


## Andrew Hudson

*Partner*

T: +61 3 9321 7851

E: AHudson@rigbycooke.com.au

 [linkedin.com/in/andrew-hudson-7005528](https://www.linkedin.com/in/andrew-hudson-7005528)

 @AndrewHudsonLaw



Andrew Hudson is a Partner in our Customs & Trade team, with significant expertise across international trade law and customs.

Andrew is a trusted, highly regarded adviser to businesses, industry associations, peak bodies and government, and regularly consults on legal and trade developments that affect Australian and international businesses. He assists importers, exporters, licensed customs brokers, freight forwarders, importers and exporters, marine insurers and trade financiers, and other industry parties with procedural and legal advice, including reviews and litigious matters. This advice is provided in Australia and overseas, where Andrew works with a network of colleagues at law firms across the world.

Andrew specialises in all areas of trade including international trade conventions, dispute resolution and arbitration, trade financing options, commodity and freight contracts. He represents his clients' best interests during inquiries or prosecutions by government agencies, in matters involving dumping and alleged underpayments of customs duty, breaches of licence conditions by service providers, biosecurity and defence control issues along with any associated litigation.

Andrew is regularly recognised for his expertise in international legal guides, including Who's Who Legal and Best Lawyers.

Andrew is a Director and Life Member of the International Forwarders & Customs Brokers Association Australia (IFCBAA), a Director for the Export Council of Australia (ECA), and an Executive of the Management Committee of the Food and Beverage Importers of Australia (FBIA). In these capacities, he is actively involved and regularly engages with government agencies and peak industry bodies operating across Australian borders.

In addition, Andrew holds various advisory positions, including for the National Committee on Trade Facilitation (NCTF) and its advisory groups, International Trade Remedies Forum (ITRF) and all sub-committees (established by the Department of Industry and Science and the Anti-Dumping Commission (ADC), Australian Border Force (ABF) Advisory Committee to assist implementation of the Australian Trusted Trade Programme, Australian Law Reform Commission's former Reference on Civil and Administrative Penalties', Customs Broking Technical Advisory Committee for the review of the Customs Brokers Diploma as part of the Transport and Logistics Training Package, the Stakeholder Advisory Committee to the development of the *New Zealand Customs and Excise Act 2018*, and the Business at OECD (BIAC) Trade Committee. He is also Chairperson of the Private Sector Group, NCTF established by the ABF to implement the WTO Trade Facilitation Agreement and a member of the Department of Foreign Affairs and Trade Rules of Origin consultative group.

### Expertise

Customs & Trade

Litigation &  
Dispute Resolution

### Specialisation

Customs regulations

International relations

International trade law

### Sectors

International Business

Manufacturing

Transport & Logistics

## Significant experience, cont.

- Judicial and administrative review of the actions of various government agencies, including the Department of Home Affairs, Australian Border Force (**ABF**), Department of Agriculture Fisheries and Forestry (**DAFF**), Office of Transport Security (**OTS**), Australian Sanctions Office (**ASO**), Department of Export Controls, Australian Taxation Office (**ATO**) and Anti-Dumping Commission (**ADC**).
- Representing a significant Australian manufacturer in a number of Administrative Appeals Tribunal (**AAT**) matters to oppose applications for Tariff Concession Orders (**TCOs**) by importers of competing products.
- Representing significant Australian importers of bed linen in an AAT action to reinstate TCOs leading to a refund of customs duty and GST in excess of \$70 million.
- Representing parties in AAT matters relating to valuation, tariff classification and TCOs.
- Successfully representing importers of goods in findings by the AAT and the Federal Court of Australia that anti-dumping and countervailing products did not apply to the goods they were importing.
- Representing overseas exporters of various products and their Australian importers in relation to investigations and other matters before the ADC including chemicals, power transformers, canned mushrooms, aluminium road sheets, aluminium extrusions and steel of different types. This has included appeals before the Anti-Dumping Review Panel and the Federal Court.
- Successfully representing freight forwarders and licensed customs brokers in litigation regarding provision of services.
- Acting for several Australian companies to review tariff classifications adopted by the and the alleged incorrect use of concessional items leading to a reduction of duty payable and refund of past duty paid.
- Acting for industry associations, importers and service providers to secure compensation for losses following the introduction of new customs IT systems and in response to incorrect actions by customs and other government agencies.
- Representing industry during the introduction of new Federal and State legislation including submissions to government on new legislative and procedural changes, appearances before Parliamentary Inquiries into implementing legislation, appearances before the Productivity Commission, submissions on reviews of Free Trade Agreements and the Australian anti-dumping and subsidy regime.
- Representing parties in investigations by other government agencies such as the DAFF including defending prosecutions by those agencies and actions to protect import and export permits.
- Representing major Australian food manufacturers, exporters and other companies trading in Australian and overseas including defending investigations by overseas governments and their agencies.
- Advising freight forwarders and their insurers in relation to the return and recovery of 170 containers of potentially hazardous material from Vietnam and the safe disposal of that material in Australia.
- Advising on regulatory and compliance issues including the focus on licensing of service providers, cargo reporting issues and the customs aspects of Transfer Pricing Arrangements.
- Advising on restrictions on the exports of goods to Iran and other countries subject to sanctions, including significant advice to overseas parties on the scope of Australia's sanctions and import and export controls arising from the Russian conflict with the Ukraine.

## Qualifications

Bachelor of Arts,  
*The University of Melbourne*

Bachelor of Laws,  
*The University of Melbourne*

## Memberships

ECA, Director and Trade  
Policy Committee

IFCBAA, Director, Victorian  
Advisory Committee and  
Life Member

FBIA, Executive Committee

ICC, Global Customs  
and Trade Facilitation  
Commission and Australia  
National Policy Committee

International Federation  
of Freight Forwarders  
Associations (**FIATA**),  
Member of the Advisory  
Body on Legal Matters  
(**ABLM**)

Customs and International  
Trade Bar Association of  
New York City

International Law Section  
of the American Bar  
Association

Business at OECD (**BIAC**)  
Trade Committee

## **Significant experience, cont.**

- Advising on the export and import of controlled goods including securing all necessary approvals for their movement.
- Advising on restrictions on the import of prawns and other pests such as the Brown Marmorated Stink Bug and the Khapra Beetle.
- Advice on the import of goods which may contain asbestos as well as defending actions by the against possible asbestos imports.
- Extensive involvement in providing education to industry groups and associations, including delivery of several presentations to the IFCBAA CPD program.
- Presentations at industry conferences in Australia and overseas, such as those conducted by the American Bar Association, the International Federation of Customs Brokers Associations, the Customs Brokers and Freight Forwarders Association of New Zealand and the International Chamber of Commerce (ICC).
- Presentations to students undertaking Master of Laws and visiting judicial delegations at The University of Melbourne on International Trade issues.