	19/20 Planning	20/21 Planning
	(J\$ '000)	(J\$ '000)	(J\$ '000)	(J\$ '000)	(J\$ '000)	(J\$ '000)
Total recurrent expenditure	46,933	46,614	54,496	66,597	71,462	76,027
Total capital A expenditure	0	0	0	0	600	0
Total capital B expenditure	0	0	0	0	0	0
Total Consolidated Fund Allocated Budget	47,675	46,614	50,360	62,537	70,323	76,961
Appropriation in aid (request pending)	0	0	0	0	0	0

The Commission's work programme is funded through Government subvention from the Consolidated Fund. The actual subvention received for the year totalled \$62.5 million; this was up from \$50.4 million in the previous year.

- > Salaries and travel expenses of \$38.2 million represented 61% of the subvention received in the current year. This reflected an increase compared to \$35.5 million in the previous year due to the increase in gratuity payments and the filling of the post for the Forensic Financial analyst/Financial Controller.
- > Property rental costs moved from \$8.7 million in FY2017/18 to \$9.3 million in the current year. Property rental costs represented 15% of the subvention received during the current year.

Administrative expenses moved from \$6.9 million in FY2017/18 to \$8.2 million in the current year.

Administrative expenses costs represented 13% of the subvention received during the current year.

During the year the Commission engaged the services of a consultant to bring its financial records up to date as the post of the Financial Controller remained vacant until mid-year.

COMPENSATION – BOARD OF COMMISSIONERS AND SENIOR EXECUTIVES

ANTI-DUMPING AND SUBSIDIES COMMISSION Senior Executive Compensation for FY2018/2019

Name and Position of Senior Executive	Year	Basic Salary	Gratuity or Performance Incentive	Travelling Allowance	Pension or Other Retirement Benefits	Other Allowances And Benefits	Non-Cash Benefits	Total
		\$	\$	\$	\$	\$	\$	\$
Andrea Marie Dawes, Executive Director	2018/2019	5,814,373	2,846,563	1,542,864	NA	-	NA	10,203,800
Ryan Evans, General Manager	2018/2019	3,708,847	1,862,240	1,542,864	NA	201,568	NA	7,315,519
Tara Marie Rose, Senior Legal Counsel	2018/2019	3,572,322	1,884,021	1,414,292	NA	322,364	NA	7,192,999
Andrew Mighty, Senior Economist	2018/2019	3,897,079	34,443	1,542,864	NA	-	NA	5,474,386
Rickurt Galloway, Forensic Financial Analyst/ Financial Controller	2018/2019	1,854,423	-	771,432	NA	-	-	2,625,855
Total		18,847,044	6,627,267	6,814,316	NA	523,932	NA	32,812,559

Notes:

- i. During the year the Senior Legal Counsel received Library Allowance of \$167,167 per annum and Robing Allowance of \$128,333. This amount is included in Other Allowances and Benefits.
- ii. Other Allowances and Benefits includes amounts paid in lieu of Vacation Leave
- iii. The FFA/FC post was filled in October 2018.

ANTI-DUMPING AND SUBSIDIES COMMISSION
Directors' Compensation for FY2018/2019

Name and Position of Director	Fees \$	Motor Vehicle Upkeep/Travelling or Value Assignment of Motor Vehicle \$	Honoraria \$	All Other Compensation including Non-Cash Benefits as applicable \$	Total \$
<i>Dr. Derrick McKoy</i> Chairman	750,000	NA	NA	NA	750,000
<i>Mr. Peter Champagne**</i> Commissioner	75,000	NA	NA	NA	75,000
<i>Mr. Clyde Jacks</i> Commissioner	450,000	NA	NA	NA	450,000
<i>Dorothy Lightbourne</i> Commissioner	375,000	NA	NA	NA	375,000
<i>Dr. Karl Reid</i> Commissioner	450,000	NA	NA	NA	450,000
<i>Ms. Gaunique Williams</i> Commissioner	450,000	NA	NA	NA	450,000
Total	2,550,000	NA	NA	NA	2,550,000

** Mr. Peter Champagne resigned as a Commissioner of the ADSC on June 5, 2018. Payment received represents Commissioner's Fees for April and May 2018.

APPENDIX: FINANCIAL STATEMENTS FOR APRIL 1, 2018 TO MARCH 31, 2019

ANTI-DUMPING AND SUBSIDIES COMMISSION

FINANCIAL STATEMENTS

YEAR ENDED MARCH 31, 2019

ANTI-DUMPING AND SUBSIDIES COMMISSION
Financial Statements
Year ended March 31, 2019

INDEX

	Page
Independent Auditor's Report	
<u>FINANCIAL STATEMENTS</u>	
Statement of Financial Position	1
Statement of Financial Performance	2
Statement of Changes in Equity	3
Statement of Cash Flows	4
Notes to Financial Statements	5 - 13



AUDITOR GENERAL'S DEPARTMENT
40 KNUTSFORD BOULEVARD
KINGSTON 5
JAMAICA
Tel. No.: 926-8309/926-5963/926-5846
Fax Number: 968-4690
audgen@auditorgeneral.gov.jm

INDEPENDENT AUDITOR'S REPORT

**To the Executive Director
Anti-Dumping and Subsidies Commission**

Opinion

I have audited the accompanying Financial Statements of the Anti-Dumping and Subsidies Commission, set out on pages 1 to 13, which comprise the Statement of Financial Position as at 31 March 2019, Statement of Financial Performance, Statement of Changes in Equity and Statement of Cash Flows for the year then ended, and a summary of significant accounting policies and other explanatory notes.

In my opinion, the Financial Statements give a true and fair view of the financial position of the Anti-Dumping and Subsidies Commission as at March 31, 2019, and of its financial performance, and its cash flows for the year then ended in accordance with International Public Sector Accounting Standards (IPSAS).

Basis for Opinion

The audit was conducted in accordance with the International Standards of Supreme Audit Institutions (ISSAIs). My responsibilities under those standards are further described in the *Auditor's Responsibility for the audit of the Financial Statements* section of this report. I am independent of the Commission in accordance with the International Ethics Standards Board for Accountants Code of Ethics for Professional Accountants (IESBA Code) and I have fulfilled my other ethical responsibilities in accordance with the IESBA Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Key Audit Matters

Key audit matters are those matters that, in my professional judgment, were of most significance in the audit of the financial statements for the year ended 31 March 2019. I have determined that there are no key audit matters to report.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these Financial Statements in accordance with IPSAS. This responsibility includes designing, implementing and maintaining internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

In preparing the financial statements, management is responsible for assessing the Commission's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless there are plans to liquidate the Commission or to cease operations, or has no realistic alternative but to do so.

Auditor's Responsibility for the audit of the Financial Statements

My responsibility is to express an opinion on these Financial Statements based on my audit. I conducted my audit in accordance with the auditing standards issued by the International Organization of Supreme Audit Institutions (INTOSAI).

Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high-level assurance but is not a guarantee that an audit conducted in accordance with ISSAIs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

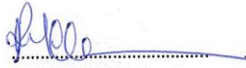
As part of an audit in accordance with ISSAIs, I exercised professional judgment and maintained professional skepticism throughout the audit. I also:

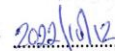
- Identified and assessed the risks of material misstatement of the financial statements, whether due to fraud or error, designed and performed audit procedures responsive to those risks, and obtained audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal controls.
- Obtained an understanding of internal controls relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission's internal control.
- Evaluated the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Concluded on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Commission's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. The conclusions are based on the audit evidence obtained up to the date of my auditor's report. However, future events or conditions may cause the Commission to cease to continue as a going concern.
- Evaluated the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that presents a true and fair view.

I have communicated with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that was identified during the audit.

Report on Additional Requirements of the Anti-Dumping and Subsidies Commission Act

I have obtained all the information and explanations which, to the best of my knowledge and belief, were necessary for the purpose of the audit. In my opinion, proper accounting records have been maintained and the Financial Statements are in agreement therewith and give the information required in the manner so required.

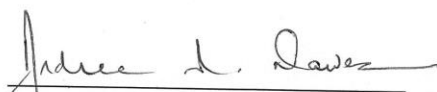

Auditor General


Date

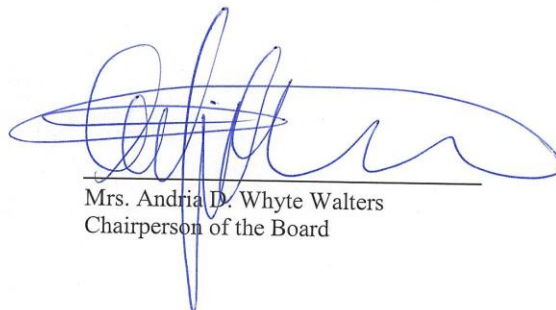
Anti-dumping and Subsidies Commission
Statement of Financial Position
As at March 31, 2019

	Note	2019 \$	2018 \$
Non-current assets			
Property, plant and equipment	5	<u>2,355,477</u>	<u>3,171,728</u>
		<u>2,355,477</u>	<u>3,171,728</u>
Current assets			
Receivables and prepayments	6	449,713	447,848
Cash and cash equivalents	7	<u>4,176,293</u>	<u>3,017,168</u>
		<u>4,626,006</u>	<u>3,465,016</u>
Current liabilities			
Employee benefits	8	4,882,622	7,127,291
Payables and accrued charges	9	<u>7,489,290</u>	<u>7,677,311</u>
		<u>12,371,912</u>	<u>14,804,602</u>
Net current liabilities		<u>(7,745,906)</u>	<u>(11,339,586)</u>
Net assets		<u>(5,390,429)</u>	<u>(8,167,858)</u>
Equity and reserves			
General reserve		<u>(5,390,429)</u>	<u>(8,167,858)</u>
		<u>(5,390,429)</u>	<u>(8,167,858)</u>

Approved for issue on behalf of the Anti-dumping and Subsidies Commission on June 13, 2022 and signed on its behalf by:



Mrs. Andrea Marie Dawes
Executive Director



Mrs. Andria D. Whyte Walters
Chairperson of the Board

The accompanying notes on pages 5 to 13 form an integral part of the financial statements.

Anti-dumping and Subsidies Commission
Statement of Financial Performance
For the year ended March 31, 2019

	Note	2019 \$	2018 \$
Revenue			
Subvention		62,537,013	50,360,442
Total Revenue		<u>62,537,013</u>	<u>50,360,442</u>
 Operating expenses			
Staff costs	10	38,181,250	35,465,048
Public utilities		520,328	707,805
Premises related expenses		9,250,593	8,658,819
Administrative expenses	11	8,222,927	6,891,467
Commissioners' fees		2,589,000	2,581,000
Depreciation expense	5	872,294	606,395
Audit fees		176,643	176,643
Bank charges		11,606	15,681
Total operating expenses		<u>59,824,641</u>	<u>55,102,858</u>
 Operating surplus/(deficit)		2,712,372	(4,742,416)
 Interest income		6,924	4,718
Other income	12	58,133	664,775
Net surplus/(deficit) for the year		<u>2,777,429</u>	<u>(4,072,923)</u>

The accompanying notes on pages 5 to 13 form an integral part of the financial statements.

Anti-dumping and Subsidies Commission
Statements of Changes in Equity
For the year ended March 31, 2019

	General Reserve \$	Total \$
Balance as at April 1, 2017	(4,094,935)	(4,094,935)
Deficit for the year	<u>(4,072,923)</u>	<u>(4,072,923)</u>
Balance as at March 31, 2018	<u>(8,167,858)</u>	<u>(8,167,858)</u>
Balance as at April 1, 2018	(8,167,858)	(8,167,858)
Surplus for the year	<u>2,777,429</u>	<u>2,777,429</u>
Balance as at March 31, 2019	<u>(5,390,429)</u>	<u>(5,390,429)</u>

The accompanying notes on pages 5 to 13 form an integral part of the financial statements.

Anti-dumping and Subsidies Commission
Statement of Cash Flows
For the year ended March 31, 2019

	Note	2019 \$	2018 \$
Cash Flows from Operating Activities			
Surplus/(deficit) for the year		2,777,429	(4,072,923)
Adjustments			
Depreciation expense	5	872,294	606,395
(Increase)/Decrease in receivables and prepayments		(1,865)	113,291
(Decrease)/Increase in current liabilities		(2,432,690)	4,805,769
Net cash from operating activities		<u>1,215,168</u>	<u>1,452,532</u>
Cash Flows from Investing Activities			
Capital expenditure	5	<u>(56,043)</u>	<u>(1,379,916)</u>
Net Cash used in Investing Activities		<u>(56,043)</u>	<u>(1,379,916)</u>
Cash Flows from Financing Activities			
Net Cash Flows from Financing Activities			
		<u>-</u>	<u>-</u>
Increase in Cash and Cash Equivalents		1,159,125	72,616
Cash and cash equivalents at the beginning of the year		<u>3,017,168</u>	<u>2,944,552</u>
Cash and cash equivalents at the end of the year		<u>4,176,293</u>	<u>3,017,168</u>

Anti-dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

Identification

The Anti-dumping and Subsidies Commission (ADSC) is a statutory not-for-profit organization established under the Custom Duties (Dumping and Subsidies) Act 1999 ('the Act') and the Safeguard Act 2001.

The principal function of the ADSC is to foster equity in international trade by vigorously enforcing laws which enhance fair trading practices between Jamaica and its international partners. The ADSC commenced operations in July 1999.

1. Statement of compliance and basis of preparation

i) Statement of compliance

The financial statements have been prepared in accordance with International Public Sector Accounting Standards (IPSAS) and their interpretation as adopted by the Anti-dumping and Subsidies Commission. IPSASs are developed and issued by the International Public Sector Accounting Standards Board. The IPAS Board is an independent board of the International Federation of Accountants. IPSASs are based on International Financial Reporting Standards (IFRS).

IPSAS deals with public sector reporting issues that are not addressed by IFRS. The preparation of the financial statements to conform to IPSAS requires management to make estimates and assumptions that affect the reported amount of assets and liabilities, contingent assets and contingent liabilities at the statement of financial position date and revenue and expenses during the reporting period. Actual results could differ from those estimates. The estimates and the underlying assumptions are reviewed on an ongoing basis and any adjustments that may be necessary are reflected in the year in which the actual results are known.

ii) Basis of preparation

The financial statements are prepared under the historical cost convention, and are presented in Jamaican dollars (\$), which is the functional and reporting currency of the Commission.

Anti-dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

2. Significant accounting policies

i. Cash and cash equivalents

Cash and cash equivalents are carried in the Statement of Financial Position at fair value. For the purpose of the Cash Flow Statement, cash and cash equivalents comprise cash at bank and cash in hand.

ii. Receivables

Accounts receivable reflected in the statement of financial position comprise amounts receivable from employees and excess payments for statutory deductions. Accounts receivables are carried at fair value less any provision for impairment losses. A provision for impairment is established when there is sufficient evidence that the entity will not be able to collect all the amounts due according to the original terms of the receivables.

iii. Accounts payable and accrued charges

Accounts payable are carried at fair value for the supply of goods and services and accruals are based on fair estimates of liabilities at the date of the statement of financial position.

iv. Property, plant and equipment

Property, plant and equipment are stated at historical cost less accumulated depreciation and impairment.

Subsequent costs are included in the assets' carrying amount or are recognized as a separate asset, as appropriate, only when it is probable that future economic benefits associated with the item will flow to the Commission and the cost of the item can be measured reliably. All other repairs and maintenance costs are charged to other operating expenses during the financial period in which they are incurred.

Depreciation on assets is calculated on the straight-line basis at annual rates that will write off the carrying value of each asset over the period of its expected useful life. Annual depreciation rates are as follows:

	%
Computers hardware	25
Computer software	25
Office furniture, fixtures and fittings	10

Anti-dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

3. Significant accounting policies (cont'd)

iv. Property, plant and equipment (cont'd)

Property, plant and equipment are reviewed periodically for impairment. Where the carrying amount of an asset is greater than its estimated recoverable amount, it is written down immediately to its recoverable amount.

v. Employee benefits

A provision is made for the estimated liability for annual vacation leave earned but not taken and gratuity earned but not paid as at the date of the statement of financial position.

The Commission engages employees on a contractual basis and as such does not recognize a pension obligation.

vi. Provisions

Provisions are recognized when the Commission has a present legal or constructive obligation, as a result of past events, and it is probable that an outflow of resources embodying economic benefits will be required to settle the obligation and a reliable estimate of the amount of the obligation can be made.

vii. Financial instruments

A financial instrument is any contract that gives rise to both a financial asset of one enterprise and a financial liability or equity instrument of another enterprise. The Commission's Financial Instruments at March 31, 2019 were receivables and payables.

At the date of the Statement of Financial Position there was no indication that an impairment loss had occurred. Consequently, no formal estimate of recoverable amount was required.

viii. Revenue recognition

Revenue is recognized in the Statement of Financial Performance when the significant risks and rewards of ownership have been transferred to the Commission.

Anti-dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

3. Significant accounting policies (cont'd)

viii. Revenue recognition (cont'd)

Subvention is recognized when actual amounts are received as well as when statutory deductions are paid on behalf of the Commission by the portfolio Ministry.

Interest income is recognized in the Statement of Financial Performance for all interest bearing instruments on an accrual basis.

ix. Taxation

The Commission is tax exempt under Section 12 (b) of the Income Tax Act.

4. Financial risk management

The Commission's activities expose it to a variety of financial risks: market risks (including currency risk and interest rate risk), credit risk, liquidity risk and operational risk. The Commission's overall risk management policies are established to identify and analyze risk exposure, to set appropriate risk limits and controls and to monitor risks and adherence to established limits. The risk management framework is based on guidelines set by management and to minimize potential adverse effects on the Commission's financial performance and operational performance.

a. Market risk

The Commission is exposed to market risks, which is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in the market prices. Market risks mainly arise from changes in foreign currency exchange rates. The Commission had no significant exposure to market risk at the date of the statement of financial position.

i. Currency risk

Currency risk is the risk that the value of a financial instrument will fluctuate due to changes in exchange rates. At the end of the financial year the Commission had no material exposure to foreign currency risk.

Anti-dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

4. Financial risk management (cont'd)

a. Market risk (cont'd)

ii. Interest rate risk

Interest rate risk is the risk that the interest earned on interest bearing bank account balances will fluctuate due to changes in market interest rates. Income and operating cash flows are substantially independent of changes in market interest rates. The Commission's interest rate risk arises from cash held in savings accounts.

The interest bearing cash balances as March 31st were:

	2019	2018
	\$	\$
Savings Account	<u>1,670,574</u>	<u>1,663,650</u>

b. Liquidity risk

Liquidity risk is the risk that an organization will encounter difficulty in raising funds to meet its commitments associated with financial instruments. The Commission manages this risk by maintaining sufficient liquid funds and through the budgetary support from the Consolidated Fund.

2019				
Financial Liabilities	Carrying Amount	Contract Amount	Due within 3 months	Due within 1 year
	\$	\$	\$	\$
Payables and accruals	7,489,290	7,489,290	7,489,290	-
Employee Benefits	<u>4,882,622</u>	<u>4,882,622</u>	<u>1,335,686</u>	<u>3,546,936</u>
	<u>12,371,912</u>	<u>12,371,912</u>	<u>8,824,976</u>	<u>3,546,936</u>

2018				
Financial Liabilities	Carrying Amount	Contract Amount	Due within 3 months	Due within 1 year
	\$	\$	\$	\$
Payables and accruals	7,677,311	7,677,311	7,677,311	-
Employee Benefits	<u>7,127,291</u>	<u>7,127,291</u>	<u>2,245,718</u>	<u>4,881,573</u>
	<u>14,804,602</u>	<u>14,804,602</u>	<u>9,923,029</u>	<u>4,881,573</u>

Anti-dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

4. Financial risk management (cont'd)

c. Credit Risk

Credit risk is the risk that one party to a financial instrument will fail to discharge an obligation and cause the other party to incur a financial loss. The following financial assets held by the Commission at the statement of financial position date are exposed to credit risks:

	2019	2018
	\$	\$
Cash and cash equivalents	4,176,293	3,017,168
Accounts receivable (excluding prepayments)	324,088	329,724
	<u>4,500,381</u>	<u>3,346,892</u>

5. Property, plant, and equipment

	Furniture and Equipment \$	Fixture and Fittings \$	Computer Hardware \$	Computer Software \$	Total \$
Cost:					
1 April 2018	5,272,940	560,691	5,783,935	619,060	12,236,626
Additions	24,893	9,515	21,635	-	56,043
Disposal	-	-	-	-	-
31 March 2019	<u>5,297,833</u>	<u>570,206</u>	<u>5,805,570</u>	<u>619,060</u>	<u>12,292,669</u>
Depreciation:					
1 April 2018	4,290,628	407,177	4,182,547	184,546	9,064,898
Charge for the year	194,812	56,148	500,319	121,015	872,294
Disposal	-	-	-	-	-
31 March 2019	<u>4,485,440</u>	<u>463,325</u>	<u>4,682,866</u>	<u>305,561</u>	<u>9,937,192</u>
Net Book Value:					
31 March 2019	<u>812,393</u>	<u>106,881</u>	<u>1,122,704</u>	<u>313,499</u>	<u>2,355,477</u>
31 March 2018	<u>982,312</u>	<u>153,514</u>	<u>1,601,388</u>	<u>434,514</u>	<u>3,171,728</u>

Anti-Dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

6. Receivable and prepayments

	2019	2018
	\$	\$
Prepayments	125,625	118,124
Accounts receivable	324,088	329,724
	<u>449,713</u>	<u>447,848</u>

7. Cash and cash equivalents

	2019	2018
	\$	\$
Cash at bank	4,156,293	2,997,168
Cash in hand	20,000	20,000
	<u>4,176,293</u>	<u>3,017,168</u>

8. Employee Benefits

	2019	2018
	\$	\$
Provision for gratuity	4,379,654	6,470,935
Provision for vacation leave	502,968	656,356
	<u>4,882,622</u>	<u>7,127,291</u>

9. Payables and accrued charges

	2019	2018
	\$	\$
Accounts Payable	2,116,443	1,760,132
Statutory Deductions	2,962,639	2,363,022
GCT payable	1,397,360	2,637,465
Audit fees	883,215	706,572
Other payables	103,106	183,593
Rent payable	26,527	26,527
	<u>7,489,290</u>	<u>7,677,311</u>

Anti-Dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

10. Staff Cost

	2019	2018
	\$	\$
Salaries, wages and related costs	24,970,079	24,393,117
Travelling expenses and subsistence	7,413,042	5,137,688
Employee benefits expense	5,798,129	5,934,243
	<u>38,181,250</u>	<u>35,465,048</u>

10a. Senior managers' remuneration

Senior Manager	Basic Salary	Gratuity	Motor Vehicle Upkeep Allowance	Other	Total	2018
	\$	\$	\$	\$	\$	\$
Executive Director	5,814,373	2,846,563	1,542,864	-	10,203,800	7,041,989
General Manager	3,708,847	1,862,240	1,542,864	201,568	7,315,519	4,607,813
Senior Legal Counsel	3,572,322	1,884,021	1,414,292	322,364	7,192,999	5,114,717
Senior Economist	3,897,079	34,443	1,542,864	-	5,474,386	6,740,861
FFA/Financial Controller	1,854,423	-	771,432	-	2,625,855	-
	<u>18,847,044</u>	<u>6,627,267</u>	<u>6,814,316</u>	<u>523,932</u>	<u>32,812,559</u>	<u>23,505,380</u>

Anti-Dumping and Subsidies Commission
Notes to the Financial Statements
For the year ended March 31, 2019

11. Administrative expenses include:

	2019	2018
	\$	\$
Consultancy fees	2,103,000	1,565,000
Stationery and office supplies	924,645	792,795
Repairs and maintenance	186,120	170,332
Miscellaneous expenses	6,212	135,329
Advertising & promotion	267,177	147,615
Insurance	160,000	157,500
Courier services	61,978	60,429
Meeting expenses	(4,882)	30,977
Office expenses	402,350	582,761
Penalties and other charges -TAJ	54,679	-
Training	655,611	462,576
Janitorial services	424,211	438,122
General Consumption Tax Returns	2,981,826	2,348,031
	<u>8,222,927</u>	<u>6,891,467</u>

12. Other Income

	2019	2018
	\$	\$
Seminar Fees	58,133	-
Refund of Property Maintenance Charges	-	503,940
Reimbursement by Employees	-	160,835
	<u>58,133</u>	<u>664,775</u>

For more information on Trade Remedies and the Commission, please contact:

THE ANTI-DUMPING AND SUBSIDIES COMMISSION
A Portfolio Agency of Ministry of Industry, Investment and Commerce (MIIC)

The JAMPRO Trade and Invest Building

18 Trafalgar Road, Kingston 10

Telephone: 927-8665, 978-1800

Facsimile: 978-1093

Email: antidump@jadsc.gov.jm

Visit us on the web at www.jadsc.gov.jm



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