Australian Government
Anti-Dumping Commission

PUBLIC RECORD RECEIVED 29/03/2016

EXPORTER QUESTIONNAIRE

RODINCOILS

EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA

Period of Investigation: **1 JULY 2014 – 30 JUNE 2015**

Response due by: **25 March 2016**

Important note: The Commissioner will reject all requests for a longer period to provide a response to this exporter questionnaire received after this date. Extensions requested before this date will *only* be agreed to where necessary and reasonable.

If your company is a manufacturer or exported of Rod in coilsfrom China during the investigation period of 1 July 2014 to 30 June 2015 and you wish to participate in the investigation, please email operations5@adcommission.gov.au. The Commission will then forward the spreadsheets that accompany this questionnaire for you to complete. Please be aware that all responses to the exporter questionnaire are due by 25 March 2016.

CASE CONTACT

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Anti-Dumping Commission website: www.adcommission.gov.au

RETURN OF QUESTIONNAIRE DETAILS

Preferably by email to: operations5@adcommission.gov.au

Or by mail (CD-ROM or USB):

DirectorOperations 5
Anti-Dumping Commission
Level 10 Industry House
10 Binara Street
Canberra ACT2600
Australia

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THE GOODS UNDER CONSIDERATION

Goods Description

The goods under consideration ("the goods") i.e. the goods exported to Australia at allegedsubsidised prices, are:

> *"Hot rolled rods in coils of steel, whether or not containing alloys, that have maximum cross sections that are less than 14mm.*
>
> *The goods covered by the application include all steel rods meeting the above description of the goods regardless of the particular grade or alloy content.*
>
> *Goods excluded from this application include hot-rolled deformed steel reinforcing bar in coil form, commonly identified as rebar or debar, and stainless steel in coils."*

Tariff classification

The goods are typically classified to the following Subheadings in Schedule 3 of the *Customs Tariff Act 1995*.

- Tariff subheading 7213.91.00 with statistical code 44; and
- Tariff subheading 7227.90.90 with statistical code 02[1]

[1] Statistical code 02 came into effect on 1 January 2015; prior to this, the relevant statistical code was 42.

BACKGROUND AND GENERAL INSTRUCTIONS

Why you have been asked to fill out this questionnaire?

The Anti-Dumping Commission (the Commission) is responsible for investigating the allegation that rod in coilshas been exported to Australia from the People's Republic of China (China)in receipt of countervailable subsidies, and that the subsidised exports has caused material injury to the Australian industry.

The Commission will use the information you provide to determine subsidies over the investigation period (1 July 2014 to 30 June 2015).This information will determine whether rod in coilsis subsidised. You may make separate submissions concerning any other matter, for example injury.

The Commission investigation will be carried out under the provisions of the Part XVB of the *Customs Act 1901*.

What happens if you do not respond to this questionnaire?

You do not have to complete the questionnaire.However, if you do not respond or do not provide all information soughtby the due date, the Commission will not be able to verify the information, and the Commission may deem you uncooperative.In that case, the Commission may be required to rely on information supplied by other parties (possibly information supplied by the Australian industry), and it may assess a subsidy margin for your company based upon subsidies that may be the highest rate determined in your country during the investigation period.

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 time specified on the cover page.

The Commissioner must consider the Direction from the 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 subsections 269TC(6) and 269TC(9) of the *Customs Act 1901* (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 at www.comlaw.gov.au. This and other reforms to Australia's anti-dumping system are explained in Anti-Dumping Notice No. 2015/129, available on the Commission's website at www.adcommission.gov.au.

If you cannot lodge your responses by the due date please advise the investigation Case Manageras soon as possible.

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 public record 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 inAustralia'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 case manager before the due date.

Exporter's declaration

At Section D, 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 there are a large number of exporters, the Commission may have to verify information from selected exporters only.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 case managerof 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 investigation.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 investigation period.
Section C	Information regarding subsidisation programs relevant to your company
Section D	Your declaration
Section E	Exporter questionnaire response checklist
Appendix 1	A glossary of terms used in this questionnaire

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.

- 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 or USB.If you cannot present electronic data in the requested format contact the investigation case manager as soon as possible.

- 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).Excel files must be compatible to the USA version.

- An Excel workbook, "**Exporter Questionnaire Sheets - CV - rod in coils - China**" accompanies this questionnaire and forms a template for your response to the data requested. The workbook is referred to throughout this questionnaire as appropriate. This workbook should be completed and used to provide the requested data where possible.

Further information

Before you respond to the questionnaire you should read all the key documentation related to this application including the applicant's non-confidential submission and the Anti-Dumping Notice notifying the initiation of the investigation.These documents are available on the Commission's website (case number 331), www.adcommision.gov.au

Special Attention:

In order to be fully cooperative in this investigation, this response to the questionnaire has been prepared on behalf of Jiangsu Shangang Group Co., Ltd. and all of related entities involved production and sales of the subject goods during the investigation period, hereafter referred to as "the Respondent" or "Shagang". Prior to the full response, Shagang would like to provide a brief introduction about the interrelated functions of the various companies in connection with the rod in coils, and their respective roles in the daily operation of production domestic sales and export sales to Australia.

1. General Introduction

As a large scale and highly vertically integrated group, the Respondent's organisational and operational group structure comprises the collaboration of various entities that each performs a manufacturing or sales function. As such, each entity is effectively treated as a manufacturing or sales unit/department within Shagang's integrated operations.

Regarding this investigation, during the POI, 6 manufacturing units are involved in the production of the GUC, 4 domestic trading units are involved in domestic sales and 2 export trading units are involved in the export sale of the GUC to Australia.

All manufacturing, administration and marketing functions of the Respondent are performed at a central location, being Shagang's primary address in Jinfeng Town, Zhangjiagang City, Jiangsu Province.

2. Basic Structure and Functions within Shagang

All the manufacturing and sales units mentioned above are directly controlled by Jiangsu Shangang Group Co., Ltd. through holding equity interests and sharing common management control. A summary of the 12 affiliated companies' functions are explained as follows:

a. Production

The 6 manufacturing unitslisted below were all involved in the production of the goods and like goods during the POI:

[redacted]

b. Domestic Sales

The following 3 trading units were each involved in the domestic sales of like goods during the POI:

[redacted]

Domestic sales are operated by [redacted], which in fact is functioning as the domestic sales department of the Respondent; while the other 3 companies are only involved documentarily between the 6 producer companies mentioned above without incurring any extra expenses.

c. Exports to Australia

The following trading units are involved in the export sales of the GUC to Australia and other countries during the POI:
11) [redacted]
12) [redacted]

[redacted] acts as the export window of the Respondent. [redacted] exports via [redacted], which is an overseas affiliated trading house of [redacted] and is only a paper company for documentary purpose. All the exports sales negotiation and transactions are conducted by [redacted].

Regarding the export of the GUC to Australia, the export channels are as follows:

[redacted]→[redacted]→unrelated traders

In the sales channeloutlined above, the exported wire rods are directly shipped to Australia from the ports in China. [redacted] merely plays a role of handling documents without incurring extraexpenses, and all the transaction terms (price, quantity, etc.) are actually negotiated and determined by [redacted]
The Respondent's answers to each question are as follows.

We also 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 case manager.

SECTION A - GENERAL INFORMATION

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 investigation:

Head Office:

Name:	[redacted]
Position in the company:	[redacted]
Address:	**Jinfeng Town, Zhangjiagang City, Jiangsu Province, the People's Republic of China, 215625**
Telephone:	[redacted]
Facsimile number:	[redacted]
E-mail address of contact person:	[redacted]

Factory:

Address:	**Jinfeng Town, Zhangjiagang City, Jiangsu Province, the People's Republic of China, 215625**
Telephone:	[redacted]
Facsimile number:	[redacted]
E-mail address of contact person:	[redacted]

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

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

Name:	**Mr John Bracic**
Address:	**J. Bracic & Associates Pty Ltd, PO Box 3026, Manuka, ACT 2603**
Telephone:	**+61 499 056 729**
Facsimile/Telex number:	**N/A**
E-mail address of contact person:	**john@jbracic.com.au**

Name:	**Mr. HU, Fumao (Marco HU)**
Address:	**Dentons LLP,**

7/F, Building D, Parkview Green FangCaoDi, No.9, Dongdaqiao Road, Chaoyang District, 100020, Beijing, China
Telephone: **+86 13520237767**
Facsimile/Telex number: **+86 (10) 5813 7788**
E-mail address of contact person: **fumao.hu@dachenglaw.com**

Note that in nominating a representative, the Commission will assume that confidential material relating to your company in this investigation 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.

Response: **The legal names of companies involved are as follows:**

Producers:

[redacted]

Trading companies:

[redacted]

[redacted] **sold the subject goods both in domestic market and exported to other countries via** [redacted] **. The rest of** [redacted] **only sold the subject goods in domestic market.**

These [redacted] **companies are all limited companies.**

2. Please provide the ownership history of your company since 1 January 2005. For example:Did your company change its name during this time? If so, please detail the company's previous name(s)? Has your company evolved through a split or a merger with another company? Please provide details of these structural changes.

Response: **The Respondent did not change its name since between 1 January 2005. The Respondent did not evolve through a split or merger with another company.**

3. 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, five per cent or more of the maximum amount of votes that could be cast at a general meeting of your company).

   Response: Please refer to Exhibit A-3.3: Shareholders for the requested information.

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

   Response: Please refer to Exhibit A-3.3: Shareholders for the requested information.

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

   Response: Please refer to Exhibit A-3.3: Shareholders for the requested information.

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

   Response: Please refer to Exhibit A-3.6: Affiliated companies diagram for the requested information.

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

   Response: There is no such such management fees or charges.

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

   Response: Please refer to the introductory section of the response headed "Special Attention".

9. 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
   - sell in the domestic market
   - export to Australia, andexport to countries other than Australia.

   Response: Please refer to the introductory section of the response headed "Special Attention".

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

Response: **Please refer to Exhibit A-3.10: Internal organisation charts for the requested information.**

11. Provide a copy of your most recent annual reportsfor the last 2 years together with any relevant brochures or pamphlets on your business activities (translated intoEnglish).

Response: **Please refer to Exhibit A-4.2 for detailed information.**

A-4 General accounting/administration information

1. Indicate your accounting period.

Response: **The accounting period is from January 1 to December 31.**

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

Response: **The financial records are held at the Respondent's address as mentioned above.**

Please attach an English version of the **audited accounts** including balance sheets, profit and loss accounts, inventory and all notes and auditor's opinion covering the investigation period and the two preceding financial years. If applicable, you should also provide copies of the consolidated financial statements for the same periods, if your company is part of a group of companies. In case auditing has not yet taken place, please send provisional accounts.

Response: **Please refer to Exhibit A-4.2: Audited report 2013 and 2014 and unaudited reports.**

3. Please attach **management accounts** or internal management reports for these periods.

Response: **Not applicable.**

4. Please also attach copies of your (corporate) income **tax statements** and any other tax statements of your company and the corresponding **tax returns** for the investigation periodand the preceding two financial years.

Response: **Please refer to Exhibit C-2.18: Income tax return. We did not provide the income tax information of [redacted] in this Exhibit because [redacted] is overseas company and the corporate income tax in China is not applicable.**

5. If your company sells via a **related company**, please provide the accounts of that company.

Response: Please refer to Exhibit A-4.2 and Exhbit C-2.18 for the accounts information of all the related companies involved with the production and sale of the subject goods.

6. Please provide an English version of the **chart of accounts** for each entity within the organisation that is involved with the production and/or sale of the product under investigation.

Response: Please refer to Exhibit A-4.6: Chart of accounts.

7. Please specify the depreciation method and periods used by your company for all kinds of assets (i.e. plant and buildings, machinery, equipment, etc.).

Response: Please refer to each audited report in Exhibit A-4.2 for the details concerning depreciation method and periods used for all kinds of assets.

A-5 Production process and capacity

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.

Response: Please refer to Exhibit A-5: Production process flowchart for the requested information. All scraps generated from the production process are recycled. No by-products are resulted from producing the goods.

A-6 Production capacity data

Provide information about your company's total production in the following table:

	PREVIOUS FINANCIAL YEAR	MOST RECENT FINANCIAL YEAR	Investigation 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 tablabeled "**Production**" in the attachment **"Exporter Questionnaire Sheets - CV - rod in coils - China".**

Response: **Please refer to Exhibit A-6: Production for the production information of 6 producers.**

A-7 Income statement

Please fill in the following table in the attachment **"Exporter Questionnaire Sheets - CV - rod in coils - China"**on the tab labelled **"Income Statement".** It requires information concerning all products produced and for the goods under consideration (*'goods under consideration'* (the goods) is defined on page 4 of this questionnaire).You should explain how costs have been allocated.

	Most recent completed financial year (specify)		**Investigation period**	
	All products	**Goods Under Consideration**	**All products**	**GoodsUnder Consideration**
Gross Sales (1)				
Sales returns, rebates and discounts (2)				
Net Sales (3=1-2)				
Raw materials (4)				
Direct Labour (5)				
Depreciation (6)				
Manufacturing overheads (7)				
Other operating expenses (8)				
Total cost to make (9=4+5+6+7+8)				
OPERATING INCOME (10=3-9)				
Selling expenses (11)				
Administrative & general expenses (12)				
Financial expenses (13)				
SG&A expenses (14)=(11+12=13)				
INCOME FROM NORMAL ACTIVITIES (15)=(10-14)				
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)				
PROFIT BEFORE TAX (20)=(15+16+17+18+19)				
Tax (21)				
NET PROFIT (22)=(20-21)				

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.

Response: **Please refer to Exhibit A-7: Income statement for the requested information. The costs are allocated to the subject goods based on the sales revenue.**

A-8 Turnover

State your company's net turnover (after returns and all discounts), and free of duties and taxes. Please fill in the following table in the attachment **"Exporter Questionnaire Sheets - CV - rod in coils - China"**on the tab labelled **"Turnover".**

Use the currency in which your accounts are kept, in the following format:

	Most recent completed financial year (specify)		**Investigation period**	
	Volume	**Value**	**Volume**	**Value**
Total company turnover (**all products**)				
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 **goods under consideration**				
Domestic market				
Exports to Australia				
Exports to Other Countries				

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.

Response: **Please refer to Exhibit A-8: Turnover for the requested information.**

SECTION B - SALES TO AUSTRALIA

This section requests information concerning your export practices and prices to Australia. You should include costs incurred beyond ex-factory (EXW). 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 investigation period.*

B-1 Customers

For each customer in Australia to whom you shipped goods in the investigation period list:

Name;
Address;
Contact name and phone/fax number where known; and
Trade level (for example: distributor, wholesaler, retailer, end user).

Response: [redacted] **in Australia the Respondent shipped goods in the investigation period, whose information is as follows:**

Name: [redacted]
Address:
Contact name:
Phone number:
Fax number:
Trade level:

B-2 Customer details

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 possible.

Response: **Please refer to the "Special Attention" at the beginning of the response.**

(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.

Response: **Please refer to the "Special Attention" at the beginning of the response. There is pre or post exportation expense exsits.**

(c) Explain who retains ownership of the goods at each stage of the distribution chain. In the case of DDP[2] sales, explain who retains ownership when the goods enter Australia.

Response: **Please refer to the "Special Attention" at the beginning of the response. The delivery terms during the POI are [redacted], the ownership of the goods is transferred as the delivery term described.**

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

Response: **There are no agency or distributor agreements or other contracts.**

(e) 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.

Response: **Pice negotiation and trade process are exclusively performed by the staff of [redacted]. [redacted] is not involved in this process.**

Upon receiving orders from customers, [redacted] usually sends back counter-orders regarding price, delivery term or other conditions. After bargaining and both parties reaching agreement regarding sales terms, [redacted] advises the group's manufacturing units to commence production of the GUC. At the same time, [redacted] prepares all of the relevant commercial documentation, arranges for required transportation and collects payment.

No price lists are used in the transactions.

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

Response: **The Respondent is not related to its Australian customer. There are no such financial or other arrangements with the customers in Australia.**

(g) Details of the forward orders of the goods under consideration (include quantities, values).

Response: **[redacted] [Details of forward orders].**

B-3 Australian Sales

Please fill in the following table in the attachment **"Exporter Questionnaire Sheets – CV – rod in coils - China"**on the tab labelled **"Australian Sales".**Please provide the following information by listing all shipments (i.e. transaction by transaction) to

[2] Delivered duty paid

Australia of the goods under consideration in the investigation period. You must provide this list in electronic format. Include the following export related information:

Column heading	Explanation
Customer name	Names of your customers
Model	Commercial model name
Product code	Code used in your records for the model/grade/type identified. Explain the product codes in your submission
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 *other than* the invoice date best establishes the material terms of sale, report that date. For example, order confirmation, contract, or purchase order date.
Shipping terms	Delivery terms eg. CIF, C&F, FOB, DDP (in accordance with Incoterms)
Gross invoice value	Gross invoice value shown on invoice *in the currency of sale*, *excluding taxes*
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 or other allowances	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
FOB export price**	The free on board price at the port of shipment.
Packing	Packing expenses
Other Costs	Any other costs, charges or expenses incurred in relation to the exports to Australia (include additional columns as required). See question B.5.

** 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.

Response: **Please refer to Exhibit B-3: Australian sales.**

B-4 Other Factors

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 – [17]" in question B-3) 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.

Response: **We reported [redacted] that incurred in the sales process.**

B-5 Delivery Terms

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)

Response: **Not applicable. As we metioned above, deliver terms adopted in sales to Australia are FOB or CFR. The Respondent was not responsible for arrival of the goods within Australia.**

B-6 Shipment Documentation

If not submitted in your questionnaire response in relation to a concurrent dumping investigation (INV 301 refers), thenselect two shipments, in different quarters of the investigation 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;
- applicable test certificates and production reports;
- 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.

<u>Response:</u> **The Respondent has already submitted 2 sets of shipment documentation in the questionnaire response in relation to a concurrent dumping investigation (INV 301 refers).**

SECTION C - SUBSIDISATION

The applicant alleges that producers in China of rod in coils have benefited from a number of subsidies granted by the Government of China(the GOC)[3],and that these subsidies are countervailable.

THE FOLLOWING PROGRAMS ARE BEING INVESTIGATED

Category	Program (number and description)
Part C-1: Provision of goods (Programs 1-4)	1. Billet provided by the Government of China at less than adequate remuneration
	2. Coking coal provided by the Government of China at less than adequate remuneration
	3. Coke provided by the Government of China at less than adequate remuneration
	4. Electricity provided by the Government of China at less than adequate remuneration
Part C-2: Preferential tax policies (Programs 5-9)	5. Preferential Tax Policies for High and New Technology Enterprises
	6. Preferential Tax Policies in the Western Regions
	7. Land Use Tax Deduction
	8. Tariff and VAT Exemptions on Imported Materials and Equipment
	9. VAT refund on comprehensive utilisation of resources
Part C-3: Financial grants (Programs 10-42, 47, 48, 50, 56, 57 and 62)	10. One-time Awards to Enterprises Whose Products Qualify for "Well-Known Trademarks of China" and "Famous Brands of China"
	11. Matching Funds for International Market Development for small and medium size enterprises (SMEs)
	12. Superstar Enterprise Grant
	13. Research and Development (R&D) Assistance Grant
	14. Patent Award of Guangdong Province
	15. Innovative Experimental Enterprise Grant
	16. Special Support Fund for Non-State-Owned Enterprises
	17. Venture Investment Fund of Hi-Tech Industry
	18. Grants for Encouraging the Establishment of Headquarters and Regional Headquarters with Foreign Investment
	19. Grant for Key Enterprises in Equipment Manufacturing Industry of Zhongshan
	20. Water Conservancy Fund Deduction
	21. Wuxing District Freight Assistance
	22. Huzhou City Public Listing Grant
	23. Huzhou City Quality Award
	24. Huzhou Industry Enterprise Transformation & Upgrade Development Fund
	25. Wuxing District Public List Grant
	26. Anti-dumping Respondent Assistance

[3]Meaning any level of government – refer to the Glossary of Terms for further information

Category	Program (number and description)
	27. Technology Project Assistance
	28. Transformation technique grant for rolling machine
	29. Grant for Industrial enterprise energy management - centre construction demonstration project Year 2009
	30. Key industry revitalization infrastructure spending in 2010
	31. Provincial emerging industry and key industry development special fund
	32. Environmental protection grant
	33. Environmental protection fund
	34. Intellectual property licensing
	35. Financial resources construction - special fund
	36. Reducing pollution discharging and environment improvement assessment award
	37. Grant for elimination of out dated capacity
	38. Grant from Technology Bureau
	39. High and New technology Enterprise Grant
	40. Independent Innovation and High Tech Industrialization Program
	41. Environmental Prize
	42. Jinzhou District Research and Development Assistance Program
	47. Energy Saving Grants
	48. Technology Development Grants
	50. Other Government Grants/Subsidies
	56. Saving technological transformation items (Head Subsidy)
	57. Environmental Protection Project Grants
	62. Other Grants/Subsidies
Part C-4: Equity programs (Programs 43-45)	43. Debt for equity swaps
	44. Equity infusions
	45. Unpaid dividends
Part C-5: Preferential loans	46. Preferential loans and interest rates
Part C-6: Miscellaneous programs (Programs 49 – 55 & 58 – 62)	49. Land Acquisition Compensation
	50. Other Government Grants
	51. Other rebates (Government Grants)
	52. Interest (Financial) discount
	53. The 43.3 thousand yuan investment in the Environmental Special Protection Fund
	54. The 13.4 thousand yuan investment in the Environmental Special Protection Fund
	55. The 62.28 million yuan investment in the Environmental Special Protection Fund
	58. "Provincial key industrial restructuring and revitalization project special boot funds"
	59. "Financial assistance"
	60. "Development of special guide funds"
	61. "Investment cooperation agreement Award Jiangsu HuaianQingpu Industrial Park"
	62. "Other grants"

PART C-1 PROVISION OF INPUTS AT LESS THAN ADEQUATE REMUNERATION

Programs 1 – 3: Raw materials (Steel Billet, Coking Coal and Coke)

The applicant claims that public bodies (in the form of state-invested enterprises (SIEs[4])) are supplying raw materials (steel billet, coking coal, coke), directly or indirectly, to manufacturers of rod in coils at less than fair value:

Program 1: Billet provided by the Government of China at less than adequate remuneration
Program 2: Coking coal provided by the Government of China at less than adequate remuneration
Program 3: Coke provided by the Government of China at less than adequate remuneration

In relation to these programs, provide the following information.

1. Describe the nature of your production process forrod in coils, including an itemised list of all raw materials used by your company in the process.

   Response: **Please refer to Exhibit A-5: Production process flowchart as provided above for the detailed information concerning production process. The raw materials used include: steel billet, molten iron and scrap steel etc.**

2. Did your business or any company/entity related to your business receive any benefit under the above programsduring the period**1 July 2011 to 30 June 2015?**If yes, provide details.

   Response: **The company doesn't receive any benefit under the above programs during the period 1 July 2011 to 30 June 2015.**

3. Does your business purchase any raw materials (e.g. steel billet, coking coal, coke, scrap, etc) in the manufacture of rod in coils?

   Response: [redacted] **and** [redacted] **use billets to produce the GUC. All of the billets are sourced from associated entities. The suppliers are as follow:**

   [redacted]

   [redacted] **use scrap steel and molten iron to produce the GUC.All of the raw materials are sourced from associated entities. The suppliers are as follow:**

[4]For the purpose of this questionnaire State Owned enterprise (SOE) and State Invested Enterprise (SIE) are together referred to as SIE. The term SIE is defined in the glossary of this questionnaire.

Molten iron:

[redacted]

Scrap Steel:

[redacted]

Provide responses to Question 4 and Questions 5 – 7 in the tables provided on the **"Raw Materials Purchases"** tab on the attached "**Exporter Questionnaire Sheets - CV - rod in coils - China".**

4. Provide data on a transaction-by-transaction basis, for all purchases of raw materials during the period 1 July 2014 to 30 June 2015. This data should be provided for all purchases, not only those of Chinese origin (i.e. include imported materials as well). In the list, please be sure provide a contact name and address, of all your suppliers of raw materials and indicate whether the supplier is a SIE.

   Please add more space for additional suppliers and/or categories of product as required.

   Response: **Please refer to Exhibit C-1.1.4: Raw materials purchases.**

5. Did your business receive any reduction/reduced price for the purchase of these goods/services during the investigation period? If so, describe the eligibility criteria that your business had to meet in order to qualify for any reduction in the price paid for the goods/services.

   Response: **Not applicable. The Respondent did not receive any reduction for the purchase of these raw materials during the investigation period. Purchase prices are determined based on the competitive market situation.**

6. Provide copies of all contractual agreements that detail the obligations of the SIE and your business with reference to the granting and receipt of the assistance/benefits.

   Response: **As we reported in the Exhibit C-1.4, the Respondent purchased all raw materials from private suppliers. Thus, there is no such contractual agreement between SIE and the Respondent.**

7. If your business purchased imported raw materials, explain the reason/s for your business' decision to purchase imported over domestic raw materials, including the key factors affecting the decision such as price, availability etc.

Response: **Not applicable. As we reported in the Exhibit C-1.4, all raw materials are purchased from Chinese private suppliers and the country of manufacture is China.**

Program 4: Electricity

The applicant claims that public bodies (in the form of state invested enterprises (SIEs)) are supplying electricity, directly or indirectly, to manufacturers of rodincoils at less than adequate remuneration.

1. Does your business or related business purchase electricity to manufacture rod in coils? If not, what alternative power source is used in the production of rod in coils?

   Response: **Yes, [redacted] concerned purchase electricity to manufacture rod in coils.**

Please answer Questions 2 -5 in relation to your purchases of electricity from **1 July 2014 to 30 June 2015** in the "**Electricity**" tab in the "**Exporter Questionnaire Sheets - CV - rod in coils - China**" workbook.

2. Provide all individual payments your company made for electricity during the investigation period and **provide copies of invoices and evidence of payment for each**. In the transaction list, be sure to provide a list, including a contact name and address, of all your suppliers of electricity, including those purchased through related businesses and indicate whether the supplier is a SIE and provide evidence supporting this.

   Response: **Please refer to Exhibit C-1.4.2.a: Electricity and Exhibit C-1.4.2.b: Invoices and payment evidence of electricity for the information of purchase and payment of electricity from 1 July 2014 to 30 June 2015.**

3. Did your business receive any reduction/reduced price for the purchase of electricity during the investigation period? If so, provide details of the reduction/reduced price and describe the eligibility criteria that your business had to meet in order to qualify for any reduction in the price paid for the electricity.

   Response: **The Respondent did not receive any reduction or reduced price for the purchase of electricity during the investigation period.**

4. Provide copies of all contractual agreements that detail the obligations of the SIE and your business with reference to the granting and receipt of the assistance/benefits.

   Response: **There are no contractual agreements.**

5. It is understood that the Government of China (GOC) determines the price for electricity in China (refer China's Accession to the WTO document where prices for utilities are confirmed as subject to governmental control). How does the price of electricity in your province differ to the price established by the GOC?

Response: **The Respondent, as a common exporter, has no understanding or knowledge of any price differences in our province and that established by the GOC. We simply purchase the electricity from open market.**

PART C-2 PREFERENTIAL TAX PROGRAMS

Programs 5 – 7: Preferential income tax programs

Please complete questions 1 and 5 – 16 in the **"Income Tax Programs"** tab on the attached "**Exporter Questionnaire Sheets - CV - rod in coils - China".**

1. Did your business or any company/entity related to your business receive any benefit[5] under the followingincome tax programs identified above during the investigation period (1 July 2014 to 30 June 2015).

Program 5: Preferential Tax Policies for High and New Technology Enterprises
Program 6: Preferential Tax Policies in the Western Regions
Program 7: Land Use Tax Deduction

Response: **The Respondent did not receive any such benefits.**

Program 5: The corporate income tax rate applicable to the Respondent is 25% during the investigation period, which is consistent to the general tax rate for enterprises in China. Thus, Program 5 concerning preferential tax policies for high and new technology enterprises is not applicable.

Program 6: The Respondent located at Zhangjiagang, Jiangsu Province, the east part of China, thus, Program 6 concerning preferential tax policies in the western regions is not applicable.

Program 7: The Respondent did not receive any land use tax deduction during the investigation period. Thus, Program 7 concerning land use tax deduction is not applicable.

2. It is our understanding that the general tax rate for enterprises in China from 1 July 2010 was 25%. Confirm whether this is correct and if not, please identify the general tax rate for enterprises in China from 1 July 2010, indicating any changes in the taxation rate over the period July 2010 – June 2015.

[5] Refer to the Glossary of Terms for a definition of benefit in this context.

Response: **The Respondent confirms that the general corporate income tax rate is 25%. There were no changes to this rate over the period July 2010 - December 2015.**

3. If your business currently pays corporate income tax at a rate less than 25% (or whatever the rate of general tax is as discussed above), or paid at a rate less than that during the investigation period, please indicate whether the reduced rate relates to any of the preferential income tax programs identified above.

   Response: **Not applicable.**

4. If the income tax rate of less than the general rate does not relate to any of the programs identified above, please provide an explanation for the reduced income tax rate and answer the questions in Part C-2 (1) above in relation to the income tax rate reduction.

   Response: **Not applicable.**

For **each program** that you have identified above as conferring benefit on your entity, answer the following.

5. Provide complete details of the amount of the benefit received, including whether it was received in total or in instalments.

6. Indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production or only certain products that have undergone research and development).

7. Describe the application and approval procedures for obtaining a benefit under the program.

8. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the GOC in relation to the program.

9. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

10. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

11. State whether your eligibility for the program was conditional on one or more of the following criteria:

    a) whether or not your business exports or has increased its exports;
    b) the use of domestic rather than imported inputs;
    c) the industry to which your business belongs; or
    d) the region in which your business is located.

12. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

13. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

14. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

15. To your knowledge, does the program still operate or has it been terminated?

16. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

    If the program terminated has been substituted for by another program, identify the program and answer all the questions in Part I-1 in relation to this programme.

17. For each taxation year from 2011 to 2015, complete the"**Income Tax**" tab in the "**Exporter Questionnaire Sheets - CV - rod in coils - China**"workbook.

    Response: **Please refer to Exhibit C-2.17: Inomce tax.**

18. Provide a copy, bearing the official stamp of the appropriate level of the GOC of all

    - corporate income tax acknowledgement form(s) and the income tax return(s) that your company filed for the 2011,2012, 2013, 2014 and 2015 tax years; and
    - income tax instalment payment receipts, and all applicable income tax forms and schedules for the 2011, 2012, 2013, 2014 and 2015 tax years.

    Response: **Please refer to Exhibit C-2.18: Income tax return.**

    Note: If your company did not file an income tax return in any of the tax years indicated, provide an explanation stating the reasons why you were exempt from filing such a return and the applicable section[s] of the Income Tax Act under which you were exempt from doing so.

Programs 8 - 9: Tariff and VAT Exemptions on Imported Materials and Equipments

Response: **Neither the Respondent nor its related companies received any benefits under Program 8 or Program 9 during the period 1 July 2005 to 30 June 2015. Thus, the following questions are not applicable.**

It is our understanding that certain enterprises in China are eligible for exemption from the payment of import duty and import VAT on imported inputs, technologies and machinery, and VAT refunds on certain resources in the form of the following prgrams:

Program8: Tariff and VAT Exemptions on Imported Materials and Equipment
Program 9: VAT refund on comprehensive utilisation of resources

If your business or any company/entity related to your business received benefits under any such program during the period 1 July 2005 to 30June2015, please answer the following questions.

For the following questions, please provide responses to questions in the **"VAT and Tariff Programs"** tab in the **"Exporter Questionnaire Sheets - CV - rod in coils - China"** workbook.

1. Did your company receive any benefit under the programs listed above or any other program related to Tariff or VAT exemptions or refunds?

2. What type of benefit was received:
   (a) Tariff exemption,
   (b) Tariff refund,
   (c) VAT exemption, or
   (d) VAT refund?

3. What was the amount of benefit received?

4. Was the benefit received as a lump sum payment or in multiple instalments?

5. Describe the application and approval procedures for obtaining a benefit under the program.

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the GOC in relation to the program.

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

   a) whether or not your business exports or has increased its exports;
   b) the use of domestic rather than imported inputs;
   c) the industry to which your business belongs; or
   d) the region in which your business is located.

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

13. To your knowledge, does the program still operate or has it been terminated?

14. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

15. If the program terminated has been substituted for by another program, identify the program.

For the following questions, please provide responses to questions in the **"VAT and Tariff Transactions"** tab in the **"Exporter Questionnaire Sheets - CV - rod in coils - China"** workbook.

16. Were the materials and/or equipment that were entitled to a refund of VAT used in the production of the goods during the investigation period? If yes, provide the following information for <u>each item</u> that received a refund:

    (a) type of inputs;
    (b) cost of inputs;
    (c) quantity of inputs; and
    (d) amount of VAT refunded.

17. Has your company received exemption from payment of or refunds of import duty and import VAT for imported material inputs at any time that were used in the production of the goods during the investigation period? If yes, provide the following information for <u>each transaction</u>:

    (a) description of imported product;
    (b) country of origin;
    (c) quantity of imported product;
    (d) purchase price;
    (e) terms of purchase (e.g. FOB, CIF);
    (f) ocean freight;
    (g) value for duty of imported product;
    (h) regular rate of taxes and/or duties;
    (i) concessionary rate of taxes and/or duties;
    (j) amount of duties and taxes normally applicable;
    (k) amount of duties and taxes paid;
    (l) amount of duties and taxes exempt;

(m) date of importation;
(n) tariff classification number;
(o) customs entry number; and
(p) application fee.

18. Provide sample documents for two items from two different quarters in the investigation period included in your response to Question 17. The sample documents should include:
    (a) copies of import entry documents (for example: bill of entry, invoice from supplier, etc.) for each type of importation covering duty-exempt inputs and duty-paid inputs imported for use in the manufacturing of the subject goods,
    (b) any applications submitted to and/or approval document received from the GOC relating to the exemption from the payment of import duty and import VAT on imported inputs and in relation to the VAT that is refunded on the exportation of the subject goods.
    (c) copies of reports and audits by the GOC authority responsible for administering the duty rebate or duty drawback scheme with respect to the verification of the importation and use of inputs and the remittance or drawback of the related duty paid or payable.

PART C-3 GRANTS

The Commission understands that the Government of China may be providing grants to enterprises in China including the following programs (as identified by the applicant in Non-Confidential Attachment C-1, Category Three of the application):

Program 10: One-time Awards to Enterprises Whose Products Qualify for "Well-Known Trademarks of China" and "Famous Brands of China";
Program 11: Matching Funds for International Market Development for small and medium size enterprises (SMEs)
Program 12: Superstar Enterprise Grant
Program 13: Research and Development (R&D) Assistance Grant
Program 14: Patent Award of Guangdong Province
Program 15: Innovative Experimental Enterprise Grant
Program 16: Special Support Fund for Non-State-Owned Enterprises
Program 17: Venture Investment Fund of Hi-Tech Industry
Program 18: Grants for Encouraging the Establishment of Headquarters and Regional Headquarters with Foreign Investment
Program 19: Grant for Key Enterprises in Equipment Manufacturing Industry of Zhongshan
Program 20: Water Conservancy Fund Deduction
Program 21: Wuxing District Freight Assistance
Program 22: Huzhou City Public Listing Grant
Program 23: Huzhou City Quality Award
Program 24: Huzhou Industry Enterprise Transformation & Upgrade Development Fund
Program 25: Wuxing District Public List Grant
Program 26: Anti-dumping Respondent Assistance
Program 27: Technology Project Assistance
Program 28: Transformation technique grant for rolling machine
Program 29: Grant for Industrial enterprise energy management - centre construction demonstration project Year 2009
Program 30: Key industry revitalization infrastructure spending in 2010
Program 31: Provincial emerging industry and key industry development special fund

Program 32: Environmental protection grant
Program 33: Environmental protection fund
Program 34: Intellectual property licensing
Program 35: Financial resources construction - special fund
Program 36: Reducing pollution discharging and environment improvement assessment award
Program 37: Grant for elimination of out dated capacity
Program 38: Grant from Technology Bureau
Program 39: High and New technology Enterprise Grant
Program 40: Independent Innovation and High Tech Industrialization Program
Program 41: Environmental Prize
Program 42: Jinzhou District Research and Development Assistance Program

The following grant programs were listed in Category Six on page 52 of Non-Confidential Attachment C-1 to the application. The applicant identified the following programs in the 2014 Annual Report of Hunan Valin Xiangtan Iron & Steel Co., Ltd. (Hunan Valin), anproducer and exporter of rod-in-coil known to the applicant.

Program 47: Energy Saving Grants[6]
Program 48: Technology Development Grants[7]
Program 50: Other Government Grants/Subsidies[8]

The following grant programs were listed in Category Seven on page 52 of Non-Confidential Attachment C-1 to the application. The applicant identified the following programs in the 2014 Annual Report of JiangsuShagang Group Co., Ltd. (Jiangsu Shagang), an producer and exporter of rod-in-coil known to the applicant.

Program 56: Saving technological transformation items (Head Subsidy)[9]
Program 57: Environmental Protection Project Grants[10]
Program 62: Other Grants/Subsidies[11]

For the following questions, please provide responses to questions in the **"Grants"** tab in the **"Exporter Questionnaire Sheets - CV - rod in coils - China"** workbook.

1. Did your business or any company/entity related to your business receive any benefit under the above programs during the period**1 July 2010 to 30 June 2015**?

[6] Refer page 135 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "节能环保(与资产相关)" and page 141 for the phrase "节能环保 (与收益相关)".
[7] Refer page 135 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "技术开发(与资产相关)" and page 141 for the phrase "技术开发 (与收益相关)".
[8]Refer page 135 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "其他[政府补助] (与资产相关) " and page 141 for the phrase "与收益相关 (其他与收益相关的政府补助)".
[9] Refer page 117 of the 2014 Jiangsu Shagang Annual Report, translated from the Chinese phrase: "节能技术改造项目补助".
[10] Refer page 117 of the 2014 Jiangsu Shagang Annual Report, translated from the Chinese phrase: "环保项目补助".
[11] Refer page 122 of the 2014 Jiangsu Shagang Annual Report, translated from the Chinese phrase: "其他补助".

Response: **Please refer to Exhbit C-3: Grants for all grants received by the Respondent during the period 1 July 2010 to 30 June 2015. [redacted] did not receive any benefits from the government. We provided all required information in the following question 3 to 17.**

2. Did your business receive benefits under any other grant (including awards, prizes, funds) program during the period **1 July 2010to 30 June 2015**?

Response: **Besides the grants provided above, the Respondent doesn't receive any benefits under any other grants during the period 1 July 2010 to 30 June 2015.**

For each program identified in your answer to 1 and 2 above, answer the followingquestions:

3. Provide complete details involving the amount of the grant received, includingwhether the grant was received in a lump sum or multiple instalments.

4. Indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production, or only certain products that have undergone research and development).

5. Describe the application and approval procedures for obtaining a benefit under the program.

6. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the Government of China in relation to the program.

7. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

8. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

9. State whether your eligibility for the program was conditional on one or more of the following criteria:

   a) whether or not your business exports or has increased its exports;
   b) the use of domestic rather than imported inputs;
   c) the industry to which your business belongs; or
   d) the region in which your business is located.

10. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

11. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

12. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

13. To your knowledge, does the program still operate or has it been terminated?

14. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

    If the program terminated has been substituted for by another program, identify the program and answer all the questions in Part I-1 in relation to this programme.

15. Identify the body responsible for administering the grant.

16. Identify the date of approval of the grant and the date the grant was received.

17. Indicate where the grant was accounted for on your business' financial statements.

PART C-4 EQUITY PROGRAMS

The Commission understands that the Government of China may be providing assistance in the form of equity programs that may constitute countervailable subsidies for Chinese suppliers of rod in coils. These programs are:

Program 43: Debt for equity swaps
Program 44: Equity infusions
Program 45: Unpaid dividends

Response: The Respondent did not involve in these equity programs (Program 43-45) or received any benefits from equity programs. Thus, questions in PART C-4 are not applicable.

Program 43: Debt for equity swaps

According to the applicant, the debt for equity swap was a measure used in the financial restructuring of China's State-owned steelmakers to State-owned commercial banks (SOCBs).Pursuant to the *Regulations on Financial Asset Management Companies (promulgated by decree on 20 November 2000)*, the State Council established four Asset Management Companies (AMCs) that were directed to purchase certain non-performing loans from SOCBs. The four AMCs were supervised and managed by the People's Bank of China, China's Ministry of Finance and the China Securities Regulatory Commission. One of the authorised business activities available for the management of non-performing loans purchased by the AMCs was the debt for equity swap. A debt for equity swap is a transaction in which a creditor, in this case an AMC, forgives some or all of a company's debt in exchange for equity in the company.

Provide complete replies to the following questions with regard to debt-for-equity transactions concerning your company and any other related company from 1 July 2005 to 30 June 2015.

1. Describe in detail each transaction with all the steps leading to the debt cancellation in exchange for equity, including the role of all of the government and non-government entities involved in each transaction (e.g. AMCs, SOCBs, steel companies).

Provide answers to Questions 2 – 14 and Question 16 in the the tab labelled **"Debt-to-equity"** in the attached file named **"Exporter Questionnaire Sheets - CV - rod in coils - China".**

2. On a loan by loan basis, provide the following:
   a. The amount of the outstanding loans due by your company directly or indirectly to the GOC or to SOCBs cancelled and swapped for equity,
   b. the terms of the loans and the interest due on the loan,
   c. the duration and maturity of the loan,
   d. the amount of late interest payments or other arrears on the loan, and
   e. the amount of the interest saved.
   f. the amount of equity received in exchange by the GOC directly or through controlled corporations such as the AMCs,
   g. the number of shares issued,
   h. a description of the shares (e.g. common shares, preferred shares),
   i. the nominal value of the shares,
   j. andthe company's debt-to-equity ratio before and after the swap.
   k. the dates of the transactions.

Also, provide the following information for each “swapped” debt:

3. How did your company determine the amount of equity to be issued and the per share price to be paid?

4. Explain how the transaction was reflected in the financial statements and provide underlying evidence.

5. The source of funds to finance these transactions, including the percentage of public vs. private sources.

6. How the proceeds from the debt-for-equity swap were used by your company.

7. Provide the relevant original loan contracts between the steel company and the GOC or SOCBs and any contracts, legal documents, and other relevant correspondence containing details on the debt for equity transaction.

8. Provide documentation relevant to the decision concerning each debt for equity transaction, including in particular all the documents detailing the rationale for the transaction and the underlying financial details, e.g. the relevant rate of return sought by the lender and/or shareholders, the projections of sales and earnings relating to the company operations prior to the todebt for equity conversion, etc.

9. Provide internal company documents relating to the debt-for-equity transactions, such as Board of Directors’ approval decisions and minutes,Board of Supervisors' approval decisions and minutes, Shareholders' meetings approval decisions and minutes etc.

10. Provide documentation relevant to the decision as to the source of funds to finance your operations, e.g., debt vs. equity financing and private vs. government sources.

11. Explain in detail how was the amount of equity to be issued in exchange for debt determined and the per share price to be paid. If the shares involved in the swap were publicly traded, please provide the relevant prices at the moment of the transaction.

12. Explain the expected commercial rate of return on equity sought by the government and its calculation and provide any study and analysis carried out by independent parties on this issue.

13. Provide a list of all equity investments made by private (i.e. non-government) entities contemporaneous with the government’s investment or debt-to-equity swap, if any. Please provide the dates, the numbers of shares, the amount paid per share for each purchase, and a description of the rights and

preferences of the equity interests received by these private entities and how these differ from the rights and preferences of the equity interests received or held by the government.

14. Provide a list of any attempt made by your company to obtain private equity investment and/or agreements involving private equity investments which were then not finalised for whatever reasons. Describe the circumstances of these attempts and/or agreements, and the reasons they were not achieved.

15. Please provide complete, translated audited financial statements for the year of each government equity investment for each of the government entities involved in the transactions, including SOCBs and AMCs. The financial statements should include the complete set of statements, e.g., income statement, balance sheet, statement of change in equity footnotes, and must be accompanied by the auditors' opinion.

16. Please calculate the following financial ratios for your company for each year in which an equity investment was received and for the preceding three years: current ratio, quick ratio, gross profit, operating profits, net profits, return on equity, debt-to-equity, debt-to-assets, interest/debt coverage, and cash flow to debt.

Program 44: Equity infusions

The applicant alleges that the GOC has provided over the years substantial amounts of cash to steel companies producing/exporting the product under investigation through equity infusions. According to the complainant, the GOC acquired shares in companies in which it was already the main shareholder without acquiring additional shareholder rights.

With regard to equity infusions into your company involving directly or indirectly the GOC and/or SOCBs and/or SOEs, please provide the following informationsince 2005 until 30 June 2015.

Please provide answers to the following questions in the attachment named **"Exporter Questionnaire Sheets - CV - rod in coils - China"** on the tab labelled **"Equity infusions"**.

1. For Government Equity infusions, please provide the following information regarding the share issue for the equity infusion:
   (a) the consideration paid,
   (b) the amount of equity received by the GOC,
   (c) the name of the GoC entity receiving the shares (can be directly or through controlled corporations),
   (d) the number of shares issued,
   (e) a description of the shares(e.g. common shares, preferred shares), and
   (f) and the date of each transaction.

2. Provide all documentation relevant to your decision concerning each equity infusion, including documents detailing the rationale for the transactions and all of the underlying financial details, e.g. the relevant rate of return sought by the investor(s), projections of sales and earnings relating to the company operations prior to the toequity infusion, etc.

3. Provide details of:
   (a) How did your company determined the amount of equity to be issued and the per share price to be paid?
   (b) How the transaction was reflected in the financial statements and provide underlying evidence?
   (c) The source of funds to finance these transactions, including the percentage of public vs. private sources.
   (d) How the proceeds from the share issued were used by your company?
   (e) If the shares of the company involved were publicly traded, what was the relevant price at the moment of the equity infusion?
   (f) What was the expected commercial rate of return on equity sought by the government entity?
   (g) How did it calculate its expected rate of return? Provide any study and analysis carried out by independent parties.

4. For equity investments made by Government, provide details of private (i.e. non-governement entities) equity investments made contemporaneously with the Government's equity infusion, including:

   (a) the dates,
   (b) the numbers of shares,
   (c) the amount paid per share for each purchase,
   (d) a description of the rights and preferences of the equity interests received by these private entities,
   (e) how these differ from the rights and preferences of the equity interests received or held by the government, and
   (f) a description of the circumstances and of any agreements related to these private equity purchases including the role played by the government or entities controlled or owned by the government in the negotiation and/or fulfilling of said agreements.

   Agreements, notes, or other information related to these purchases should be provided.

5. Provide a list of any attempt made by your company to obtain private equity investment and/or agreements involving private equity investments which were then not finalised for whatever reasons. Describe the circumstances of these attempts and/or agreements, and the reasons they were not achieved.

6. Please calculate the following financial ratios for your company for each year in which an equity investment was received and for the preceding three years: current ratio, quick ratio, gross profit, operating profits, net profits, return on equity, debt-to-equity, debt-to-assets, interest/debt coverage, and cash flow to debt.

Program 45:Unpaid dividends

The Commission understands that according to GOC policy, state-owned enterprises including the steel companies producing/exporting the goods under consideration do not have to pay dividends to the government as their owner, even when they earn profits.The applicant claims that unpaid dividends should be considered as a disguised grant or as revenue forgone because the GOC does not collect dividends that are normally paid to private investors on their shares.

Please provide the following information:

1. The relevant provisions on distribution of dividends contained in the legislation, in administrative documents, and in any other official documents.
2. The practice and policy on dividend distributions contained in your company documents, including the by-laws, resolutions of the shareholders or the board of directors, minutes of the meeting, shareholders' agreements etc.

For the following questions, please answer the questions in the "**Unpaid dividends**" tabs of the workbook "**Exporter Questionnaire Sheets - CV - rod in coils - China**".

3. A list of all dividend distributions to Government entities effected by your company during the investigation period and for the years 2011, 2012, 2013 2014 and 2015, detailing:
   a) the description of the dividend transactions,
   b) the date of the dividend transactions
   c) thea description of the various categories of shares involved (e.g. common shares, preference shares, special classes of shares etc.)
   d) the specific rights attached to the shares,
   e) the amount distributed as dividends per each category of share,
   f) the per-share dividend paid out for each category of share,
   g) the number and class of shares held by the government,
   h) the percentage of profits distributed per each class of share to the GOC, and
   i) any taxes paid or payable on these dividend distributions.

4. Provide a copy of the relevant resolutions adopted by the shareholders' meeting or the board of directors deliberating the relevant dividend distribution.

5. A list of any dividend distributions effected by your company to private shareholders during the investigation period and for the years 2011,2012, 2013 2014 and 2015, detailing:

a) the amounts distributed as dividends,

b) the number of shares held by private investors,

c) a description of the shares and of their attached rights (e.g. common shares, preferred shares) giving rise to the dividend distributions,

d) the percentage of profits distributed per each class of share to the private investors, and

e) the dividend per share distributed per each class of share.

6. What was the amount of profits available for dividend distribution by your company for the years 2011, 2012, 2013, 2014 and 2015?

7. What was the amount of retained earnings since the year 2005 available for distribution to shareholders of the different classes of shares?

8. A list of investments in fixed assets affected since the year 2005 financed out of retained earnings or other profits otherwise available for distribution to shareholders in previous years used to finance these investments. (Please format as necessary).

9. All internal company documents relevant to your decision as to the source of funds to finance your operations, e.g., debt vs. equity financing and private vs. government sources.

10. A detailed description of the accounting treatment and the company policy concerning dividend distributions, retained earnings, and use of the proceeds otherwise available for dividend distribution. Please attach relevant underlying financial statements and records and other relevant evidence.

PART C-5 PREFERENTIAL LOANS AND INTEREST RATES

It is our understanding that certain enterprises in China benefit from low (subsidised) interest rates from state owned commercial banks (SOCB) and government banks in accordance with the GOC policy to support and develop the expansion of the Chinese steel industry.

If your business or any company/entity related to your business received benefits under any such program during the period 1 July 2010 to 30 June 2015, please answer the following questions.

1. Provide give a general overview of how your company secures necessary financial resources on the financial market (e.g. Loans, issuance of bonds etc.)

Provide answers to the following questions in "**Loans**" tab of the "**Exporter Questionnaire Sheets - CV - rod in coils - China**" workbook attached.

Response: **Please refer to the Exhibit C-5: Loans for the requested information in PART C-5.**

2. Provide a list of all the loans provided to your company from banks and financial institutions which have not been fully reimbursed by the end of the investigation period.

3. Provide specific details of the loan, including the start date of the loan, the principal amount of the loan, terms and conditions of the loan, purpose of the loan, the repayment terms/frequency, repayment amount, interest rate, interest type (e.g. fixed, variable etc), if the loan has been redrawn any time during its duration, please provide the redraw date, amount and the reason for redraw.

4. Indicate whether each bank is Chinese or foreign-owned and give the percentage of government ownership of each bank (including ownership by entities owned or controlled by a government).

5. In the case of each loan from government-owned or controlled, please explain the reason for borrowing from such a bank rather than a commercial bank. What are the differences in the terms and conditions of loans between the government and commercial banks?

6. Explain how the decisions to grant the loan or its conditions are dependent on the purpose of the loan and give details on the process your company went through to apply for the loan. Please provide detail on what conditions or criteria your company needed to fulfil to be granted the loan.

7. For each of the loans listed, provide copies of signed loan agreements between the bank which provided the loan and company which was the addressee of the loan specifying the conditions of the loan such as amount, term of repayment, interest rate etc. Also provide a copy of your application for the loan.

*Note: If your company has more than one loan from same bank/financial institution which were not repaid by the end of the investigation period and the loan agreements for these loans are standardised, it is sufficient **at this stage** to provide an English translation for one of them only (e.g. If your company has multiple loans from one particular bank which only differ in amounts you only need to translate one of them into English for your questionnaire response. However it is necessary to translate all credit line agreements from which loans not repaid by the end of the investigation period were drawn.*

8. Please explain whether the granting of the specific loan depended on the link between the purpose of the loan and the goals specified in any government plan or development program. Provide a copy of the laws, regulations, administrative guidelines and any other acts relevant for the operation of this lending with any subsequent amendments. Also include a copy of any governmental or development plan of which the scheme represents a direct implementation.

9. For each loan application, please explain the involvement of third parties such as government departments, local councils, party committees in the whole process since the application for the loan up to the decision whether the loan is granted or not.

10. In the "Loans" spreadsheet, provide the information requested on guarantees for the loans provided to your company.

11. Please give details of all loan applications during the investigation period which were refused; give the name of the bank, the amount of the loan requested and the reasons for refusal.

12. Provide any other information you may deem necessary for the commission to make an assessment on the subsidisation of producers/exporters of the product under investigation. You may adjust the table in the "Loans" tab as necessary to include this additional information.

PART C-6 MISCELLANEOUS PROGRAMS

The following subsidy programs were listed in Category Six on page 52 of Non-confidential attachment C-1 to the application. The applicant identified the following programs in the 2014 Annual Report of Hunan Valin Xiangtan Iron & Steel Co., Ltd. (Hunan Valin), an producer and exporter of rod-in-coil known to the applicant.

Program 49: Land Acquisition Compensation[12]
Program 50: Other Government Grants[13]
Program 51: Other rebates (Government Grants)[14]
Program 52: Interest (Financial) discount[15]
Program 53: The 43.3 thousand yuan investment in the Environmental Special Protection Fund[16]

[12] Refer page 135 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "征地补偿(与资产相关) ".
[13]Refer page 135 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "其他[政府补助] (与资产相关) " and page 141 for the phrase "与收益相关 (其他与收益相关的政府补助)"
[14] Refer page 141 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "其他退税"
[15] Refer page 141 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "财政贴息"
[16] Refer page 29 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "华菱湘钢 2014 年全年累计投入环保专项资金 4.33 亿元"

Program 54: The 13.4 thousand yuan investment in the Environmental Special Protection Fund[17]
Program 55: The 62.28 million yuan investment in theEnvironmental Special Protection Fund[18]

The following subsidy programs were listed in Category Seven on page 52 of Non-confidential attachment C-1 to the application. The applicant identified the following programs in the 2014 Annual Report of Jiangsu Shagang Group Co., Ltd. (Jiangsu Shagang), an producer and exporter of rod-in-coil known to the applicant.

Program 58: Provincial key industrial restructuring and revitalization project special Boot funds[19]
Program 59: Financial Assistance[20]
Program 60: Development of special guide funds[21]
Program 61: Investment cooperation agreement Award Jiangsu HuaianQingpu Industrial Park[22]
Program 62: Other Grants[23]

Provide answers to the following questions in the"**Miscellaneous programs**" tab of the "**Exporter Questionnaire Sheets - CV - rod in coils - China**" workbook attached.

Response: Please refer to Exhibit C-3: Grants for the information of all subsidies the Respondent received from July 2010 to June 2015 as requested.

For **each program**listed above, answer the following.

1. Indicate whether your company benefited from any of the listed programs.

2. If yes, indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production, or only certain products that have undergone research and development).

3. Describe the application and approval procedures for obtaining a benefit under the program.

[17] Refer page 29 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "华菱涟钢 2014 年全年累计投入环保专项资金 1.34 亿元"
[18] Refer page 29 of the 2014 Hunan Valin Annual Report, translated from the Chinese phrase: "华菱钢管 2014 年全年累计投入环保专项资金 6,228 万元"
[19]Refer page 122 of the 2014 Jiangsu Shagang Annual Report, translated from the Chinese phrase: "省重点产业调整和振兴项目专项引导资金".
[20]Refer page 122 of the 2014 Jiangsu Shagang Annual Report, translated from the Chinese phrase: "财政补助".
[21]Refer page 122 of the 2014 Jiangsu Shagang Annual Report, translated from the Chinese phrase: "发展专项引导资金（淮安市财政局和商务局－淮财工贸[2013]39 号）".
[22]Refer page 122 of the 2014 Jiangsu Shagang Annual Report, translated from the Chinese phrase: "江苏淮安工业园清浦工业园管理委员会签署的投资合作协议书奖励 －（淮商财[2013]204 号）拨付 2013 年度淮安市商务".
[23]Refer page 122 of the 2014 Jiangsu Shagang Annual Report, translated from the Chinese phrase: "其他补助 －与收益相关".

4. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the Government of China in relation to the program.

5. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

6. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

7. State whether your eligibility for the program was conditional on one or more of the following criteria:

   a) whether or not your business exports or has increased its exports;
   b) the use of domestic rather than imported inputs;
   c) the industry to which your business belongs; or
   d) the region in which your business is located.

8. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

9. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

10. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

11. To your knowledge, does the program still operate or has it been terminated?

12. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

    If the program terminated has been substituted for by another program, identify the program and answer all the questions in Part C-6 in relation to this programme.

PART C-7 ANY OTHER PROGRAMS

Provide answers to the following questions in the"**Other programs**" tab of the "**Exporter Questionnaire Sheets - CV - rod in coils - China**" workbook attached.

Response: The Respondent did not receive any benefits from any other programs. Thus, questions in PART C-7 are not applicable.

1. Provide a list of all the provinces in which you have business operations (including locations of factories, sales offices, or other places of business).

2. Are you aware of any programs of the Government of China, any of its agencies or any other authorised body, that benefits[24] manufacturers of rod in coilsthat have not been accounted for in this questionnaire? Provide the name ofthose programs you are aware of (even if your company is not eligible to receive benefit under the program.)

3. Indicate the location of the program by region, province or municipal level.

4. Indicate the type of program, for example:

    a) the provision of grants, awards or prizes;
    b) the provision of goods or services at a reduced price (e.g. electricity, gas, raw materials (including, for example, zinc), transport);
    c) the reduction of tax payable including income tax and VAT;
    d) reduction in land use fees;
    e) loans from Policy Banks at below-market rates; or
    f) any other form of assistance.

For **each program**that you have identified, answer the following.

5. Indicate whether your company benefited from any of the listed programs.

6. Indicate which goods you produced that benefited from the program (e.g. the program may have benefited all production or only certain products that have undergone research and development).

7. Describe the application and approval procedures for obtaining a benefit under the program.

8. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments and all contractual agreements entered into between your business and the Government of China in relation to the program.

9. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

10. Outline the eligibility criteria your business had to meet in order to receive benefits under this program.

11. State whether your eligibility for the program was conditional on one or more of the following criteria:

    a) whether or not your business exports or has increased its exports;
    b) the use of domestic rather than imported inputs;
    c) the industry to which your business belongs; or

[24] Refer to the Glossary of Terms for a definition of benefit in this context.

d) the region in which your business is located.

12. If the benefit was provided in relation to a specific activity or project of your entity, please identify the activity and provide supporting documentation.

13. What records does your business keep regarding each of the benefits received under this program? Provide copies of any records kept in relation to the program.

14. Indicate where benefits under this program can be found in your accounting system (i.e., specify the ledgers or journals) and financial statements.

15. To your knowledge, does the program still operate or has it been terminated?

16. If the program has been terminated, please provide details (including when and why). When is the last date that your business could apply for or claim benefits under the program? When is the last date that your business could receive benefits under the program?

    If the program terminated has been substituted for by another program, identify the program and answer all the questions in Part C-7 in relation to this programme.

SECTION D - 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.....(company) did not, during the period of investigation, export the goods under consideration and therefore have not completed the attached questionnaire.

Name:.....

Signature :.....

Position in Company :.....

Date :.....

SECTION E - CHECKLIST

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

Section	Please tick if you have responded to all questions
Section A – general information	☑
Section B – sales to Australia - export price	☑
Section C – countervailing (subsidisation)	☑
Section D - declaration	☑

Electronic Data	Please tick if you have provided spreadsheet
PRODUCTION	☑
INCOME STATEMENT	☑
TURNOVER	☑
AUSTRALIAN SALES	☑
RAW MATERIAL PURCHASES	☑
ELECTRICITY	☑
INCOME TAX PROGRAMS	☑
INCOME TAX	☑
VAT AND TARIFF PROGRAMS	☐
VAT AND TARIFF TRANSACTIONS	☐
GRANTS	☑
DEBT TO EQUITY	☐
EQUITY INFUSIONS	☐
UNPAID DIVIDENDS	☐
LOANS	☑
MISCELLANEOUS PROGRAMS	☐
OTHER PROGRAMS	☐

APPENDIX1 - GLOSSARY OF TERMS

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

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.

Financial Asset Management Companies (AMCs)

According to Article 2 of *Regulation on Financial Asset Management Companies* issued by the State Council in 2000:

> *The term "financial asset management company" refers to a wholly state-owned non-banking financial institution that has been established upon the decision of the State Council to purchase the [non performing loans] (NPLs) of state-owned banks as well as to manage and dispose of any assets resulting from purchase of the NPLs of state-owned banks.*

Associated Companies

Persons shall be deemed to be associates of each other if, and only if:

(a) both being natural persons:

(i) they are connected by a blood relationship or by marriage or by adoption; or
(ii) one of them is an officer or director of a body corporate controlled, directly or indirectly, by the other;

(b) both being bodies corporate:

(i) both of them are controlled, directly or indirectly, by a third person (whether or not a body corporate); or
(ii) both of them together control, directly or indirectly, a third body corporate; or
(iii) the same person (whether or not a body corporate) is in a position to cast, or control the casting of, 5% or more of the maximum number of votes that might be cast at a general meeting of each of them; or

(c) one of them, being a body corporate, is, directly or indirectly, controlled by the other (whether or not a body corporate); or

(d) one of them, being a natural person, is an employee, officer or director of the other (whether or not a body corporate); or

(e) they are members of the same partnership.

Benefit

As further defined in relation to the definition of the term 'subsidy' below, 'benefit' may include:

- a direct transfer of funds;
- the acceptance of liabilities (e.g debts or other liabilities), whether actual or potential, of your enterprise;
- the forgoing, or non-collection, of revenue (other than an allowable exemption or remission) that was otherwise due (e.g. reduced rate of income tax, waiving certain other taxes);
- the provision of goods or services otherwise than in the course of providing normal infrastructure; or
- the purchase of goods

by the Government of China (GOC) (at any level), a public body of the GOC, or a private body entrusted by the GOC to carry out GOC functions.

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 (CTMS)

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.

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.

Enterprise

“Enterprise" includes a group of enterprises, an industry and/or a group of industries

Factory overheads

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

Foreign Invested Enterprise (FIE)

An FIE may be:

1. Chinese-foreign equity joint venture:

Joint venture between a Chinese company, enterprise, or other business organisation and a foreign company, enterprise, business organisation or individual set up in the form of a Chinese limited liability company.

The characteristics of a Chinese-foreign equity joint venture are joint investment, joint operation, and the participants share profits, risks and losses in proportion to their respective contributions to the registered capital of the joint venture.

The proportion of the investment by the foreign party is no less than 25% in the registered capital of equity joint venture.

2. Chinese-foreign contractual joint venture:

A joint venture established between foreign enterprises and other economic organisations or individuals, and Chinese enterprises or other economic organisations within the territory of China. The rights and obligations of each party are determined in accordance with the agreement specified in the contractual joint venture contract. The investment or conditions for cooperation contributed by the Chinese and foreign parties may be provided in cash or in kind, or may include the right to the use of land, industrial property rights, non-patent technology or other property rights.

3. Wholly foreign owned enterprises:

A wholly foreign owned enterprise is established by foreign enterprises and other economic organisations or by individuals pursuant to the Chinese laws within the territory of China. All of the wholly foreign owned enterprise's capital is invested by foreign investors. It may also be referred to as a Foreign Enterprise (FE).

Goods under consideration (the goods)

The goods to which the application for countervailing action relates.That is, the goods that you have exported to Australia allegedly at subsidised 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)

Investigation period

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

Program(s)

The term "program", as used throughout this questionnaire in reference to alleged subsidies, refers to broad categories of subsidies that Customs and Border Protection has reason to believe may be available to exporters of the goods.

In this regard, the term "program" as used in this questionnaire should not be taken to necessarily refer to formal programs maintained by the GOC, nor should it be taken to refer to one specific subsidy. Rather, "program" as used in this questionnaire can refer to informal subsidies provided by the GOC, and can also refer to multiple individual, albeit similar, subsidies.

State-owned enterprise (SOE) or state-invested enterprise (SIE)

For the purposes of this questionnaire, SOE refers to any company or enterprise that is wholly or partially owned by the GOC as defined above (either through direct ownership or through association).

In previous investigations and correspondence, the GOC has advised that the use of the term 'SOE' is declining in China, and that these enterprises are now referred to with terms such as:

- 'enterprises with state investment'
- 'state-owned assets'
- 'state-invested enterprises'
- 'enterprises under the supervision of SASAC'

of which there are several types.

For the purposes of this questionnaire, SOE refers to any and all of the above types of enterprises.

Subsidy

In respect of goods exported to Australia, means:

(a) a financial contribution:

(i) by a government of the country of export or country of origin of the goods; or

(ii) by a public body of that country or a public body of which that government is a member; or

(iii) by a private body entrusted or directed by that government or public body to carry out a governmental function;

that involves:

(iv) a direct transfer of funds from that government or body; or

(v) the acceptance of liabilities, whether actual or potential, by that government or body; or

(vi) the forgoing, or non-collection, of revenue (other than an allowable exemption or remission) due to that government or body; or

(vii) the provision by that government or body of goods or services otherwise than in the course of providing normal infrastructure; or

(viii) the purchase by that government or body of goods or services; or

(b) any form of income or price support as referred to in Article XVI of the General Agreement on Tariffs and Trade 1994 that is received from such a government or body;

if that financial contribution or income or price support confers a benefit (whether directly or indirectly) in relation to the goods exported to Australia.