



## Exporter Questionnaire Accelerated Review No.471

**Product:** Steel Reinforcing Bar

**From:** Thailand

**Period of Review:** 1 January 2017 to 31 December 2017

**Response due by:** **7 May 2018**

**Important note:** The timeliness of your response is important. Please refer below for more information.

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**Anti-Dumping Commission website:** [www.adcommission.gov.au](http://www.adcommission.gov.au)

**Return completed  
questionnaire to:**

[investigations3@adcommission.gov.au](mailto:investigations3@adcommission.gov.au)

OR

Anti-Dumping Commission  
GPO Box 2013  
CANBERRA  
ACT 2601  
Australia

Attention: Director Investigations 3

## **GOODS UNDER CONSIDERATION**

The goods under consideration (the goods) ie the goods exported to Australia, allegedly at dumped prices and/or in receipt of subsidies, are:

Hot-rolled deformed steel reinforcing bar whether or not in coil form, commonly identified as rebar or debar, in various diameters up to and including 50 millimetres, containing indentations, ribs, grooves or other deformations produced during the rolling process.

The goods covered by this application include all steel reinforcing bar meeting the above description regardless of the particular grade, alloy content or coating.

Goods excluded from this application are plain round bar, stainless steel and reinforcing mesh. –

### **Review period**

Dumping in relation to steel reinforced bars exported to Australia from Thailand will be determined on the basis of a review period from **1 January 2017 to 31 December 2017** (hereinafter referred to as ‘the review period’).

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## INSTRUCTIONS

### Why you have been asked to fill out this questionnaire?

The Anti-Dumping Commission (the Commission) is responsible for investigating whether steel reinforcing bar (rebar) has been exported to Australia from Thailand at prices less than their normal value.

The Commission will use the information you provide to determine normal values and export prices over the review period. This information will determine whether rebar has been dumped.

The Commission's review will be carried out under the provisions of the Part XVB of the *Customs Act 1901* (the Act).

### What happens if you do not respond to this questionnaire?

You do not have to complete the questionnaire. However, if you do not respond, do not provide all of the information sought, do not provide information within a reasonable time period, or do not allow the Commission to verify the information, we may deem you uncooperative and terminate the review under subsection 269ZE(3) of the Act.

It is in your interest, therefore, to provide a complete and accurate submission, capable of verification.

### Due date for response

Manufacturers and exporters are requested to respond to this questionnaire and return it to the Commission within the timeframes specified on the cover page.

The Commissioner must consider the direction from the then Minister for Industry, Innovation and Science as set out in the *Customs (Extensions of Time and Non-cooperation) Direction 2015* (the Direction). This Direction sets out the particular considerations that the Commissioner must take into account when:

- deciding whether a longer period is reasonably required or practicable under subsection 269TC(6) and 269TC(9) of the Act, or considering whether to allow any interested party a longer period to give any response;
- considering an insufficient response from an interested party;
- determining whether to have regard to a late response;
- determining whether an exporter is an uncooperative exporter;
- determining whether or not an entity is a non-cooperative entity for the purposes of section 269TAACA; and
- determining whether an entity has significantly impeded a case.

The full text of the Direction and the accompanying explanatory statement is available on the Comlaw website at [www.comlaw.gov.au](http://www.comlaw.gov.au). This and other reforms to Australia's anti-dumping system are explained in Anti-Dumping Notice 2015/129, available on the Commission's website at [www.adcommission.gov.au](http://www.adcommission.gov.au).

## **Confidential and non-confidential submissions**

You are required to lodge one confidential version (for official use only) and one non-confidential version (for public record) of your submission by the due date.

Please ensure that *each page* of information you provide is clearly marked either “FOR OFFICIAL USE ONLY” or “PUBLIC RECORD”.

All information provided to the Commission in confidence will be treated accordingly. The non-confidential version of your submission will be placed on the public record.

Please note, Australia’s anti-dumping and countervailing legislation requires that to the extent that information given to the Commission is claimed to be confidential or whose publication would adversely affect a business or commercial interest, the person giving the information must ensure that a summary of that information contains sufficient detail to allow a reasonable understanding of the substance of the information, but does not breach confidentiality nor adversely affect those interests.

The legislation allows that a person is not required to provide a summary for the public record if the Commission can be satisfied that no such summary can be given that would allow a reasonable understanding of the substance of the information. However, such a summary would add considerably to an interested party’s understanding of information contained in a document.

As provided for in Australia’s anti-dumping and countervailing legislation, all submissions are required to have a bracketed explanation of deleted or blacked out information for the non-confidential version of the submission. Note that if such an explanation is not provided, the Commission may disregard the information in the submission. An example of a statement to accompany deleted/blacked out text is:

[explanation of cost allocation through the divisions].

If, for some reason, you cannot produce a non-confidential summary, please contact the investigation case manager.

## **Exporter’s declaration**

At section H, you are required to make a declaration that the information contained in your submission is complete and correct. Alternatively, if you did not export the goods during the period of investigation, you may make a declaration to that effect.

You must return a signed declaration with your response to the questionnaire.

## **Verification of the information that you supply**

The Commission will seek to verify the information provided in your submission. Where required, a verification visit may be required. The purpose of the visit is to verify the information submitted in response to this questionnaire. It is not meant to be a chance for you to provide new or additional information. The Commission expects your response to the questionnaire to be complete and accurate.

Verification visits take several days. We will want to examine in detail your company's records in respect of the goods and will ask for copies of documents relating to the manufacture and sale of the goods. We will need to consult with your staff, particularly your financial controller (or accountant) and your domestic and export sales people. We may also need to see your factory, in which case we will need to consult with your operational managers.

After gathering the information we will prepare a report of the visit. We will provide you with a draft of the report and then respond to any questions you have. We will ask you to prepare a non-confidential copy of the report for the public record.

### **If you do not manufacture the goods**

You may export but not produce or manufacture the goods (for example, you are a trading company, broker, or vendor dealing in the goods).

In such cases it is important that you forward a copy of this questionnaire to the relevant manufacturers **immediately**. You should also inform the investigation case officer of the contact details for these manufacturers.

You should complete those sections of the questionnaire that you are reasonably able to complete. If, for example, you are unable to supply details of production costs, you should clearly explain why the section does not apply to your company.

### **If you do not export the goods**

Depending on the arrangement for sale of the goods to Australia through an intermediary, the Commission will have to determine who is the exporter of the goods for the purpose of this review.

If you are not the exporter of the goods, this may mean that you are not entitled to a review.

In any case, information (such as cost of production data) supplied by the manufacturer will be relevant to establishing the normal value of the goods. In the absence of verified information, the Commission may use other available information. This information may result in a decision less favourable to your company.

### **Outline of information required by this questionnaire**

- Section A** General information relating to your company including financial reports.
- Section B** A complete list of your company's exports to Australia over the review period.
- Section C** A list of goods sold on the domestic market of the country of export (like goods) that may be compared to the goods under consideration (the goods).
- Section D** A detailed list of all of your company's sales of like goods in your domestic market.

- Section E** Information to allow a fair comparison between export and domestic prices.
- Section F** Information in relation to your company's exports of like goods to countries other than Australia.
- Section G** Costs to make and sell, for exports to Australia and for the domestic market.
- Section H** Your declaration.
- Section I** A checklist.

**Appendix 1** A glossary of terms used in this questionnaire

### Some general instructions for preparing your response

- When answering the questionnaire please carefully read all instructions. The Commission requires a response to *all* sections of this questionnaire. Please provide an explanation if a question is not relevant to your situation.
- Answer questions in the order presented in the questionnaire. Please ensure that information submitted conforms to the requested format and is clearly labelled. Please repeat the question to which you are responding and place your answer below it.
- Identify source documents and advise where they are kept. During on-site verification you should be prepared to substantiate all the information you have submitted. Every part of the response should be traceable to company documents that are used in the ordinary course of business.
- We recommend that you retain all work sheets used in answering the questionnaire, in particular those linking the information supplied with management and accounting records. This will help us to verify the information.
- Clearly identify all units of measurement and currencies used. Apply the same measurement consistently throughout your response to the questionnaire.

### Instructions on providing electronic data

- It is important that information is submitted in electronic format.
- Electronic data should be emailed or submitted on a CD-ROM, in IBM/MS-DOS format, or another operating system whose disk format is compatible with this MS-DOS version. **The Commission can also take receipt of data via its web based file sharing facility. Please contact the case manager for further details.**

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- The data must be created as spreadsheet files, preferably in Microsoft Excel, or alternatively in an Excel compatible format (for example, Excel can normally access data in Dbase or as an ASCII file).
- The Excel files must be compatible to the USA version.
- If you cannot present electronic data in the requested format contact the investigation case officer as soon as possible.

### **Further information**

. We advise that you read the attached glossary of terms.

If you require further assistance, or you are having difficulties completing your submission, please contact the investigation case manager. The Commission will need to know the reasons.



## **SECTION A COMPANY STRUCTURE AND OPERATIONS**

This section requests information relating to company details and financial reports.

This section requests information relating to company details and financial reports.

### **A-1 Identity and communication**

Please nominate a person within your company who can be contacted for the purposes of this review:

*Head Office: [Tata Steel \(Thailand\) Public Company Limited](#)*

Name: [Mr. Chaichalerm Bunyanuwat](#)  
Position in the company: [Vice President – Marketing and Sales](#)  
Address: [555 Rasa Tower 2, 20th Floor, Phaholyothin Road, Chatuchak, Bangkok 10900 Thailand](#)  
Telephone: [+66-81803-9429](#)  
Facsimile number: [+66-2937-1223](#)  
E-mail address of contact person: [chaichalermb@tatasteelthailand.com](mailto:chaichalermb@tatasteelthailand.com)

*Factory: [N.T.S. Steel Group Public Company Limited \(NTS\)](#)*

Address: [No. 351, Moo 6, 331 Highways, Hemaraj Chonburi Industrial Estate, Bowin, Sriracha, Chonburi 20230, Thailand](#)  
Telephone: [66 \(3\) 834 5355](#)  
Facsimile number: [66 \(3\) 834 5350](#)  
E-mail address of contact person: [chaichalermb@tatasteelthailand.com](mailto:chaichalermb@tatasteelthailand.com)

Remark: DOA, please refer to attached file “A-1.1 NTS POA.pdf”

### **A-2 Representative of the company for the purpose of investigation**

If you wish to appoint a representative to assist you in this review, provide the following details:

Name: [Mrs. Piyama Wongpaisarn](#)  
Address: [555 Rasa Tower 2, 20th Floor, Phaholyothin Road, Chatuchak, Bangkok 10900 Thailand](#)  
Telephone: [+66-86971-2288](#)  
Facsimile number: [+66-2937-1223](#)  
E-mail address of contact person: [piyamaw@tatasteelthailand.com](mailto:piyamaw@tatasteelthailand.com)

Name: [Mr. Napat Tungtrakulchai](#)  
Address: [555 Rasa Tower 2, 20th Floor, Phaholyothin Road, Chatuchak, Bangkok 10900 Thailand](#)  
Telephone: [+66-83858-9107](#)  
Facsimile number: [+66-2937-1223](#)  
E-mail address of contact person: [napattu@tatasteelthailand.com](mailto:napattu@tatasteelthailand.com)

Remark: DOA, please refer to attached file “A-2.1 NTS POA Appointee.pdf”

Note that in nominating a representative, the Commission will assume that confidential material relating to your company in this review may be freely released to, or discussed with, that representative.

### A-3 Company information

1. What is the legal name of your business? What kind of entity is it (eg. company, partnership, sole trader)? Please provide details of any other business names that you use to export and/or sell goods.

Name: N.T.S. Steel Group Public Company Limited (NTS)

Entity: Public Company, Manufacturer and Sales.

Other Business Name: None

2. Who are the owners and/or principal shareholders? Provide details of shareholding percentages for joint owners and/or principal shareholders. (List all shareholders able to cast, or control the casting of, 5% or more of the maximum amount of votes that could be cast at a general meeting of your company).

Principal Shareholders of NTS: Tata Steel (Thailand) Public Company Limited (TSTH)

Shareholdings: 99.75%

3. If your company is a subsidiary of another company, list the principal shareholders of that company.



Tata Steel (Thailand) Public Company Limited

FORM 56-1 FY 2016-2017

#### Shareholders

Top ten major shareholders from 7,177 Shareholders on the book closing date on May 25, 2017 for the right to attend the Annual General Meeting of Shareholders No.16 are detailed below;

Name	Ordinary Shares	%
1. T S GLOBAL HOLDING PTE LTD <sup>(a)</sup>	5,718,472,083	67.90
2. MR. VEERAPHAN THEEPSUWAN	448,906,500	5.33
3. BANGKOK BANK PLC	296,050,796	3.52
4. MR. VIROJ UNGPAIBOON	273,002,901	3.24
5. THAI NVDR COMPANY LIMITED <sup>(b)</sup>	103,405,637	1.23
6. PERSHING LLC	100,772,455	1.20
7. MR. THEERACHAI KEERATITECHAKORN	95,048,700	1.13
8. EAST FOURTEEN LIMITED-DIMENSIONAL EMER MKTS VALUE FD	48,610,300	0.58
9. HORRUNGRUANG'S GROUP (Comprised of 7 natural persons)	40,009,240	0.48
10. MR. AMPON VIROJVECHAPAND	36,200,000	0.43
<b>TOTAL</b>	<b>7,160,478,612</b>	<b>85.03</b>
11. OTHER SHAREHOLDERS (7,161 persons)	1,261,062,236	14.97
<b>GRAND TOTAL</b>	<b>8,421,540,848</b>	<b>100.00</b>

#### Remarks

(a) Operates its business as an investment company, a wholly owned subsidiary of Tata Steel Limited. The company was incorporated in 2008 and is based in Singapore. Tata Steel Global Holding Pte. Ltd. holds more than 50% shares of the Company. It may, therefore, be possible for the majority shareholder to control almost all the resolutions in the Shareholders Meeting such as; voting in agenda of appointment of directors or any others voted agenda.

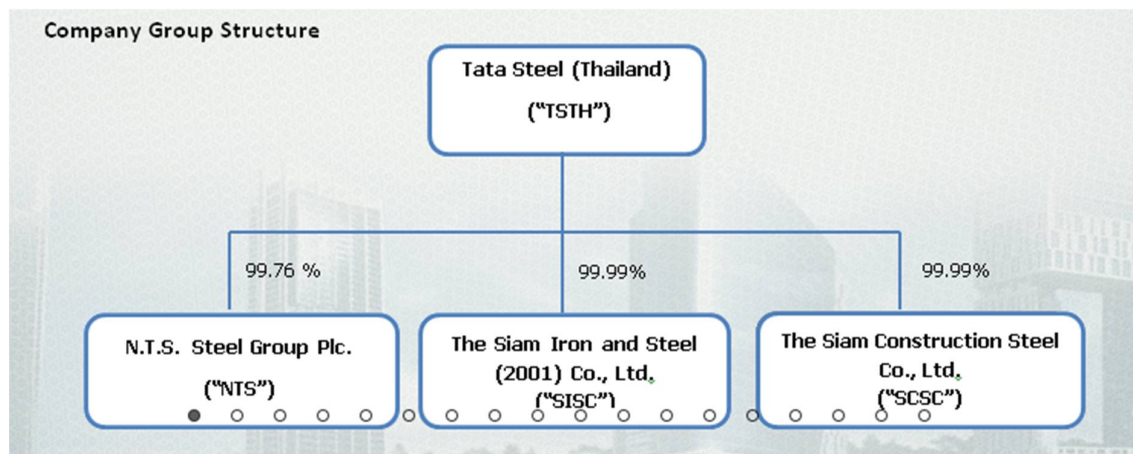
(b) THAI NVDR COMPANY LIMITED is a subsidiary owned by the Stock Exchange of Thailand. NVDR holders receive the same full financial benefits as they would receive had they invested directly in shares excepted the voting right of shareholders meeting. Further information regarding THAI NVDR COMPANY LIMITED can be found on [www.set.or.th](http://www.set.or.th)

As of May 25, 2016, TSTH has 7,008 of Non-Strategic Shareholders (Free-Float), is equivalent to 2,254,136,233 of ordinary shares, calculated from the total paid up ordinary shares of 8,421,540,848 or 26.77%

4. If your parent company is a subsidiary of another company, list the principal shareholders of that company.

Principal Shareholders, TS Global Holdings Pte., Ltd., Subsidiary of Tata Steel Limited (TSL) Shareholdings: 100%

5. Provide a diagram showing all associated or affiliated companies and your company's place within that corporate structure.



6. Are any management fees/corporate allocations charged to your company by your parent or related company?

TSTH perform many services to NTS as its subsidiaries, for example, on sales, human resources, procurement, etc. Due to all of the rendering services was paid by TSTH, the management fees will be charged to NTS and other subsidiaries. (Calculated from sales volume of each company)

7. Describe the nature of your company's business. Explain whether you are a producer or manufacturer, distributor, trading company, etc.

N.T.S. Steel Group Public Company Limited (NTS) is one of the three subsidiaries of Tata Steel (Thailand) Public Company Limited (TSTH). TSTH operates its business as a holding company with shareholding in its three subsidiaries namely NTS, SISCO and SCSC. The three subsidiaries produce Reinforcing bars (Rebars), wire rods, small section and Special Bar Quality Steel. NTS is also a manufacturer and sales.

8. If your business does not perform all of the following functions in relation to the goods under consideration, then please provide names and addresses of the companies which perform each function:

- produce or manufacture = Yes
- sell in the domestic market = Yes
- export to Australia, and = No
- export to countries other than Australia. = Yes

NTS has never exported the goods to Australia since 2011. But NTS export the goods to countries other than Australia.

9. Provide your company's internal organisation chart. Describe the functions performed by each group within the organisation.

Please refer to attached file "A-3.1 NTS Organisation.pdf"

10. Provide a copy of your most recent annual report together with any relevant brochures or pamphlets on your business activities.

Please refer to attached file "A-3.2 NTS Financial statement.pdf"

#### **A-4 General accounting/administration information**

1. Indicate your accounting period.

Indicate our accounting period.

Apr – Mar.

2. Indicate the address where the company's financial records are held.

Indicate the address where the company's financial records are held. -

Head Office : Rasa Tower 2, 20th Floor, 555 Phaholyothin Road, Chatuchak Subdistrict, Chatuchak District, Bangkok 10900

Bo-win factory : Hemarajchonburi Industrial Estate, 351 Moo 6, Bo-win Subdistrict, Sriracha District, Chonburi 20230

3. Please provide the following financial documents for the two most recently completed financial years plus all subsequent monthly, quarterly or half yearly statements:

- chart of accounts;

Please refer to attached file "A-4.1 Chart of Account.pdf".

- audited consolidated and unconsolidated financial statements (including all footnotes and the auditor's opinion);

Audited financial statements, please refer to attached file "A-4.2 NTS Financial statement.pdf".

- internal financial statements, income statements (profit and loss reports), or management accounts, that are prepared and maintained in the normal course of business for the goods under consideration.

These documents should relate to:

- the division or section/s of your business responsible for the production and sale of the goods under consideration, and
- the company.

Please see in the spread sheet "Income statement".

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4. If you are not required to have the accounts audited, provide the unaudited financial statements for the two most recently completed financial years, together with your taxation returns. Any subsequent monthly, quarterly or half yearly statements should also be provided.

NTS is required to have the accounts audited.

5. Do your accounting practices differ in any way from the generally accepted accounting principles in your country? If so, provide details.

Accounting practice doesn't differ from the generally accepted accounting principles.

6. Describe:

The significant accounting policies that govern your system of accounting, in particular:

- the method of valuation for raw material, work-in-process, and finished goods inventories (eg last in first out –LIFO, first in first out- FIFO, weighted average);  
The method of valuation for raw material, work-in-process, and finished goods inventories:  
Raw material: at the moving-average cost method  
Work-in-process and finished goods inventories: at the weighted-average cost method.
- costing methods, including the method (eg by tonnes, units, revenue, direct costs etc) of allocating costs shared with other goods or processes (such as front office cost, infrastructure cost etc);  
Costing methods, including the method of allocating costs shared with other goods or processes:  
Raw materials are direct cost.  
Manufacturing overheads are allocated by production volume.  
Administrative & general expenses are allocated by sales volume.  
Selling expenses are allocated by sales volume.  
Financial expenses are allocated by sales volume.
- valuation methods for damaged or sub-standard goods generated at the various stages of production;  
Damaged product is valued by scrap price (standard price).  
Sub – standard goods is valued by 80% of finished goods (standard price).
- valuation methods for scrap, by products, or joint products;  
The valuation methods for scrap, by products, or joint products are the market selling price of such product.
- valuation and revaluation methods for fixed assets;  
Land is stated at cost less allowance for impairment, if any.  
Plant and equipment are stated at cost less accumulated depreciation and allowance for impairment.

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Property, plant and equipment are reviewed for impairment whenever events or changes in circumstances indicate that their carrying amount may not be recoverable.

- average useful life for each class of production equipment and depreciation method and rate used for each;

Average useful life for each class of production equipment

Land improvements, building and structures	5 - 30 years
Machinery and equipment	5 - 25 years
Vehicles	5 years
Furniture, fixtures and office equipment	3 - 25 years

Depreciation is recorded as expense in the statement of profit or loss and other comprehensive income on a straight-line basis over the estimated useful lives of each part of an item of plant and equipment.

- treatment of foreign exchange gains and losses arising from transactions;  
The Company has adopted a policy to cover foreign exchange exposure by entering into forward foreign exchange contracts with banks for a certain portion of its assets and liabilities in foreign currencies. The Company recognises gains or losses from the adjustment in the value of such forward foreign exchange contracts incurred from the difference between the forward contract rate and marked-to-market rate for the remaining period of forward foreign exchange contracts at the statement of financial position date as income or expense in the statement of profit or loss and other comprehensive income.
- treatment of foreign exchange gains/losses arising from the translation of balance sheet items;  
Transactions denominated in foreign currencies are converted into Baht at rates of exchange prevailing at the transaction dates. All balances of assets and liabilities in foreign currencies outstanding at the statement of financial position date, except forward foreign exchange contracts, are converted into Baht at the reference exchange rates established by the Bank of Thailand on that date. Gains or losses on foreign exchange are recognised as an income or expense in the statement of profit or loss and other comprehensive income.
- inclusion of general expenses and/or interest;  
General expenses are recognized on an accrual basis.
- provisions for bad or doubtful debts;  
The Company determines allowance for doubtful accounts by using various assumptions and judgements of the management, which includes the estimated collection losses on receivables, based on the Company's collection experience together with a review of financial position of the debtors and the aging report. The management reviews these estimates and assumptions on a regular basis.

The Company derecognises trade receivables after sales of the trade receivables only when it transfers substantially risks and rewards of ownership of the trade receivables to the buyer.

- expenses for idle equipment and/or plant shut-downs;  
Idle equipment and/or plant shut-downs are included in administration expense and excluded from cost of goods.
- costs of plant closure;  
The company has no plan to close any of its plant in the near future. Accordingly, the company has not assessed the likely costs of plant closure.
- restructuring costs;  
The company does not have any plan for restructuring in the near future.
- by-products and scrap materials resulting from your company's production process; and  
By-products are recognized on actual transaction by market selling price. Scrap materials are recognized on actual transaction by standard price.
- effects of inflation on financial statement information.  
The company does not show the effect of inflation on financial statement information

7. In the event that any of the accounting methods used by your company have changed over the last two years provide an explanation of the changes, the date of change, and the reasons for it.  
There is no change accounting methods over the last two years.

**A-5 Income statement**

Please fill in the following table. It requires information concerning all products produced and for the goods under consideration (*'goods under consideration'* (the goods) is defined in the Glossary of Terms in the appendix to this form). You should explain how costs have been allocated.

	Most recent completed financial year (specify) -		Review period	
	All products	Goods Under Consideration	All products	Goods Under Consideration
<b>Gross Sales (1)</b>				
Sales returns, rebates and discounts (2)				
<b>Net Sales (3=1-2)</b>				
Raw materials (4)				
Direct Labour (5)				

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Depreciation (6)				
Manufacturing overheads (7)				
Other operating expenses (8)				
<b>Total cost to make (9=4+5+6+7+8)</b>				
<b>OPERATING INCOME (10=3-9)</b>				
Selling expenses (11)				
Administrative & general expenses (12)				
Financial expenses (13)				
<b>SG&amp;A expenses (14)=(11+12+13)</b>				
<b>INCOME FROM NORMAL ACTIVITIES (15)=(10-14)</b>				
Interest income (16)				
Interest expense (enter as negative) (17)				
Extraordinary gains and Losses – enter losses as negative (18)				
Abnormal gains and losses – enter losses as negative (19)				
<b>PROFIT BEFORE TAX (20)=(15+16+17+18+19)</b>				
Tax (21)				
<b>NET PROFIT (22)=(20-21)</b>				

Note: if your financial information does not permit you to present information in accordance with this table please present the information in a form that closely matches the table.

Prepare this information on a spreadsheet named "**Income statement**".

*This information will be used to verify the completeness of cost data that you provide in Section G. If, because of your company's structure, the allocations would not be helpful in this process, please explain why this is the case.*

**A-6 Sales**

State your company's net turnover (after returns and all discounts), and free of duties and taxes. Use the currency in which your accounts are kept, in the following format:



**PUBLIC RECORD**

	Most recent completed financial year (specify)		Review period	
	Volume	Value	Volume	Value
Total company turnover <b>(all products)</b>				
Domestic market				
Exports to Australia				
Exports to Other Countries				
Turnover of the nearest business unit, for which financial statements are prepared, which includes the goods under consideration				
Domestic market				
Exports to Australia				
Exports to Other Countries				
Turnover of the <b>goods under consideration</b>				
Domestic market				
Exports to Australia				
Exports to Other Countries				

Prepare this information in a spreadsheet named "TURNOVER".

*This information will be used to verify the cost allocations to the goods under consideration in Section G.*

*Also, you should be prepared to demonstrate that sales data shown for the goods is a complete record by linking total sales of these goods to relevant financial statements.*

## SECTION B SALES TO AUSTRALIA (EXPORT PRICE)

*This section requests information concerning your export practices and prices to Australia. You should include costs incurred beyond ex-factory. Export prices are usually assessed at FOB point, but the Commission may also compare prices at the ex factory level.*

*You should report prices of **all** goods under consideration (the goods) **shipped** to Australia during the review period.*

*The invoice date will normally be taken to be the date of sale. If you consider:*

*the sale date is not the invoice date (see 'date of sale' column in question B4 below) and;*

*an alternative date should be used when comparing export and domestic prices*

*you **must** provide information in section D on domestic selling prices for a matching period - even if doing so means that such domestic sales data predates the commencement of the review period.*

**B-1** For each customer in Australia to whom you shipped goods in the review period list:

name;  
address;  
contact name and phone/fax number where known; and  
trade level (for example: distributor, wholesaler, retailer, end user, original equipment).

*NTS has not yet export to Australia.*

**B-2** For each customer identified in B1 please provide the following information.

(a) Describe how the goods are sent to each customer in Australia, including a diagram if required.

*N/A, since NTS has not yet export to Australia.*

(b) Identify each party in the distribution chain and describe the functions performed by them. Where commissions are paid indicate whether it is a pre or post exportation expense having regard to the date of sale.

*N/A, since NTS has not yet export to Australia.*

Explain who retains ownership of the goods at each stage of the distribution chain. In the case of DDP sales, explain who retains ownership when the goods enter Australia.

*N/A, since NTS has not yet export to Australia.*

- (c) Describe any agency or distributor agreements or other contracts entered into in relation to the Australian market (supply copy of the agreement if possible).

N/A, since NTS has not yet export to Australia.

- (d) Explain in detail the process by which you negotiate price, receive orders, deliver, invoice and receive payment. If export prices are based on price lists supply copies of those lists.

N/A, since NTS has not yet export to Australia.

- (e) State whether your firm is related to any of its Australian customers. Give details of any financial or other arrangements (eg free goods, rebates, or promotional subsidies) with the customers in Australia (including parties representing either your firm or the customers).

N/A, since NTS has not yet export to Australia.

- (f) Details of the forward orders of the goods under consideration (include quantities, values and scheduled shipping dates).

N/A, since NTS has not yet export to Australia.

- B-3** Do your export selling prices vary according to the distribution channel identified? If so, provide details. Real differences in trade levels are characterised by consistent and distinct differences in functions and prices.

In general, export selling price vary according to market price in each country, order quantity, and period of shipment

N/A, since NTS has not yet export to Australia.

- B-4** Prepare a spread sheet named “Australian sales” listing all shipments (i.e. transaction by transaction) to Australia of the goods under consideration in the review period. You must provide this list in electronic format. Include the following export related information:

Column heading	Explanation
Customer name	names of your customers
Level of trade	the level of trade of your customers in Australia
Model/grade/type	commercial model/grade or type
Quality	indicate whether prime or non-prime (secondary) product
Product code	code used in your records for the model/grade/type identified. Explain the product codes in your submission.
Form	specify whether product was supplied in coil form or in straight lengths
Diameter	specify the nominal cross sectional diameter
Specification	specify the specification/designation/type, for example AS/NZS 4671, grade 500N. If products are made to a grade only but not a specification, report the full name of the grade.
Grade	specify the grade, for example grade 500N. If products are made to a

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	grade only but not a specification, report the full name of the grade, for example "SAE grade 1006", not simply "1006".
Carbon content	specify the maximum specified carbon equivalent content based on the specification/standard.
Alloy	specify any alloys present. Examples include Vanadium (V), Niobium (Nb), Ferrovandium (FeV) and Ferroniobium (FeNb).
Alloy content	minimum specified alloy content based on test certificates (if alloyed product).
Sales quantity method	specify whether sold on an actual weighted basis or theoretical weight.
Coating	specify coating.
Invoice number	invoice number
Invoice date	invoice date
Date of sale	refer to the explanation at the beginning of this section. If you consider that a date <i>other than</i> the invoice date best establishes the material terms of sale, report that date. For example, order confirmation, contract, or purchase order date.
Quarter	the quarter that the date of sale occurred
Order number	if applicable, show order confirmation, contract or purchase order number if you have shown a date other than invoice date as being the date of sale.
Shipping terms	delivery terms eg. CIF, C&F, FOB, DDP (in accordance with Incoterms)
Payment terms	agreed payment terms eg. 60 days=60 etc
Actual weight	actual weight of invoiced goods
Theoretical weight	theoretical weight of invoiced goods (if applicable)
Gross invoice value	gross invoice value shown on invoice <i>in the currency of sale, excluding taxes.</i>
Discounts on the invoice	if applicable, the amount of any discount deducted on the invoice on each transaction. If a % discount applies show that % discount applying in another column.
Rebates	the amount of any deferred rebates or allowances paid to the importer in the currency of sale.
Other charges	any other charges, or price reductions, that affect the net invoice value. Insert additional columns and provide a description.
Invoice currency	the currency used on the invoice
Exchange rate	indicate the exchange rate used to convert the currency of the sale to the currency used in your accounting system
Net invoice value in the currency of the exporting country	the net invoice value expressed in your domestic currency as it is entered in your accounting system
Other Discounts	the amount of any deferred rebates or allowances paid to the importer in the currency of sale The actual amount of discounts not deducted from the invoice. Show a separate column for each type of discount.
Ocean freight**	the actual amount of ocean freight incurred on each export shipment listed.
Marine insurance	amount of marine insurance
FOB export price**	the free on board price at the port of shipment.
Packing*	packing expenses
Inland transportation costs*	inland transportation costs included in the selling price. For export sales this is the inland freight from factory to port in the country of export.
Handling, loading & ancillary expenses*	handling, loading & ancillary expenses. For example, terminal handling, export inspection, wharfage & other port charges, container tax, document fees & customs brokers fees, clearance fees, bank charges, letter of credit fees, & other ancillary charges incurred in the exporting

	country.
Warranty & guarantee expenses*	warranty & guarantee expenses
Technical assistance & other services*	expenses for after sale services, such as technical assistance or installation costs.
Commissions*	commissions paid. If more than one type is paid insert additional columns of data. Indicate in your response to question B2 whether the commission is a pre or post exportation expense having regard to the date of sale.
Other factors*	<b>any other</b> costs, charges or expenses incurred in relation to the exports to Australia (include additional columns as required). See question B5.

N/A In Australia market, since NTS has not yet export to Australia.

\*\* FOB export price and Ocean Freight:

**FOB export price:** An FOB export price must be calculated for each shipment - regardless of the shipping terms. FOB price includes inland transportation to the port of exportation, inland insurance, handling, and loading charges. It excludes post exportation expenses such as ocean freight and insurance. Use a formula to show the method of the calculation on each line of the export sales spreadsheet.

**Ocean freight:** as ocean freight is a significant cost it is important that the actual amount of ocean freight incurred on each exportation be reported. If estimates must be made you must explain the reasons and set out the basis - estimates must reflect changes in freight rates over the review period.

Freight allocations must be checked for consistency.

\* All of these costs are further explained in section E-1.

**B-5** If there are any other costs, charges or expenses incurred in respect of the exports listed above which have not been identified in the table above, add a column (see “other factors” in question B-4) for each item, and provide a description of each item. For example, other selling expenses (direct or indirect) incurred in relation to the export sales to Australia.

N/A, since NTS has not yet export to Australia.

**B-6** For each type of discount, rebate, allowance offered on export sales to Australia:

- provide a description; and
- explain the terms and conditions that must be met by the importer to obtain the discount.

Where the amounts of these discounts, rebates etc are not identified on the sales invoice, explain how you calculated the amount shown in your response to question B4. If they vary by customer or level provide an explanation.

N/A, since NTS has not yet export to Australia.

**B-7** If you have issued credit notes (directly or indirectly) to the customers in Australia, in relation to the invoices listed in the detailed transaction by transaction listing in response to question B4, provide details of each credit note if the credited amount has **not** been reported as a discount or rebate.

N/A, since NTS has not yet export to Australia.

**B-8** If the delivery terms make you responsible for arrival of the goods at an agreed point within Australia (eg. delivered duty paid), insert additional columns in the spreadsheet for all other costs incurred. For example:

Import duties	Amount of import duty paid in Australia
Inland transport	Amount of inland transportation expenses within Australia included in the selling price
Other costs	Customs brokers, port and other costs incurred (itemise)

N/A, since NTS has not yet export to Australia

**B-9** Select two shipments, in different quarters of the review period, and provide a complete set of all of the documentation related to the export sale. For example:

- the importer's purchase order, order confirmation, and contract of sale;
- commercial invoice;
- bill of lading, export permit;
- freight invoices in relation to movement of the goods from factory to Australia, including inland freight contract;
- marine insurance expenses; and
- letter of credit, and bank documentation, proving payment.

The Commission will select additional shipments for payment verification at the time of the visit.

N/A, since NTS has not yet export to Australia

**SECTION C  
EXPORTED GOODS & LIKE GOODS**

**C-1** Fully describe all of the goods you have exported to Australia during the review period. Include specification details and any technical and illustrative material that may be helpful in identifying, or classifying, the exported goods.

We have never exported to Australia. However, we will produce according to the ACRS standard as follow.

STANDARD	GRADE	CHEMICAL COMPOSITION		TENSILE STRENGTH	YIELD STRENGTH	ELOGATION	BEND TEST
AS/NZS 4671:2001	300E	CAST ANALYSIS	DEVIATION PRODUCT ANALYSIS	TS/YS = 1.15-1.50	300-380 Mpa	15% min [uniform]	BEND:
		C = 0.22% max	C = +0.02%				90°-4D for D?16 mm.
		P = 0.05% max	P = +0.005%				180°-4D for D?20 mm.
		S = 0.05% max	S = +0.005%				REBEND:
		CE = 0.43% max	CE = +0.02%				90°-4D for D?16 mm.
							NA for D?20 mm.
	500N	C = 0.22% max	C = +0.02%	TS/YS = 1.08 min	500-650 Mpa	5% min [uniform]	BEND:
		P = 0.05% max	P = +0.005%				90°-4D for D?16 mm.
		S = 0.05% max	S = +0.005%				180°-4D for D?20 mm.
		CE = 0.44% max	CE = +0.02%				REBEND:
						90°-4D for D?16 mm.	
						NA for D?20 mm.	
500E	C = 0.22% max	C = +0.02%	TS/YS = 1.15-1.40	500-600 Mpa	10% min [uniform]	BEND:	
	P = 0.05% max	P = +0.005%				90°-4D for D?16 mm.	
	S = 0.05% max	S = +0.005%				180°-4D for D?20 mm.	
		CE = 0.49% max				CE = +0.02%	REBEND:
						90°-4D for D?16 mm.	
						NA for D?20 mm.	
REMARK	CE = C + Mn/6 + (Cr+Mo+V)/5 + (Ni+Cu)/15					G = 100 mm.	D = NOMINAL DIAMETER

**C-2** List each type of goods exported to Australia (these types should cover all types listed in spread sheet “**Australian sales**” – see section B of this questionnaire).

N/A, since NTS has not yet export to Australia.

**C-3** If you sell like goods on the domestic market, for each type that your company has exported to Australia during the review period, list the most comparable model(s) sold domestically;

- and provide a detailed explanation of the differences where those goods sold domestically (ie. the like goods – see explanation in glossary) are not identical to goods exported to Australia.

EXPORTED TYPE	DOMESTIC TYPE	IDENTICAL?	DIFFERENCES
Product code of each model of the goods exported to Australia	Product code of comparable model sold on the domestic market of the country of export	If goods are identical indicate “YES”. Otherwise “NO”	Where the good exported to Australia is not identical to the like goods, describe the specification differences. If it is impractical to detail

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			specification differences in this table refer to documents which outline differences
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N/A, since NTS has not yet export to Australia.

**C-4** Please provide any technical and illustrative material that may be helpful in identifying or classifying the goods that your company sells on the domestic market.

Our company sells reinforced bar according to TIS24-2005 Standard Grades SD50.

STANDARD	GRADE	CHEMICAL COMPOSITION	TENSILE STRENGTH	YIELD STRENGTH	ELONGATION	BEND TEST
TIS 24-2548	SD50	DEVIATION PRODUCT ANALYSIS	620 MPa Min	490 MPa Min	13% min	90°-5D FOR D6-D25 90°-6D FOR D28-D40
Mn = 1.80% max P = 0.05% max S = 0.05% max CE = 0.60% max	+0.05% +0.01% +0.01%					
REMARKS	CE = C+Mn/6	G = 5D	D=NOMINAL			



## SECTION D DOMESTIC SALES

*This section seeks information about the sales arrangements and prices in the domestic market of the country of export.*

*All domestic sales made during the review period must be listed transaction by transaction. If there is an extraordinarily large volume of sales data and you are unable to provide the complete listing electronically you **must** contact the case officer **before** completing the questionnaire. If the case officer agrees that it is not possible to obtain a complete listing he or she will consider a method for sampling that meets the Commission requirements. If agreement cannot be reached as to the appropriate method the Commission may not visit your company.*

*The Commission will normally take the invoice date as being the date of sale in order to determine which sales fall within the review period.*

*If, in response to question B4 (Sales to Australia, Export Price), you have reported that the date of sale is not the invoice date and you consider that this alternative date should be used when comparing domestic and export prices –*

*you **must** provide information on domestic selling prices for a matching period - even if doing so means that such domestic sales data predates the commencement of the review period.*

*If you do not have any domestic sales of like goods you must contact the case officer who will explain the information the Commission requires for determining a normal value using alternative methods.*

### D-1 Provide:

- a detailed description of your distribution channels to domestic customers, including a diagram if appropriate;  
NTS distribution channels to domestic customers are project dealers, retail dealers and direct project sales.
- information concerning the functions/activities performed by each party in the distribution chain; and  
NTS sell through our dealers (project and retail) about 75% and they sell to contractors and end users. Direct sales are about 25% to some big and medium contractors.
- a copy of any agency or distributor agreements, or contracts entered into.  
NTS have long relationship with our dealers and customers, therefore, no distributor agreement or contract available. We offer the price and quantity following their enquiry then they will send their purchase order to us.

If any of the customers listed are associated with your business, provide details of that association. Describe the effect, if any, that association has upon the price.

NTS sold the consideration product to SCSC at market price. SCSC is one of the subsidiaries of TSTH. No effect on the price because the volume is less.

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**D-2** Do your domestic selling prices vary according to the distribution channel identified? If so, provide details. Real differences in trade levels are characterised by consistent and distinct differences in functions and prices.

Normally, NTS selling price vary according to the distribution channel and customer performance.

**D-3** Explain in detail the sales process, including:

- the way in which you set the price, receive orders, make delivery, invoice and finally receive payment; and the terms of the sales; and
  - NTS sales processes (NTS finished products)
    1. Customer sent their request to us.
    2. NTS offer the price and term of condition to customer (Price base on demand, supply, domestic raw materials prices and world market price. Term of conditions is payment term, incoterm and delivery condition).
    3. Customer sent the purchase order to NTS.
    4. NTS produce the product (If not in stock).
    5. Product is delivered.
    6. NTS send the invoice to customer.
    7. Customer does the payment.
  - NTS Intercompany process (SCSC finished products)
    1. Customer sent their request to NTS.
    2. NTS offers the price and term of condition to customer (Price base on demand, supply, domestic raw materials prices and world market price. Term of conditions is payment term, incoterm and delivery condition).
    3. Customer sent the purchase order to NTS.
    4. NTS inform customer to purchase order to SCSC.
    5. SCSC produces the product (If not in stock).
    6. SCSC sells the product that is in the Purchase order by intercompany process.
    7. Product is delivered.
    8. NTS sends the invoice to customer.
    9. Customer does the payment.
    10. NTS does the payment to SCSC.
- whether price includes the cost of delivery to customer.

Normally, Price includes the delivery cost in Bangkok and Metropolitan area for CFR condition. Customers are responsible for delivery cost outside Bangkok and Metropolitan area or Ex-work condition.

If sales are in accordance with price lists, provide copies of the price lists.

Normally, NTS has the monthly list price.

Please refer to attached file "D-3.1 Monthly list price.pdf"

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**D-4** Prepare a spreadsheet named “**domestic sales**” listing **all** sales of like goods made during the review period. The listing must be provided on a CD-ROM. Include all of the following information.

<b>Column heading</b>	<b>Explanation</b>
Customer name	names of your customers. If an English version of the name is not easily produced from your automated systems show a customer code number and in a separate table list each code and name.
Level of trade	the level of trade of your domestic customer
Model/grade/type	commercial model/grade or type of the goods
Product code	code used in your records for the model/grade/type of the goods identified. Explain the product codes in your submission.
Form	specify whether product was supplied in coil form or in straight lengths
Diameter	specify the nominal cross sectional diameter
Specification	specify the specification/designation/type, for example AS/NZS 4671, grade 500N. If products are made to a grade only but not a specification, report the full name of the grade.
Grade	specify the grade, for example grade 500N. If products are made to a grade only but not a specification, report the full name of the grade, for example "SAE grade 1006", not simply "1006".
Carbon content	specify the maximum specified carbon equivalent content based on the specification/standard.
Alloy	specify any alloys present. Examples include Vanadium (V), Niobium (Nb), Ferrovanadium (FeV) and Ferroniobium (FeNb).
Alloy content	minimum specified alloy content based on test certificates (if alloyed product).
Sales quantity method	
Coating	
Invoice number	invoice number
Invoice date	invoice date
Date of sale	refer to the explanation at the beginning of this section. If you consider that a date <i>other than</i> the invoice date best establishes the material terms of sale and should be used, report that date. For example, order confirmation, contract, or purchase order date.
Quarter	the quarter that the date of sale occurred
Order number	show order confirmation, contract or purchase order number if you have shown a date other than invoice date as being the date of sale.
Shipping terms	eg ex factory, free on truck, delivered into store
Payment terms	payment terms agreed with the customer eg. 60 days=60 etc
Actual weight	actual weight of invoiced goods in kilograms
Theoretical weight	theoretical weight of invoiced goods in kilograms (if applicable)
Gross Invoice value	gross value shown on invoice <i>in the currency of sale</i> , net of taxes.
Discounts on the Invoice	the amount of any discount deducted on the invoice on each transaction. If a % discount applies show that % discount applying in another column.
Rebates or other allowances	the actual amount of any deferred rebates or allowances in the currency of sale
Other charges	any other charges, or price reductions, that affect the net invoice value. Insert additional columns and provide description.
Net invoice value in the currency of the exporting country	the net invoice value expressed in your domestic currency as recorded in your accounting system
Quantity discounts	the actual amount of quantity discounts not deducted from the invoice. Show a separate column for each type of quantity discount.
Packing*	packing expenses
Inland transportation	amount of inland transportation costs included in the selling price.

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Costs*	
Handling, loading And ancillary Expenses*	handling, loading & ancillary expenses.
Warranty & Guarantee expenses*	warranty & guarantee expenses
Technical assistance & other services*	expenses for after sale services such as technical assistance or installation costs.
Commissions*	commissions paid. If more than one type is paid insert additional columns of data.
Other factors*	<b>any other</b> costs, charges or expenses incurred in relation to the domestic sales (include additional columns as required). See question D5.

Costs marked with \* are explained in section E-2.

**D-5** If there are any other costs, charges or expenses incurred in respect of the sales listed which have not been identified in the table in question D-4 above add a column for each item (see “other factors”). For example, certain other selling expenses incurred.

There no any other costs, charges or expenses incurred in respect of the sales listed which have not been identified in the table in question D-4.

**D-6** For each type of commission, discount, rebate, allowance offered on domestic sales of like goods:

- provide a description; and
- explain the terms and conditions that must be met by the customer to qualify for payment.

Where the amounts of these discounts, rebates etc are not identified on the sales invoice, explain how you calculated the amounts shown in your response to question D4.

Discount (product) = the different between list price and price agreement

Rebate = Occasionally, NTS offers the rebate to customers on the volume basis.

If you have issued credit notes, directly or indirectly to the customers, provide details if the credited amount has **not** been reported as a discount or rebate.

Credit notes issue to customers are separately shown in spreadsheet “Domestic sales”.

**D-7** Select two domestic sales, in different quarters of the review period, that are at the same level of trade as the export sales. Provide a complete set of documentation for those two sales. (Include, for example, purchase order, order acceptance, commercial invoice, discounts or rebates applicable, credit/debit notes, long or short term contract of sale, inland freight contract, bank documentation showing proof of payment.)

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The Commission will select additional sales for verification at the time of our visit.

Please refer to attached files “D-7.1 NTS direct sale+rebate.pdf” and “D-7.2 NTS Debt reduction”

## **SECTION E FAIR COMPARISON**

*Section B sought information about the export prices to Australia and Section D sought information about prices on your domestic market for like goods (ie. the normal value).*

*Where the normal value and the export price are not comparable adjustments may be made. This section informs you of the fair comparison principle and asks you to quantify the amount of any adjustment.*

*As prices are being compared, the purpose of the adjustments is to eliminate factors that have unequally modified the prices to be compared.*

*To be able to quantify the level of any adjustment it will usually be necessary to examine cost differences between sales in different markets. The Commission must be satisfied that those costs are likely to have influenced price. In practice, this means that the expense item for which an adjustment is claimed should have a close nexus to the sale. For example, the cost is incurred because of the sale, or because the cost is related to the sale terms and conditions.*

*Conversely, where there is not a direct relationship between the expense item and the sale a greater burden is placed upon the claimant to demonstrate that prices have been affected, or are likely to have been affected, by the expense item. In the absence of such evidence the Commission may disallow the adjustment.*

*Where possible, the adjustment should be based upon actual costs incurred when making the relevant sales. However, if such specific expense information is unavailable cost allocations may be considered. In this case, the party making the adjustment claim must demonstrate that the allocation method reasonably estimates costs incurred.*

*A party seeking an adjustment has the obligation to substantiate the claim by relevant evidence that would allow a full analysis of the circumstances, and the accounting data, relating to the claim.*

*The investigation must be completed within strict time limits therefore you must supply information concerning claims for adjustments in a timely manner. Where an exporter has knowledge of the material substantiating an adjustment claim that material is to be available at the time of the verification visit. The Commission will not consider new claims made after the verification visit.*

## E-1 Costs associated with export sales

(These cost adjustments will relate to your responses made at question B-4, 'Australian sales')

### 1. Transportation

Explain how you have quantified the amount of inland transportation associated with the export sale ("**Inland transportation costs**"). Identify the general ledger account where the expense is located. If the amount has been determined from contractual arrangements, not from an account item, provide details and evidence of payment.

For Export Sale, Inland transportation cost is part of the export selling expenses in general ledger.

601115 Cost of freight to customer rebar export.

601116 Cost of freight to customer wire rod export.

### 2. Handling, loading and ancillary expenses

List all charges that are included in the export price and explain how they have been quantified ("**Handling, loading & ancillary expenses**"). Identify the general ledger account where the expenses are located. If the amounts have been determined using actual observations, not from a relevant account item, provide details.

The various export related ancillary costs are identified in the table at question B4, for example:

- terminal handling;
- wharfage and other port charges;
- container taxes;
- document fees and customs brokers fees;
- clearance fees;
- bank charges, letter of credit fees
- other ancillary charges.

All handling, port charge, clearance, and ancillary expenses are record in export selling expense in general ledger.

601115 Cost of freight to customer rebar export.

601116 Cost of freight to customer wire rod export.

### 3. Credit

The cost of extending credit on export sales is not included in the amounts quantified at question B4. However, the Commission will examine whether a credit adjustment is warranted and determine the amount. Provide applicable interest rates over each month of the review period. Explain the nature of the interest rates most applicable to these export sales eg, short term borrowing in the currency concerned.

If your accounts receivable shows that the average number of collection days differs from the payment terms shown in the sales listing, *and if* export prices are influenced by this longer or shorter period, calculate the average number of collection days. See also item 4 in section E-2 below.

Export sales use the letter of credit, issue by bank, therefore no cost of credit extension on export sales.

**4. Packing costs**

List material and labour costs associated with packing the export product. Describe how the packing method differs from sales on the domestic market, for each model. Report the amount in the listing in the column headed '**Packing**'.

Both domestic and export packing cost consist of material (wire rod) and labour costs. These costs are minimal and are recorded in "Production Cost Account".

**5. Commissions**

For any commissions paid in relation to the export sales to Australia:

- provide a description; and
- explain the terms and conditions that must be met.

Report the amount in the sales listing in question B-4 under the column headed "**Commissions**". Identify the general ledger account where the expense is located.

Since we never send/sell to Australia market, we don't have any information.

**6. Warranties, guarantees, and after sales services**

List the costs incurred. Show relevant sales contracts. Show how you calculated the expenses ("**Warranty & guarantee expenses**" and "**Technical assistance & other services**"), including the basis of any allocations. Include a record of expenses incurred. Technical services include costs for the service, repair, or consultation. Where these expenses are closely related to the sales in question, an adjustment will be considered. Identify the ledger account where the expense is located.

There is no account for this expense.

**7. Other factors**

There may be other factors for which an adjustment is required if the costs affect price comparability – these are identified in the column headed "**Other factors**". For example, other variable or fixed selling expenses, including salesmen's salaries, salesmen's travel expenses, advertising and promotion, samples and entertainment expenses. Your consideration of questions asked at Section G, concerning domestic and export costs, would have alerted you to such other factors.

There is no account for this expense.



**8. Currency conversions**

In comparing export and domestic prices a currency conversion is required. Fluctuations in exchange rates can only be taken into account when there has been a 'sustained' movement during the period of investigation (see article 2.4.1 of the WTO Agreement). The purpose is to allow exporters 60 days to adjust export prices to reflect 'sustained' movements. Such a claim requires detailed information on exchange movements in your country over a long period that includes the review period.

The payment receive from export sales is record in Thai baht according to the exchange rate of the date of payment receive.

**E-2 Costs associated with domestic sales**

(These cost adjustments will relate to your responses made at question D-4, "domestic sales")

*The following items are not separately identified in the amounts quantified at question D-4. However you should consider whether any are applicable.*

**1. Physical characteristics**

The adjustment recognises that differences such as quality, chemical composition, structure or design, mean that goods are not identical and the differences can be quantified in order to ensure fair comparison.

The amount of the adjustment shall be based upon the market value of the difference, but where this is not possible the adjustment shall be based upon the difference in cost plus the gross profit mark-up (i.e. an amount for selling general and administrative costs (S G & A) plus profit).

The adjustment is based upon actual physical differences in the goods being compared and upon the manufacturing cost data. Identify the physical differences between each model. State the source of your data.

The good export to Australia (500N) and like good sell domestically (SD50) differs slightly in quality and chemical composition.

Please refer to attached file "E-2.1 Chemical comparison.pdf"

**2. Import charges and indirect taxes**

If exports to Australia:

- are partially or fully exempt from internal taxes and duties that are borne by the like goods in domestic sales (or on the materials and components physically incorporated in the goods), or
- if such internal taxes and duties have been paid and are later remitted upon exportation to Australia;

the price of like goods must be adjusted downwards by the amount of the taxes and duties.

The taxes and duties include sales, excise, turnover, value added, franchise, stamp, transfer, border, and excise taxes. Direct taxes such as corporate income tax are not included as such taxes do not apply to the transactions.

Adjustment for drawback is not made in every situation where drawback has been received. Where an adjustment for drawback is appropriate you must provide information showing the import duty borne by the domestic sales. (That is, it is not sufficient to show the drawback amount and the export sales quantity to Australia. For example, you may calculate the duty borne on domestic sales by quantifying the total amount of import duty paid and subtracting the duty refunded on exports to all countries. The difference, when divided by the domestic sales volume, is the amount of the adjustment).

In substantiating the drawback claim the following information is required:

- a copy of the relevant statutes/regulations authorising duty exemption or remission, translated into English;
- the amount of the duties and taxes refunded upon *exportation* and an explanation how the amounts were calculated and apportioned to the exported goods;
- an explanation as to how you calculated the amount of duty payable on imported materials is borne by the goods sold *domestically* but is not borne by the exports to Australia;

#### Substitution drawback systems

Annex 3 of the WTO Agreement on Subsidies provides: *“Drawback systems can allow for the refund or drawback of import duties on inputs which are consumed in the production process of another product and where the export of this latter product contains domestic inputs having the same quality and characteristics as those substituted for the imported inputs”*

If such a scheme operates in the country of export adjustments can also be made for the drawback payable on the substituted domestic materials, provided the total amount of the drawback does not exceed the total duty paid.

[NTS never export to Australia.](#)

### **3. Level of trade**

Question D-4 asks you to indicate the level of trade to the domestic customer. To claim an adjustment for level of trade differences you will need to quantify the amount by which level of trade influences price.

Trade level is the level a company occupies in the distribution chain. The trade level to which that company in turn sells the goods and the functions carried out distinguish a level of trade. Examples are producer, national distributor, regional distributor, wholesaler, retailer, end user, and original equipment.

NTS's domestic customers are distributors similar to the trade level of customers from Australia.

It may not be possible to compare export prices and domestic prices at the same level of trade. Where relevant sales of like goods at the next level of trade must be used to determine normal values an adjustment for the difference in level of trade may be required where it is shown that the difference affects price comparability.

The information needs to establish that there are real trade level differences, not merely nominal differences. Real trade level differences are characterised by a consistent pattern of price differences between the levels and by a difference in functions performed. If there is no real trade level differences all sales are treated as being at the same level of trade.

A real difference in level of trade (may be adjusted for using either of the following methods:

- (a) *costs arising from different functions*: the amount of the costs, expenses etc incurred by the seller in domestic sales of the like goods resulting from activities that would not be performed were the domestic sales made at the same level as that of the importer.

This requires the following information:

- a detailed description of each sales activity performed in selling to your domestic customers (for example sales personnel, travel, advertising, entertainment etc);
- the cost of carrying out these activities in respect of like goods;
- for each activity, whether your firm carries out the same activity when selling to importers in Australia;
- an explanation as to why you consider that you are entitled to a level of trade adjustment.

or

- (b) *level discount*: the amount of the discount granted to purchasers who are at the same level of trade as the importer in Australia. This is determined by an examination of price differences between the two levels of trade in the exporter's domestic market, for example sales of like goods by other vendors or sales of the same general category of goods by the exporter. For this method to be used it is important that a clear pattern of pricing be established for the differing trade levels. Such pattern is demonstrated by a general availability of the discounts to the level - isolated instances would not establish a pattern of availability.

#### 4. Credit

The cost of extending credit on domestic sales is not included in the amounts quantified at question D-4. However, the Commission will examine whether a credit adjustment is warranted and determine the amount. An adjustment for credit is to be made even if funds are not borrowed to finance the accounts receivable.

The interest rate on domestic sales in order of preference is:

- the rate, or average of rates, applying on actual short term borrowing's by the company; or
- the prime interest rate prevailing for commercial loans in the country for credit terms that most closely approximate the credit terms on which the sales were made; or
- such other rate considered appropriate in the circumstances.

Provide the applicable interest rate over each month of the review period.

[Please refer to attached file "E-2.2 Interest rate.pdf"](#)

If your accounts receivable shows that the average number of collection days differs from the payment terms shown in the sales listing, and if domestic prices are influenced by this longer or shorter period, calculate the average number of collection days.

Where there is no fixed credit period agreed at the time of sale the period of credit is determined on the facts available. For example, where payment is made using an open account system<sup>1</sup>, the average credit period may be determined as follows:

1. *Calculate an accounts receivable turnover ratio*

This ratio equals the total credit sales divided by average accounts receivable. (It is a measure of how many times the average receivables balance is converted into cash during the year).

In calculating the accounts receivable turnover ratio, credit sales should be used in the numerator whenever the amount is available from the financial statements. Otherwise net sales revenue may be used in the numerator.

An average accounts receivable over the year is used in the denominator. This may be calculated by:

- using opening accounts receivable at beginning of period plus closing accounts receivable at end of period divided by 2, or
- total monthly receivables divided by 12.

[Accounts receivable turnover ratio is 28 times.](#)

2. *Calculate the average credit period*

The average credit period equals 365 divided by the accounts receivable turnover ratio determined above at 1.

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<sup>1</sup> Under an open account system, following payment the balance of the amount owing is carried into the next period. Payment amounts may vary from one period to the next, with the result that the amount owing varies.

The resulting average credit period should be tested against randomly selected transactions to support the approximation.

Average credit period is 13 days.

*The following items are identified in the amounts quantified at question D-4:*

**5. Transportation**

Explain how you have quantified the amount of inland transportation associated with the domestic sales (“**Inland transportation Costs**”). Identify the general ledger account where the expense is located. If the amount has been determined from contractual arrangements, not from an account item, provide details and evidence of payment.

For Domestic Sale, Inland transportation cost is part of the export selling expenses in general ledger.

601111 Cost of freight to customer rebar domestic.

601112 Cost of freight to customer wire rod domestic.

**6. Handling, loading and ancillary expenses**

List all charges that are included in the domestic price and explain how they have been quantified (“**Handling, loading and ancillary Expenses**”). Identify the general ledger account where the expense is located. If the amounts have been determined using actual observations, not from a relevant account item, provide details.

All handling, port charge, clearance, and ancillary expenses are record in domestic selling expense in general ledger.

601111 Cost of freight to customer rebar domestic.

601112 Cost of freight to customer wire rod domestic.

**7. Packing**

List material and labour costs associated with packing the domestically sold product. Describe how the packing method differs from sales on the domestic market, for each model. Report the amount in the listing in the column headed “**Packing**”.

The cost of packing is including in production cost account.

**8. Commissions**

For any commissions paid in relation to the domestic sales:

- provide a description
- explain the terms and conditions that must be met.

Report the amount in the sales listing under the column headed “**Commissions**”. Identify the general ledger account where the expense is located.

There is no commission for domestic sales.

**9. Warranties, guarantees, and after sales services**

Accelerated Review No.470 – Steel Reinforce Bar from Thailand

List the costs incurred. Show relevant sales contracts. Show how you calculated the expenses (“**Warranty & Guarantee expenses**” and “**Technical assistance & other services**”), including the basis of any allocations. Include a record of expenses incurred. Technical services include costs for the service, repair, or consultation. Where these expenses are closely related to the sales in question, an adjustment will be considered. Identify the ledger account where the expense is located.

There is no account for this expense.

**10. Other factors**

There may be other factors for which an adjustment is required if the costs affect price comparability – these are identified in the column headed “**Other factors**”. List the factors and show how each has been quantified in per unit terms. For example:

- *inventory carrying cost*: describe how the products are stored prior to sale and show data relating to the average length of time in inventory. Indicate the interest rate used; **None**.
- *warehousing expense*: an expense incurred at the distribution point;  
**Warehousing expense is record in selling expense.**
- *royalty and patent fees*: describe each payment as a result of production or sale, including the key terms of the agreement; **None**.
- *advertising*; and **None**.
- *bad debt*. **Total amount of Bad debt is record in general ledger 702011.**

**E-3 Duplication**

In calculating the amount of the adjustments you must ensure that there is no duplication.

For example:

- adjustments for level of trade, quantity or other discounts may overlap, or
- calculation of the amount of the difference for level of trade may be based upon selling expenses such as salesperson’s salaries, promotion expenses, commissions, and travel expenses.

Separate adjustment items must avoid duplication.

An adjustment for quantities may not be granted unless the effect on prices for quantity differences is identified and separated from the effect on prices for level of trade differences.

**No duplication.**

## SECTION F EXPORT SALES TO COUNTRIES OTHER THAN AUSTRALIA (THIRD COUNTRY SALES)

*Your response to this part of the questionnaire may be used by the Commission to select sales to a third country that may be suitable for comparison with exports to Australia.*

*Sales to third countries may be used as the basis for normal value in certain circumstances. The Commission may seek more detailed information on particular third country sales where such sales are likely to be used as the basis for determining normal value.*

**F-1 Using the column names and column descriptions below provide a summary of your export sales to countries other than Australia.**

<b>Column heading</b>	<b>Explanation</b>
Country	Name of the country that you exported like goods to over the review period.
Number of customers	The number of different customers that your company has sold like goods to in the third country over the review period.
Level of trade	The level of trade that you export like goods to in the third country.
Quantity	Indicate quantity, in units, exported to the third country over the review period.
Unit of quantity	Show unit of quantity eg kg
Value of sales	Show net sales value to all customers in third country over the review period
Currency	Currency in which you have expressed data in column SALES
Payment terms	Typical payment terms with customer(s) in the country eg. 60 days=60 etc
Shipment terms	Typical shipment terms to customers in the third country eg CIF, FOB, ex-factory, DDP etc.

Supply this information in spreadsheet file named "Third country"

**F-2 Please identify any differences in sales to third countries which may affect their comparison to export sales to Australia.**

Differences are following

- Transportation cost
- Additional requirement, for example, extra type of packaging, special kind of payment, etc.

## SECTION G

### COSTING INFORMATION AND CONSTRUCTED VALUE

*The information that you supply in response to this section of the questionnaire will be used for various purposes including:*

- testing the profitability of sales of like goods on the domestic market;*
- determining a constructed normal value of the goods under consideration (the goods) - ie of the goods exported to Australia; and*
- making certain adjustments to the normal value.*

*You will need to provide the cost of production of both the exported goods (the goods) and for the like goods sold on the domestic market. You will also need to provide the selling, general, and administration costs relating to goods sold on the domestic market; the finance expenses; and any other expenses (eg. non-operating expenses not included elsewhere) associated with the goods.*

*In your response please include a worksheet showing how the selling, general, and administration expenses; the finance expenses; and any other expenses have been calculated.*

*If, in response to question B4 (Sales to Australia, Export Price) you:*

- reported that the date of sale is not the invoice date and consider that this alternative date should be used when comparing domestic and export prices, and*
- provided information on domestic selling prices for a matching period as required in the introduction to Section D (Domestic Sales)*

*you must provide cost data over the same period as these sales even if doing so means that such cost data predates the commencement of the review period.*

*At any verification meeting you must be prepared to reconcile the costs shown to the accounting records used to prepare the financial statements.*

#### **G-1. Production process and capacity**

1. Describe the production process for the goods. Provide a flowchart of the process. Include details of all products manufactured using the same production facilities as those used for the goods. Also specify all scrap or by-products that result from producing the goods.

[Please refer to attached file "G-1.1 NTS Steel Making Process.pdf"](#)



**G-2. Provide information about your company's total production in the following table:**

	PREVIOUS FINANCIAL YEAR	MOST RECENT FINANCIAL YEAR	Review period
A – Production capacity (eg kg, tonnes)*			
B – Actual production in volume (eg kg, tonnes)			
C – Capacity utilisation (%) (B/A x 100)			

\* rather than showing a 'name-plate' optimal capacity it is more meaningful to show the maximum level of production that may reasonably be attained under normal operating conditions. For example assuming: normal levels of maintenance and repair; a number of shifts and hours of operation that is not abnormally high; and a typical production mix.

Provide this information on a spread sheet named "**Production**".

**G-3. Cost accounting practices**

- Outline the management accounting system that you maintain and explain how that cost accounting information is reconciled to your audited financial statements.  
Cost accounting information is actual cost, which reconciles the audited financial statement.
- Is your company's cost accounting system based on standard (budgeted) costs? State whether standard costs were used in your responses to this questionnaire. If they were state whether all variances (ie differences between standard and actual production costs) have been allocated to the goods - and describe how those variances have been allocated.  
NTS cost accounting system based on standard cost. However, the adjustment is made on monthly basis in order to record the actual costs.
- Provide details of any significant or unusual cost variances that occurred during the review period.  
There are no significant or unusual cost variances that occurred during the review period.
- Describe the profit/cost centres in your company's cost accounting system.  
Cost centres is divided and recorded by product line.
- For each profit/cost centre describe in detail the methods that your company normally uses to allocate costs to the goods under consideration. In particular specify how, and over what period, expenses are amortised or depreciated, and how allowances are made for capital expenditures and other development costs.  
The company normally allocates costs to the goods under consideration by production volume.

- 6 Describe the level of product specificity (models, grades etc.) that your company's cost accounting system records production costs.

The level of product specificity (models, grades etc.) that our company's cost accounting system records production costs.

Product type	Grade	Standard
Round bar	SR24	TIS 20-2559 (2016)
Deformed bar	SD30 SD40 SD50	TIS 24-2559 (2016)
Deformed bar by International Standards	300E 500N 500E	AS/NZS 4671:2001
	FE500 Fe500D	IS 1786:2008

- 7 List and explain all production costs incurred by your company which are valued differently for cost accounting purposes than for financial accounting purposes.  
No different for cost accounting purposes from financial accounting purposes.
- 8 State whether your company engaged in any start-up operations in relation to the goods under consideration. Describe in detail the start-up operation giving dates (actual or projected) of each stage of the start-up operation.  
There is no start – up cost relate to goods under consideration.
- 9 State the total cost of the start-up operation and the way that your company has treated the costs of the start-up operation it its accounting records.  
There is no start – up cost.

**G-4 Cost to make and sell on domestic market**

*This information is relevant to testing whether domestic sales are in the ordinary course of trade.<sup>2</sup>*

- 1 Prepare this information in a spreadsheet named "**Domestic CTMS**". –

	Quarter X	Quarter X	Quarter X	Quarter X	Review period
<b>Like Domestic Model/Type – from spreadsheet LIKE GOOD (section C-3)</b>					
Material Costs <sup>1</sup>					
Direct Labour					

<sup>2</sup> The Commission applies the tests set out in s.269TAAD of the Customs Act 1901 to determine whether goods are in ordinary course of trade. These provisions reflect the WTO anti-dumping agreement – see Article 2.2.1.

Manufacturing Overheads					
Other Costs <sup>2</sup>					
<b>Total Cost to Make</b>					
Production Volume					
<b>Unit Cost to Make</b>					
Selling Costs					
Administration Costs					
Financial Costs					
Delivery Expenses <sup>3</sup>					
Other Costs <sup>3</sup>					
<b>Total SG&amp;A</b>					
Sales Volume					
<b>Unit SG&amp;A</b>					
<b>Unit Cost to Make and Sell</b>					

<sup>1</sup> Identify each cost separately. Include indirect material costs as a separate item only if not included in manufacturing overheads.

<sup>2</sup> Relating to costs of production only; identify each cost separately.

<sup>3</sup> Identify each cost separately. Please ensure non-operating expenses **that relate to the goods under consideration** are included. Where gains/losses due to foreign currency exchange are incurred, please provide detail of the amounts separately for transaction and translation gains/losses.

*Provide this information for each quarter (or month if your company calculates costs on a monthly basis) and over the period of the investigation.*

*If you are unable to supply this information in this format, please contact the case officer for this investigation at the address shown on the cover of this questionnaire.*

*Please specify unit of currency.*

- 2 Indicate the source of cost information (account numbers etc) and/or methods used to allocate cost to the goods. Provide documentation and worksheets supporting your calculations.

[Please refer to attached file "G-4.1 NTS Cost structure.pdf"](#)

### **G-5 Cost to make and sell goods under consideration (goods exported to Australia)**

*The information is relevant to calculating the normal values based on costs. It is also relevant to calculating certain adjustments to the normal value.*

- 1 Prepare this information in a spreadsheet named "**Australian CTMS**".

	Quarter X	Quarter X	Quarter X	Quarter X	Review period
--	-----------	-----------	-----------	-----------	---------------

**PUBLIC RECORD**

<b>Model/Type exported to Australia – from spreadsheet LIKEGOOD</b>					
Material Costs <sup>1</sup>					
Direct Labour					
Manufacturing Overheads					
Other Costs <sup>2</sup>					
<b>Total Cost to Make</b>					
Production Volume					
<b>Unit Cost to Make</b>					
Selling Costs					
Administration Costs					
Financial Costs					
Delivery Expenses <sup>3</sup>					
Other Costs <sup>3</sup>					
<b>Total SG&amp;A</b>					
Sales Volume					
<b>Unit SG&amp;A</b>					
<b>Unit Cost to Make and Sell</b>					

<sup>1</sup> Identify each cost separately. Include indirect material costs as a separate item only if not included in manufacturing overheads.

<sup>2</sup> Relating to costs of production only; identify each cost separately.

<sup>3</sup> Identify each cost separately. Please ensure non-operating expenses **that relate to the goods** are included. Where gains/losses due to foreign currency exchange are incurred, please provide detail of the amounts separately for transaction and translation gains/losses.

*Provide this information for each quarter (or month if your company calculates costs on a monthly basis) and over the period of the investigation.*

*If you are unable to supply this information in this format, please contact the case officer for this investigation at the address shown on the cover of this questionnaire.*

*Please specify unit of currency.*

**No Export to Australia.**

- 2 Where there are cost differences between goods sold to the domestic market and those sold for export, give reasons and supporting evidence for these differences.

**The cost difference is the extra cost over the domestic product in order to produce export product.**

**Please refer to attached file "G-5.1 NTS Compare costs.pdf"**

- 3 Give details and an explanation of any significant differences between the costs shown, and the costs as normally determined in accordance with your general accounting system. Reference should be made to any differences arising from movements in inventory levels and variances arising under standard costing methods.  
[There is no such difference.](#)
- 4 In calculating the unit cost to make and sell, provide an explanation if the allocation method used (eg. number, or weight etc.) to determine the unit cost differs from the prior practice of your company.  
[Allocation of production cost is based on production volume.](#)  
[Allocation of sell cost is based on sell volume.](#)

### G-6 Major raw material costs

List major raw material costs, which individually account for 10% or more of the total production cost.

[Scrap is the major raw material costs.](#)

For these major inputs:

- identify materials sourced in-house and from associated entities;  
[N/A](#)
- identify the supplier; and
  - [Pongsakchai Bangpa-in Co.,Ltd.](#)
  - [Hidaka Yookoo Enterprises Co.,Ltd.](#)
  - [Thai Compressed & Steel Scraps Co.,Ltd.](#)
  - [Nattadech Co.,Ltd.](#)
  - [Taweessup \(Jew Ja Heng\) Co.,Ltd.](#)
- show the basis of valuing the major raw materials in the costs of production you have shown for the goods (eg market prices, transfer prices, or actual cost of production).  
[Raw material cost \(scrap\) is show in market price. In addition, the actual other costs concerning the preparation of scrap is included in the scrap cost.](#)

Where the major input is produced by an associate of your company the Commission will compare your purchase price to a normal market price. If the associate provides information on the cost of production for that input such cost data may also be considered.

Normal market price is taken to be the price normally available in the market (having regard to market size, whether the input is normally purchased at 'spot prices' or under long term contracts etc).

The term associate is defined in section 269TAA of the *Customs Act*. Included in that definition are companies controlled by the same parent company (a company that controls 5% or more of the shares of another is taken to be an associated company); companies controlled by the other company; and companies having the same person in the board of directors.

**PUBLIC RECORD**

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**Important note: If the major input is sourced as part of an integrated production process you should provide detailed information on the full costs of production of that input.**

**SECTION H  
EXPORTER'S DECLARATION**

I hereby declare that.....(company) did, during the period of investigation export the goods under consideration and have completed the attached questionnaire and, having made due inquiry, certify that the information contained in this submission is complete and correct to the best of my knowledge and belief.

I hereby declare that... [N.T.S. Steel Group Public Company Limited \(NTS\)](#).. did not, during the period of investigation, export the goods under consideration and therefore have not completed the attached questionnaire.

**Name** :.... [Chaichalerm Bunyanuwat](#).....

**Signature** :.....

**Position in**

**Company** :.... [Vice President – Marketing and Sales](#)

**Date** :.....

## SECTION I CHECKLIST

*This section is an aid to ensure that you have completed all sections of this questionnaire.*

<b>Section</b>	Please tick if you have responded to all questions
Section A – general information	<input type="checkbox"/>
Section B – export price	<input type="checkbox"/>
Section C – like goods	<input type="checkbox"/>
Section D – domestic price	<input type="checkbox"/>
Section E – fair comparison	<input type="checkbox"/>
Section F – exports to third countries	<input type="checkbox"/>
Section G – costing information	<input type="checkbox"/>
Section H – declaration	<input type="checkbox"/>

<b>Electronic Data</b>	Please tick if you have provided spreadsheet
<b>INCOME STATEMENT</b>	<input type="checkbox"/>
<b>TURNOVER</b> – sales summary	<input type="checkbox"/>
<b>AUSTRALIAN SALES</b> – list of sales to Australia	<input type="checkbox"/>
<b>DOMESTIC SALES</b> – list of all domestic sales of like goods	<input type="checkbox"/>
<b>THIRD COUNTRY</b> – third country sales	<input type="checkbox"/>
<b>PRODUCTION</b> – production figures	<input type="checkbox"/>
<b>DOMESTIC COSTS</b> – costs of goods sold domestically	<input type="checkbox"/>
<b>AUSTRALIAN COSTS</b> – costs of goods sold to Australia	<input type="checkbox"/>



## APPENDIX GLOSSARY OF TERMS

This glossary is intended to provide you with a basic understanding of technical terms that appear in the questionnaire.

### **Adjustments**

To enable a fair comparison between the export price and the normal value Australian legislation provides for the adjustment of the domestic price paid for like goods. Adjustments are made to account for sales occurring at different times, specification differences, and differences in the terms or circumstances of the sales. The adjustment to the normal value may be upward or downward. Areas where you believe an adjustment is necessary should be identified. Section E of the questionnaire refers.

Examples of adjustments that may be made include: *sales occurring at different times* (it is sometimes necessary to compare domestic and export sales made at different times - in these circumstances an adjustment may be made to reflect price movements during that time); *specification differences; packaging; taxes; level of trade; advertising; servicing/warranty; inland freight; warehousing; export charges; credit terms; duty drawback; commissions.*

Adjustments may also be required where the normal value is based upon costs to make and sell.

### **Arms length**

Sales are not considered to be at "arms length" on your domestic market if there is any consideration payable for the goods other than their price, or there is an association between the buyer and the seller which affects the price, or there will be a reimbursement, compensation or benefit for, or in respect of, the price.

### **Constructed value**

In cases where domestic prices paid for the goods under consideration in the country of export cannot be used for the determination of normal value, ie. when there are no or insufficient sales or where such sales were not made in the ordinary course of trade, normal value may be based on a constructed value. Constructed value is calculated on the basis of the cost of production of the goods under consideration plus a reasonable amount for selling, general and administration costs, and for profits, that are associated with sales on the domestic market of the country of export.

### **Cost of production/manufacturing**

The cost of production or manufacture consists of all manufacturing costs associated with the goods. It is the sum of direct materials, direct labour and factory overheads.

## **Cost to make and sell**

The cost to make and sell is the sum of the cost of production or manufacture, and the selling, general and administration costs associated with the sale of those goods.

## **Country of origin**

The country in which the last significant process in the manufacture or production of the goods was performed.

## **Date of sale**

The Commission will normally use the invoice date as recorded in the exporter or producer's records. Another date may be used if this better reflects the material terms of sale. The questionnaire directs attention to matching data sets of domestic and export sales where some other date is used, as well as matching cost information.

## **Direct labour cost**

Direct labour is categorised as a variable cost, ie. the value varies with the level of production.

## **Dumping**

Dumping occurs when the products of one country are exported to another country at a price less than their normal value.

## **Dumping margin**

Where the export price is less than the normal value the dumping margin is the amount of the difference. It can be expressed as a value or as a percentage of the export price.

## **Export price**

The export price of the goods is usually the price paid or payable to the exporter in arms length transactions, in most instances calculated at the Free on Board (FOB) level.

## **Exporting country**

The country of export is normally the country of origin from which the goods are shipped. The country of export may be an intermediate country, except where the products are merely transhipped through that country, or the products concerned are not produced in that country, and there is no comparable price in that country.

## **Factory overheads**

Factory overheads consist of variable costs eg. power, supplies, indirect labour and fixed costs eg. factory rent, factory insurance, factory depreciation etc.

## Goods under consideration (the goods)

The goods to which the application for anti-dumping action relates. That is, the goods that you have exported to Australia allegedly at dumped prices.

## Incoterms

The following abbreviations are commonly used (comment is provided concerning costs that are normally borne by the seller):

EXW	ex works (the seller's minimum obligation as costs relate to goods being made available at the sellers premises)
FCA	free carrier (main carriage not paid by seller. Pay costs until such time that the goods have been delivered at the named point into custody of a carrier named by the seller. Customs formalities, taxes etc paid if required)
FAS	free alongside ship (main carriage not paid by seller. Deliver the goods alongside the ship)
FOB	free on board (main carriage not paid by seller. Deliver the goods on board, provide export clearance if required, pay loading costs to the point the goods have passed the ship's rail, pay customs formalities, taxes etc payable upon exportation)
CFR	cost and freight (main carriage paid by seller. Pay all costs until delivered as well as freight, loading and unloading, pay customs formalities, taxes etc payable upon exportation)
CIF	cost, insurance and freight (main carriage paid by seller. Pay all costs as under CFR as well as marine insurance) the terms CFR and CIF are only used where goods are carried by sea or waterway transport
CPT	carriage paid to
CIP	carriage and insurance paid to the terms CPT and CIP are used as alternatives to CFR and CIF where the goods are carried by air, road, rail etc
DAF	delivered at frontier (goods carried by rail or road and cleared for export at the named place at the frontier. Pay costs until delivered at the frontier plus any discharge costs incurred to place the goods at the customers disposal)
DES	delivered ex ship (goods made available to the buyer on board the ship uncleared for import at the named port of destination. Pay all costs incurred in placed at the disposal of the buyer, pay customs formalities, taxes etc payable upon exportation, and where necessary for transit through another country)
DDU	delivered duty unpaid (Pay all costs for carriage to the agreed point, pay customs formalities, taxes etc payable upon exportation, and where necessary for transit through another country)
DDP	delivered duty paid (goods made available at the named place in the country of importation – all risks and costs being incurred by the seller including duties, taxes etc incurred upon importation)

## **Review period**

A period defined by the Commission over which importations of the goods are examined.

## **Like goods**

Like goods are goods sold on the domestic market of the country of export (or to a third country) that are identical in all respects to the goods under consideration or that, although not alike in all respects have characteristics closely resembling those of the goods under consideration. The term 'like goods' also refers to the goods produced by the Australian industry allegedly being injured by dumped imports.

## **Normal value**

Australian legislation sets out several ways to assess "normal value".

The preferred method is to use the price paid for like goods sold for domestic consumption in the country of export. Usually, these sales are made by you, but there may be circumstances where it is appropriate to use sales made by other sellers on the domestic market.

Sale prices must be at arms length and in the ordinary course of trade. In the absence of relevant or suitable domestic sales, the normal value may be determined by constructing a price based upon all costs to make and sell the goods. Profit may also be included if the sales on the domestic market are profitable. Alternatively the normal value may be ascertained using the price paid for like goods sold in the ordinary course of trade at arms length to customers in a country other than Australia, however this option is rarely used.

Finally, when a normal value cannot be ascertained by any of the above methods, or if no information is provided, the Commission will determine the normal value by considering all the relevant information, including the applicant's information. This allows the applicant's information to be used where sufficient information has not been furnished or is not available.

Where domestic price generally, and the trade of the exporting country are determined or substantially influenced by the government of the exporting country, an alternative/surrogate market economy is selected by the Commission and the normal value is determined as if the surrogate country were the export source.

## **Ordinary course of trade**

Testing for "ordinary course of trade" includes a comparison of the selling price and the unit cost to make and sell for the same period. If sales in respect of a substantial quantity of goods over an extended period of time, usually 12 months, do not recover all costs and these losses are not likely to be recovered within a reasonable period of time, (again usually 12 months) then the sales are regarded as being not in the ordinary course of trade.

There may be circumstances where it is appropriate to use a period other than 12 months in assessing whether sales are in the ordinary course of trade.

Unprofitable sales are to be taken to have occurred in substantial quantities during an extended period where the unprofitable sales amount to 20% or more of the total volume of sales of the goods by the exporter over the period. An extended period of time is usually taken to be a period not less than 12 months. Where unprofitable sales are rejected, normal value is based upon remaining profitable sales provided they occur in sufficient number. Where all sales have been made at a loss, or profitable sales are insufficient, the normal value may be constructed from costs to make and sell.

### **Selling, general and administration expenses (SG&A)**

The selling, general and administration expenses includes all selling, distribution, general and administration expenses including finance costs that would be incurred if the goods were sold for domestic consumption in the country of export. The amounts are determined in each case using all the available information and may include expenses incurred in:

- . domestic sales of like goods;
- . sale of goods of the same general category by the exporter; or
- . sales in the industry in the country of export.

The expenses must, however, reflect the selling, general and administration costs of the goods. Administrative and selling expenses include: director's fees, management salaries and benefits, office salaries and benefits, office supplies, insurance, promotion, entertainment, depreciation and corporate overheads.