

**FOR PUBLIC RECORD**



**Australian Government**  
**Anti-Dumping Commission**

## **Exporter Questionnaire**

**Product: Certain Crystalline Silicon Photovoltaic Modules or Panels**

**From: The People's Republic of China**

**Period of Investigation: 1 July 2012 to 31 December 2013**

**Response due by: 20 June 2014**

**Investigation case manager: Sanjay Sharma**

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

**Return completed questionnaire to:**

**Anti-Dumping Commission  
Level 5, Customs House  
5 Constitution Avenue  
Canberra ACT 2601  
Australia**

**Attention: Director Operations3**

**GOODS UNDER CONSIDERATION**

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

Certain crystalline silicon photovoltaic modules or panels, whether exported assembled or unassembled, and whether or not they have an inverter, capable of producing any power in terms of watt.

The following product types are excluded from the application:

- cells and wafers of the type used in PV modules or panels;
- solar chargers that consist of less than six cells, are portable and supply electricity to devices or charge batteries; and
- PV products that are permanently integrated into electrical goods, where the function of the electrical goods is other than power generation, and where these electrical goods consume the electricity generated by the integrated crystalline silicon photovoltaic cell(s).

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## INSTRUCTIONS

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

The Anti-Dumping Commission (the Commission) is responsible for investigating the allegation that certain crystalline silicon photovoltaic modules or panels (PV modules or panels) has been exported to Australia from the People's Republic of China (China) at prices less than their normal value and that dumping has caused material injury to the Australian industry.

The Commission will use the information you provide to determine normal values and export prices over the investigation period. This information will determine whether certain PV modules or panels is dumped. 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, do not provide all of the information sought, do not provide information within a reasonable time period, or do not allow the Commission to verify the information, we may deem you uncooperative. In that case the Commission may be required to rely on information supplied by other parties (possibly information supplied by the Australian industry). In that case we may assess a dumping margin for your company based upon normal values that may be the weighted average value of the cooperating exporters 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. There is a statutory time limit imposed for the investigation. The Commission may not be able to consider submissions received after the due date.

If you cannot lodge your submission by the due date please advise the investigation case manager as 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 non-confidential version of your submission will be placed on the public record.

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

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

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

[explanation of cost allocation through the divisions].

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

## **Exporter’s declaration**

At section I, 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. The purpose of the visit is to verify the information submitted in response to this questionnaire. It is not meant to be a chance for you to provide new or additional information. The Commission expects your response to the questionnaire to be complete and accurate.

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

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

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

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

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

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

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

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

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

## Outline of information required by this questionnaire

- Section A** General information relating to your company including financial reports.
- Section B** A complete list of your company's exports to Australia over the investigation period.
- Section C** A list of goods sold on the domestic market of the country of export (like goods) that may be compared to the goods under consideration (the goods).
- Section D** A detailed list of all of your company's sales of like goods in your domestic market.
- Section E** Information to allow a fair comparison between export and domestic prices.
- Section F** Information in relation to your company's exports of like goods to countries other than Australia.
- Section G** Costs to make and sell, for exports to Australia and for the domestic market.
- Section H** Particular Market Situation.
- Section I** Your declaration.
- Section J** A checklist.

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

## Some general instructions for preparing your response

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



- Clearly identify all units of measurement and currencies used. Apply the same measurement consistently throughout your response to the questionnaire.

### **Instructions on providing electronic data**

- It is important that information is submitted in electronic format.
- Electronic data should be emailed or submitted on a CD-ROM, in IBM/MS-DOS format, or another operating system whose disk format is compatible with this MS-DOS version.
- The data must be created as spreadsheet files, preferably in Microsoft Excel, or alternatively in an Excel compatible format (for example, Excel can normally access data in Dbase or as an ASCII file).
- The Excel files must be compatible to the USA version.
- If you cannot present electronic data in the requested format contact the investigation case officer as soon as possible.

### **Further information**

Before you respond to the questionnaire you should read all the documentation enclosed with this application including the applicant's non-confidential submission, the booklet *Australia's Anti-Dumping* and the Anti-Dumping Notice notifying the initiation of the investigation. 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 investigation case manager. The Commission will need to know the reasons.

**SECTION A - COMPANY STRUCTURE AND OPERATIONS**

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

**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: **Mr. Gao Deng**  
Position in the company: **Manager of Management Department**  
Address: **No. 567 Suzhou Road, Taicang city, Jiangsu province, China**  
Telephone: **0086-0512-53378559 Ext.8025**  
Facsimile number: **0086-0512-53378556**  
E-mail address of contact person: **gaodeng.hr@simaxsolar.com**

*Factory:*

Address: **No. 567 Suzhou Road, Taicang city, Jiangsu province, China**  
Telephone: **0086-0512-53378559 Ext.8025**  
Facsimile number: **0086-0512-53378556**  
E-mail address of contact person: **gaodeng.hr@simaxsolar.com**

**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: **Beijing East Associates Law Firm**  
Address: **19th Floor, Landmark Tower 2, 8 North Dongsanhuan Road, Beijing 100004, China**  
Telephone: **0086-10-65906639 Ext. 287**  
Facsimile/Telex number: **0086-65906650**  
E-mail address of contact person: **vivian\_wang@ealawfirm.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 (e.g. Company, partnership, sole trader)? Please provide details of any other business names that you use to export and/or sell goods.

Answer:

The legal name of the Respondent is Simax (Suzhou) Green New Energy Co., Ltd. The Respondent is a limited liability company.

The Respondent does *not* use any other business name to export and/or sell goods.

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

Answer:

**【Mr. A】 and 【Mr. B】 are the shareholders.**

**The shareholding percentages for the shareholders are as followed:**

**【Deleted, business secrets.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is commercially sensitive. The disclosure of this information is against to the Respondent's interest.*

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

Answer:

**The Respondent is *not* a subsidiary of another company.**

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

Answer:

**The Respondent has no parent company.**

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

Answer:

**Please refer to Annex A-3.5 for the Corporate Structure Chart of the Respondent.**

**【The Corporate Structure Chart was deleted.】**

*The Corporate Structure Chart is not susceptible to a meaningful non-confidential summary as it includes the shareholders' information of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

Answer:

**None.**

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

Answer:

**The Respondent is a producer. The Respondent produces and sells the goods under consideration.**

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

- produce or manufacture
- sell in the domestic market
- export to Australia, and
- export to countries other than Australia.

**Answer:**

**Not Applicable. The Respondent performs all of the above functions in relation to the goods under consideration.**

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

**Answer:**

**Please refer to [Annex A-3.9](#) for Internal Organisation Chart.**

**The functions performed by each department are as followed:**

**【The Internal Organisation Chart and the information of functions performed by each department were deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

**Answer:**

**The Respondent has no annual report. Please refer to [Annex A-3.10](#) for the Brochure.**

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

1. Indicate your accounting period.

**Answer:**

The Respondent's accounting period is the calendar year starting from January 1<sup>st</sup> to December 31<sup>st</sup>.

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

**Answer:**

The Respondent's financial records are held at No. 567 Suzhou Road, Taicang city, Jiangsu province, China.

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

**Answer:**

Please refer to [Annex A-4.3.1](#) for the Chart of Accounts.

**【The Chart of Accounts was deleted.】**

*The Chart of Accounts is not susceptible to a meaningful non-confidential summary as it is involved with the financial secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

**Answer:**

Please refer to [Annex A-4.3.2](#) for Audited Financial Statements of 2012 and 2013.

**The Respondent has no consolidated audited financial statements.**

**【Audited Financial Statements was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the accounting data and financial secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

**Answer:**

**The Respondent has no such documents.**

These documents should relate to:

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

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

**Answer:**

**Not Applicable. The Respondent's accounts have been audited.**

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

**Answer:**

**The Respondent's accounting practices are in accordance with China's generally accepted accounting practices.**

6. Describe:

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

- the method of valuation for raw material, work-in-process, and finished goods inventories (eg last in first out –LIFO, first in first out- FIFO, weighted average);

**Answer:**

**Weighted average method is used for valuation of raw material and finished goods inventory.**

- costing methods, including the method (eg by watts, units, revenue, direct costs etc) of allocating costs shared with other goods or processes (such as front office cost, infrastructure cost etc);

**Answer:**

**【Explanation of costing methods.】**



- valuation methods for damaged or sub-standard goods generated at the various stages of production;

**Answer:**

**【 Explanation of valuation methods for damaged or sub-standard goods generated at the various stages of production.】**

- valuation methods for scrap, by products, or joint products;

**Answer:**

**No scraps, by products or joint products are produced.**

- valuation and revaluation methods for fixed assets;

**Answer:**

**【 Explanation of valuation and revaluation methods for fixed assets.】**

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

**Answer:**

**Straight line depreciation method with 10 years useful life is adopted to calculate the depreciation of production equipment. Please refer to notes of the audit report for more details of depreciation relating to other classes of assets.**

- treatment of foreign exchange gains and losses arising from transactions;

**Answer:**

**【 Explanation of treatment of foreign exchange gains and losses arising from transactions.】**

- treatment of foreign exchange gains/losses arising from the translation of balance sheet items;

Answer:

**Not Applicable.**

- inclusion of general expenses and/or interest;

Answer:

**【Explanation of inclusion of general expenses and interest.】**

- provisions for bad or doubtful debts;

Answer:

**【Explanation of provisions for bad or doubtful debts.】**

- expenses for idle equipment and/or plant shut-downs;

Answer:

**These expenses did not occur to the Respondent.**

- costs of plant closure;

Answer:

**The cost of plant closure has never been incurred since the Respondent's establishment.**

- restructuring costs;

Answer:

**The restructuring costs have never been incurred since the Respondent's establishment.**

- by-products and scrap materials resulting from your company's production process; and

**Answer:**

**No scraps, by products or joint products are produced.**

- effects of inflation on financial statement information.

**Answer:**

**Effects of inflation are not reflected on financial statement information.**

7. In the event that any of the accounting methods used by your company have changed over the last two years provide an explanation of the changes, the date of change, and the reasons for it.

**Answer:**

**The Respondent's accounting methods have not changed over the last two years.**

## **A-5 Income statement**

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

**Answer:**

**Please refer to Annex A-5 for Table – Income Statement.**

**【Table – Income Statement was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the accounting data and financial secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

	Most recent completed financial year (specify)		Investigation period	
	All products	Goods Under Consideration	All products	Goods Under Consideration
<b>Gross Sales (1)</b>				
Sales returns, rebates and discounts (2)				
<b>Net Sales (3=1-2)</b>				
Raw materials (4)				
Direct Labour (5)				
Depreciation (6)				
Manufacturing overheads (7)				
Other operating expenses (8)				
<b>Total cost to make (9=4+5+6+7+8)</b>				
<b>OPERATING INCOME (10=3-9)</b>				
Selling expenses (11)				
Administrative & general expenses (12)				
Financial expenses (13)				
<b>SG&amp;A expenses (14)=(11+12+13)</b>				
<b>INCOME FROM NORMAL ACTIVITIES (15)=(10-14)</b>				
Interest income (16)				
Interest expense (enter as negative) (17)				
Extraordinary gains and Losses – enter losses as negative (18)				
Abnormal gains and losses – enter losses as negative (19)				
<b>PROFIT BEFORE TAX (20)=(15+16+17+18+19)</b>				
Tax (21)				
<b>NET PROFIT (22)=(20-21)</b>				

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

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

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

## A-6 Sales

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

**Answer:**

Please refer to [Annex A-6](#) for Table – Turnover.

**【Table – Turnover was indexed.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the accounting data and financial secrets of the Respondent and the disclosure of this information is against to the Respondent's interest. Indexed data is provided.*

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

Prepare this information in a spreadsheet named "TURNOVER".

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

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

**SECTION B - SALES TO AUSTRALIA (EXPORT PRICE)**

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

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

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

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

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

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

**B-1** 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, original equipment).

**Answer:**

Please refer to **Annex B-1** for List of Australian customers.

**【List of Australian customers was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

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

**Answer:**

Please refer to **Annex B-2 (a)** for Export Flowchart to Australia.

**【Export Flowchart to Australia was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the sales data and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

- (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.

**Answer:**

**There are two parties involved in the distribution chain: the Respondent and Australian customers.**

**Main physical flows: acceptance of purchase order ⇒ issue of proforma invoice ⇒ production ⇒ distribution.**

**Main financial flows: acceptance purchase order ⇒ issuance of proforma invoice ⇒ payment in advanced ⇒ production and distribution ⇒ issue of commercial invoice and bill of lading ⇒ remaining payment of goods.**

**There is no commission occurred in the whole process.**



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

**Answer:**

**The ownership of the goods abides by the sales term of INCOTERMS 2000 and agreed by the Respondent and the customer.**

**The Respondent has no DDP sales to Australia during the investigation period.**

- (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).

**Answer:**

**Not Applicable. The Respondent has not entered into agency or distributor agreements or other contracts in relation to the Australian market.**

- (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.

**Answer:**

**The Respondent comes to know the customers from Exhibition or contacts the customer by email, then the customers ask for the Quotation and negotiated sales terms with the Respondent. After receiving the purchase order, the Respondent issues proforma invoice for confirmation. After receiving the advanced payment, the Respondent arranges production. Then the Respondent arranges delivery and issues commercial invoice, and receives the remaining payment.**

**No export price list is used for the goods export to Australia.**

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

Answer:

**One of the Australian customers - Simax (Australia) Green New Energy Pty LTD is a wholly owned subsidiary of the Respondent.**

**There is no financial or other arrangement between the Respondent and its subsidiary.**

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

Answer:

**None.**

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

Answer:

**Yes. The sales price for distributor is lower than the sales price for end-user.**

**The difference in trade level, i.e. distributor and end-user is consistent with the differences in functions and prices.**

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

Answer:

**Please refer to Annex B-4 for Table - Australian sales.**

**【Table - Australian sales was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

<b>Column heading</b>	<b>Explanation</b>
Customer name	names of your customers
Level of trade	the level of trade of your customers in Australia
Model/grade/type	Mono or Poly Crystalline and whether AC or DC PV modules or panels
Product code	code used in your records for the Mono or Poly crystalline and AC or DC PV modules or panels 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 <i>other than</i> the invoice date best establishes the material terms of sale, report that date. For example, order confirmation, contract, or purchase order date.
Order number	if applicable, show order confirmation, contract or purchase order number if you have shown a date other than invoice date as being the date of sale.
Shipping terms	Delivery terms eg. CIF, C&F, FOB, DDP (in accordance with Incoterms)
Payment terms	agreed payment terms eg. 60 days=60 etc
Quantity	Quantity in units shown on the invoice. Show basis eg Number of units.
Power output	Power output in watts (e.g 250W)
Gross invoice value	gross invoice value shown on invoice <i>in the currency of sale, excluding taxes.</i>
Discounts on the invoice	if applicable, the amount of any discount deducted on the invoice on each transaction. If a % discount applies show that % discount applying in another column.
Rebates	If applicable, 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
Rebates or other allowances	the amount of any deferred rebates or allowances paid to the importer in the currency of sale
Quantity discounts	the actual amount of quantity discounts not deducted from the invoice. Show a separate column for each type of quantity discount.
Ocean freight**	the actual amount of ocean freight incurred on each export shipment listed.
Marine insurance	Amount of marine insurance
FOB export price**	the free on board price at the port of shipment.
Packing*	Packing expenses
Inland transportation costs*	inland transportation costs included in the selling price. For export sales this is the inland freight from factory to port in the country of export.
Handling, loading	handling, loading & ancillary expenses. For example, terminal handling,

& ancillary expenses*	export inspection, wharfage & other port charges, container tax, document fees & customs brokers fees, clearance fees, bank charges, letter of credit fees, & other ancillary charges incurred in the exporting country.
Warranty & guarantee expenses*	warranty & guarantee expenses
Technical assistance & other services*	expenses for after sale services, such as technical assistance or installation costs.
Commissions*	Commissions paid. If more than one type is paid insert additional columns of data. Indicate in your response to question B2 whether the commission is a pre or post exportation expense having regard to the date of sale.
Other costs*	<b>any other</b> costs, charges or expenses incurred in relation to the exports to Australia (include additional columns as required). See question B5.

\*\* FOB export price and Ocean Freight:

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

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

Freight allocations must be checked for consistency.

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

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

Answer:

**Not Applicable.**

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

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

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

**Answer:**

**There are no discounts, rebates or other allowances offered on export sales to Australia.**

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

**Answer:**

**The Respondent did not issue credit notes for the exports to Australia during the investigation period.**

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

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

**Answer:**

**Not Applicable.**

**B-9** Select 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;
- 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 verification at the time of the visit.

**Answer:**

**Please refer to Annex B-9 for the two sets of Export Documentation, including commercial invoice, bill of lading and payment document.**

**Because the forwarding companies issue several invoices for the freight and insurance of all transactions within a period (e.g. one month), the Respondent does not have the freight invoice and marine insurance invoice for an individual transaction.**

**【Export Documentation to Australian customers was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

**SECTION C - EXPORTED GOODS & LIKE GOODS**

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

Answer:

During the investigation period, the Respondent has exported the goods under consideration and the converter to Australia.

For the goods under consideration, Please refer to [Annex C-1](#) for the Product Coding Rule.

**【Product Coding Rule was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

Answer:

Please refer to [Annex C-2](#) for the List of each type of goods under consideration exported to Australia.

**【List of Goods Exported to Australia was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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



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

**Answer:**

Please refer to [Annex C-3](#) for Table - Exported Goods & Like Goods.

**【Table - Exported Goods & Like Goods was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

<b>EXPORTED TY</b>	<b>DOMESTIC TYPE</b>	<b>IDENTICAL?</b>	<b>DIFFERENCES</b>
Product code of each model of the goods exported to Australia	Product code of comparable model sold on the domestic market of the country of export	If goods are identical indicate "YES". Otherwise "NO"	Where the good exported to Australia is not identical to the like goods, describe the specification differences. If it is impractical to detail specification differences in this table refer to documents which outline differences

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

**Answer:**

**Product code for goods under consideration is the same with domestic sales and export sales. Please refer to Annex C-1 for Product Coding Rule.**

**SECTION D - DOMESTIC SALES**

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

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

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

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

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

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

**D-1** Provide:

- a detailed description of your distribution channels to domestic customers, including a diagram if appropriate;

**Answer:**

Please refer to **Annex D-1** for Domestic Sales Flowchart.

**【Domestic Sales Flowchart was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

- information concerning the functions/activities performed by each party in the distribution chain; and

**Answer:**

**There are two parties involved in domestic sales: the Respondent and the customer.**

**Main physical flows: signing the contract ⇒ production ⇒ distribution.**

**Main financial flows: signing the contract ⇒ payment ⇒ production and distribution ⇒ issue of VAT invoice.**

- a copy of any agency or distributor agreements, or contracts entered into.

**Answer:**

**There is no any agency or distributor agreement, or contracts entered into.**

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

**Answer:**

**There is no domestic customer is associated with the Respondent.**

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

**Answer:**

**No. The domestic selling prices are negotiated with the customers according to cost of goods under consideration and market conditions.**

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

- the way in which you set the price, receive orders, make delivery, invoice and finally receive payment; and the terms of the sales; and

**Answer:**

The Respondent contacts the customer by email, then the customer asks for the Quotation and negotiated sales terms with the Respondent. The Respondent signs contract with the customer for confirmation. After receiving the payment, the Respondent arranges production. Then the Respondent arranges delivery and issues VAT invoice to customers.

- whether price includes the cost of delivery to customer.

**Answer:**

For all domestic sales during investigation period, the sales term is “Home Delivery”. So the price includes the cost of delivery to customer.

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

**Answer:**

No price list is used for the goods sold in domestic market.

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

**Answer:**

Please refer to [Annex D-4](#) for Table - Domestic Sales.

**【Table - Domestic Sales was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers’ information and business secrets of the Respondent and the disclosure of this information is against to the Respondent’s interest.*

Columnheading	Explanation
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Customer name	names of your customers. If an English version of the name is not easily produced from your automated systems show a customer code number and in a separate table list each code and name.
Level of trade	the level of trade of your domestic customer
Model/grade/type	commercial model whether Mono or Poly crystalline and whether AC or DC PV modules or panels
Product code	code used in your records for the model for Mono or Poly crystalline and AC or DC PV modules or panels of the goods 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 <i>other than</i> the invoice date best establishes the material terms of sale and should be used, report that date. For example, order confirmation, contract, or purchase order date.
Order number	show order confirmation, contract or purchase order number if you have shown a date other than invoice date as being the date of sale.
Delivery terms	eg ex factory, free on truck, delivered into store
Payment terms	payment terms agreed with the customer eg. 60 days=60 etc
Quantity	quantity in units shown on the invoice.
Power output	Power output in watts
Gross Invoice value	gross value shown on invoice <i>in the currency of sale</i> , net of taxes.
Discounts on the Invoice	the amount of any discount deducted on the invoice on each transaction. If a % discount applies show that % discount applying in another column.
Other charges	any other charges, or price reductions, that affect the net invoice value. Insert additional columns and provide description.
Net invoice value in the currency of the exporting country	the net invoice value expressed in your domestic currency as recorded in your accounting system
Rebates or other Allowances	the actual amount of any deferred rebates or allowances in the currency of sale
Quantity discounts	the actual amount of quantity discounts not deducted from the invoice. Show a separate column for each type of quantity discount.
Packing*	packing expenses
Inland transportation Costs*	amount of inland transportation costs included in the selling price.
Handling, loading And ancillary Expenses*	handling, loading & ancillary expenses.
Warranty & Guarantee expenses*	warranty & guarantee expenses
Technical assistance & other services*	expenses for after sale services such as technical assistance or installation costs.
Commissions*	commissions paid. If more than one type is paid insert additional columns of data.
Other factors*	<b>any other</b> costs, charges or expenses incurred in relation to the domestic sales (include additional columns as required). See question D5.

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

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

Answer:

**Not Applicable.**

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

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

Answer:

**Not Applicable. There is no commission, discount, rebate or allowance offered on domestic sales of like goods.**

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

Answer:

**Not Applicable. There is no commission, discount, rebate or allowance offered on domestic sales of like goods.**

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

Answer:

**Not Applicable. The Respondent has *not* issued credit notes during investigation period.**

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

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

Answer:

**Please refer to Annex D-7 for two sets of domestic sales documentation, including purchase contract, invoice and payment documentation.**

**【Domestic sales documentation was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*



**SECTION E - FAIR COMPARISON**

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

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

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

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

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

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

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

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

## E-1 Costs associated with export sales

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

### 1. Transportation

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

#### Answer:

**The inland transportation associated with the export sale has been allocated based on the sales revenue.**

**The inland transportation cost is located in operating expenses.**

### 2. Handling, loading and ancillary expenses

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

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

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

#### Answer:

**The Handling, loading and ancillary expenses has been allocated based on the sales revenue.**

**The Handling, loading and ancillary expenses is located in operating expenses.**

**3. Credit**

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

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

**Answer:**

**The interest rate most applicable to these export sales is [Confidential], which is the same with the annual interest rate that the Respondent paid for a short-term loan during the investigation period.**

**[Interest information deleted]**

*The above interest rate is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

**4. Packing costs**

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

**Answer:**

**There is no difference between the packing method of sales on domestic market and export market.**

**5. Commissions**

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

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

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

Answer:

**Not Applicable. There was no commission involved in export to Australia.**

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

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

Answer:

**None.**

**7. Other factors**

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

Answer:

**None.**

**8. Currency conversions**

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

Answer:

None.

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

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

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

**1. Physical characteristics**

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

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

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

Answer:

None.

## 2. Import charges and indirect taxes

If exports to Australia:

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

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

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

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

In substantiating the drawback claim the following information is required:

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

### Substitution drawback systems

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

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

Answer:

None.

**3. Level of trade**

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

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

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

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

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

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

This requires the following information:

- a detailed description of each sales activity performed in selling to your domestic customers (for example sales personnel, travel, advertising, entertainment etc);
- the cost of carrying out these activities in respect of like goods;

- for each activity, whether your firm carries out the same activity when selling to importers in Australia;
- an explanation as to why you consider that you are entitled to a level of trade adjustment.

or

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

Answer:

None.

**4. Credit**

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

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

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

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

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



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

1. *Calculate an accounts receivable turnover ratio*

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

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

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

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

2. *Calculate the average credit period*

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

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

**Answer:**

**None.**

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

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

**5. Transportation**

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

Answer:

**The inland transportation associated with the domestic sales has been allocated based on the sales revenue.**

**The inland transportation cost is located in operating expenses.**

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

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

Answer:

**Not Applicable. There is no Handling, loading and ancillary Expenses involved in domestic sales.**

**7. Packing**

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

Answer:

**There is no difference between the packing method of sales on domestic market and export market.**

**8. Commissions**

For any commissions paid in relation to the domestic sales:

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

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

Answer:

There is no commission involved in domestic sales.

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

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

Answer:

None.

**10. Other factors**

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

- *inventory carrying cost*: describe how the products are stored prior to sale and show data relating to the average length of time in inventory. Indicate the interest rate used;
- *warehousing expense*: an expense incurred at the distribution point;
- *royalty and patent fees*: describe each payment as a result of production or sale, including the key terms of the agreement;
- *advertising*; and
- *bad debt*.

Answer:

None.

### **E-3 Duplication**

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

For example:

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

Separate adjustment items must avoid duplication.

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

**Answer:**

**There is no duplication in calculating the amount of the adjustments.**

<b>SECTION F - EXPORT SALES TO COUNTRIES OTHER THAN AUSTRALIA (THIRD COUNTRY SALES)</b>
-----------------------------------------------------------------------------------------

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

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

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

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

Supply this information in spreadsheet file named "Third country"

**Answer:**

Please refer to [Annex F-1](#) for Table - Third Country Sales.

**【Table - Third Country Sales was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

Answer:

None.

**SECTION G - COSTING INFORMATION AND CONSTRUCTED VALUE**

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

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

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

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

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

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

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

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

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

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

Answer:

Please refer to [Annex G-1](#) for Production Flowchart.

There is no product manufactured using the same production facilities as those used for the goods under consideration.

There is no scrap or by-products that result from producing the goods under consideration.

**【Production flowchart was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

**G-2. 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 no. of units (and/or watts))*			
B – Actual production in volume (eg no. of units (and/or watts))			
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 spreadsheet named "**Production**".



Answer:

Please refer to Annex G-2 for Table – Production.

**【Table – Production was indexed.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

**G-3. Cost accounting practices**

1. Outline the management accounting system that you maintain and explain how that cost accounting information is reconciled to your audited financial statements.

**Answer:**

**The Respondent uses a process costing method in its management accounting system that is an integral part of its financial accounting system. The cost of goods sold and inventory values reported in the financial statements are based on the costs generated from its costing accounting system.**

2. Is your company's cost accounting system based on standard (budgeted) costs? State whether standard costs were used in your responses to this questionnaire. If they were state whether all variances (ie differences between standard and actual production costs) have been allocated to the goods - and describe how those variances have been allocated.

**Answer:**

**The Respondent's cost accounting system is not based on standard costs.**

3. Provide details of any significant or unusual cost variances that occurred during the investigation period.

**Answer:**

**There is no such cost variances occurred during the investigation period.**

4. Describe the profit/cost centres in your company's cost accounting system.

**Answer:**

**The module workshop and solar cell workshop can be regarded as two cost centres of the Respondent's costing accounting system.**

- 5 For each profit/cost centre describe in detail the methods that your company normally uses to allocate costs to the goods under consideration. In particular specify how, and over what period, expenses are amortised or depreciated, and how allowances are made for capital expenditures and other development costs.

**Answer:**

**The actual costs incurred for each cost centre are recorded in the cost accounting system.**

- 6 Describe the level of product specificity (models, grades such as mono or poly crystalline and whether AC or DC power output) that your company's cost accounting system records production costs.

**Answer:**

**The Respondent's cost accounting system can merely trace to the production cost level of solar cells and modules.**

- 7 List and explain all production costs incurred by your company which are valued differently for cost accounting purposes than for financial accounting purposes.

**Answer:**

**All production costs are valued the same for cost accounting purposes and for financial accounting purposes.**

- 8 State whether your company engaged in any start-up operations in relation to the goods under consideration. Describe in detail the start-up operation giving dates (actual or projected) of each stage of the start-up operation.

**Answer:**

**The Respondent did not engage in any start-up operations in relation to the goods under consideration during the investigation period.**

- 9 State the total cost of the start-up operation and the way that your company has treated the costs of the start-up operation in its accounting records.

**Answer:**

**The Respondent did not engage in any start-up operations in relation to the goods under consideration during the investigation period.**

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

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

1. Please provide (in the format shown in the table below) the actual unit cost to make and sell each model/type (egas mono or poly crystalline and whether AC or DC power output)\* (identified in section C) of the like goods sold on the domestic market. Provide this cost data for each quarter over the investigation period. If your company calculates costs monthly, provide monthly costs.
2. Indicate the source of cost information (account numbers etc) and/or methods used to allocate cost to the goods. Provide documentation and worksheets supporting your calculations.

	Quarter X	Quarter X	Quarter X	Quarter X
<b>Like Domestic Model/Type – from spreadsheet LIKEGOOD (section C-3)</b>				
Material Costs <sup>1</sup>				
Direct Labour				
Manufacturing Overheads				
Other Costs <sup>2</sup>				
<b>Total Cost to Make</b>				
Selling Costs				
Administration Costs				
Financial Costs				
Delivery Expenses <sup>3</sup>				
Other Costs <sup>3</sup>				
<b>Unit Cost to Make and Sell</b>				

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

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

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

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

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

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

*Provide the information broken down into fixed and variable costs, and indicate the % total cost represented by fixed costs.*

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

*Please specify unit of currency.*

**Answer:**

**Please refer to Annex G-4.2 for Table - Domestic CTMS.**

**Due to the cost of goods under consideration sold on domestic market and export market is not distinct. So the Respondent prepares the same cost table for both Domestic CTMS and Australian CTMS.**

**【Table - Domestic CTMS was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

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

	Quarter X	Quarter X	Quarter X	Quarter X
<b>Model/Type exported to Australia – from spreadsheet LIKEGOOD</b>				
Material Costs <sup>1</sup>				
Direct Labour				
Manufacturing Overheads				
Other Costs <sup>2</sup>				
<b>Total Cost to Make</b>				
Selling Costs				
Administration Costs				
Financial Costs				
Delivery Expenses <sup>3</sup>				
Other Costs <sup>3</sup>				
<b>Unit Cost to Make and Sell</b>				

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

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

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

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

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

*Provide the information broken down into fixed and variable costs, and indicate the % total cost represented by fixed costs.*

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

Please specify unit of currency.

**Answer:**

Please refer to **Annex G-5** for Table - Australian CTMS.

**Due to the cost of goods under consideration sold on domestic market and export market is not distinct. So the Respondent prepares the same cost table for both Domestic CTMS and Australian CTMS.**

**【Table - Australian CTMS was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

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

**Answer:**

**As mentioned above, there is no cost differences between goods sold to the domestic market and those sold for export.**

- 2 Give details and an explanation of any significant differences between the costs shown, and the costs as normally determined in accordance with your general accounting system. Reference should be made to any differences arising from movements in inventory levels and variances arising under standard costing methods.

**Answer:**

**As mentioned above, there is no cost differences between goods sold to the domestic market and those sold for export.**

- 3 In calculating the unit cost to make and sell, provide an explanation if the allocation method used (eg number, or watts etc) to determine the unit cost differs from the prior practice of your company.

**Answer:**

**The allocation method used to determine the unit cost is the same with the prior practice of the Respondent.**



## G-6 Major raw material costs

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

For these major inputs:

- identify materials sourced in-house and from associated entities;
- identify the supplier; and
- show the basis of valuing the major raw materials in the costs of production you have shown for the goods (eg market prices, transfer prices, or actual cost of production).

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

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

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

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

### Answer:

**The main raw material which accounts for 10% or more of the total production cost and is purchased by the Respondent is the solar cell.**

**Please refer to Annex G-6.1 for Table - Raw Material Purchases during the investigation period.**

**【Table - Raw Material Purchases was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the*

*Respondent and the disclosure of this information is against to the Respondent's interest.*

Please refer to [Annex G-6.2](#) for the spreadsheet of Cells CTM during the investigation period.

The Respondent manufactures solar cells being the primary raw materials of the goods under consideration as part of an integrated production process, as well as sources some of this material from other suppliers.

**【Table – Cells CTM was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

**SECTION H - PARTICULAR MARKET SITUATION**

*The applicant claims that a 'particular market situation' exists in respect of certain crystalline silicon photovoltaic modules or panels (the goods) in China due to the government providing "policy loans" and credit facilities by the state owned Chinese banks at preferential rates that do not take into account commercial risk and prudential lending practices that otherwise applied in the Chinese capital credit market.*

*The existence of a 'particular market situation' could affect the Commission's approach to calculating the normal value within its dumping assessment. In broad terms, it is generally the case that the normal value of the goods is the price paid for like goods sold for home consumption in the country of export. One of the exceptions to using domestic selling prices for this purpose is if the Minister is satisfied that a situation in the market has rendered domestic selling prices unsuitable for establishing normal values (i.e. a 'particular market situation' exists).*

*These situations may be where the domestic selling prices in the country of export have been materially influenced by the government rendering those prices unsuitable for use in establishing normal values.*

*In this part of the questionnaire, the Commission is seeking information from your business, supported by evidence, in assessing the market situation claims made by the applicant. All document provided must be accompanied with a translated English version as well as the original version.*

*It may be necessary for the Commission to request additional information following receipt and review of your responses.*

## Part 1 General information

### 1. Ownership and management

a) Has the Government of China (GOC)<sup>3</sup> anytime in the previous 5 years been a shareholder (or invested either directly or indirectly) in your business? If so, provide details of shareholding and/or investments.

Answer:

**No.**

b) List all the directors and major shareholders of your business and identify any common directors and executive officers between your business and related businesses.

Answer:

**There are two shareholders of the Respondent, they are Mr. Shen Shaojie and Mr. Shen Yongsheng.**

**The common executive officer between the Respondent and its related businesses is Mr. Shen Shaojie.**

c) Are any directors or major shareholders, employees, or otherwise affiliated with the GOC? If so, identify the individuals, their role and their affiliation with the GOC.

Answer:

**None.**

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<sup>3</sup> References to the GOC include any government authorities at any level (e.g. National, Provincial, Regional, Local), agency, party, or otherwise associated entity, including the State-owned Assets Supervision and Administration Commission of the State Council (SASAC).

d) Are any directors or employees of your business appointed, managed or recommended by the GOC? If so, identify the government department(s) they were recommended by.

Answer:

**None.**

e) Provide details of any significant changes in the ownership structure of your business over the last 5 years.

Answer:

**Not Applicable. The ownership structure of the Respondent has no significant changes over the last 5 years.**

f) Identify all positions within your business that are appointed or designated to act on behalf of GOC authorities.

Answer:

**None.**

g) Explain whether there are any GOC requirements by law and/or any internal business policy to have GOC representation in your business. If so explain their role.

Answer:

**None.**

h) Does the GOC representative(s) or the person(s) appointed by the GOC have any VETO rights for any decisions made by the Board and/or the senior executives of your business? If so explain how and when such powers are exercised.

Answer:

**None.**

i) Who has the ability to reward, hire, fire or discipline your business' senior managers and executives?

Answer:

**The Executive Director and General Manager has the ability to reward, hire, fire or discipline the Respondent's senior managers and executives.**

j) Do any of your business' senior managers hold positions in any GOC departments or organisations, associations or Chambers of Commerce? If so describe the nature of their positions.

Answer:

**No.**

k) Is your business publicly listed and traded on a securities exchange?

Answer:

**No.**

- l) If so, identify all types of securities listed and name all securities exchange's on which they are traded.

**Answer:**

**Not Applicable. The Respondent is not publicly listed and traded on a securities exchange.**

- m) Are there any restrictions to trade these securities (e.g. restricted only to Chinese nationals etc.)?

**Answer:**

**Not Applicable. The Respondent is not publicly listed and traded on a securities exchange.**

## **2. Business planning**

- a) Explain your business' decision-making process in general and in respect of PV modules or panels products in relation to:
- i. what goods are produced;
  - ii. how the goods are produced;
  - iii. how much is produced;
  - iv. the quantity of inputs (such as raw materials) purchased and how it is allocated to the manufacture of different products;
  - v. the location of your production facility;
  - vi. how your business' profit is distributed (e.g. dividends, share buyback etc); and
  - vii. how you make decisions regarding your companies' growth target and other strategic decisions (e.g. expansions, mergers, acquisitions, restructures).

**Answer:**

**The Executive Director and the General Manager and other relevant departments have the freedom to make decisions on business areas for which they are responsible.**

**These bodies conduct the decision making activities based solely on market conditions, i.e. the demand and supply of the products, the price changes of raw materials, energy and labor, and other factors that may affect the profits of the company.**

- b) Provide a description of any GOC input/guidance into the decision-making process regarding your manufacturing, marketing and sale of PV modules or panels products.

**Answer:**

**None. There is no GOC input/guidance into the decision-making process regarding the Respondent's manufacturing, marketing and sale of PV modules or panels products.**

- c) Provide a list of all government departments/offices that are involved, either directly or indirectly, in your manufacture, sale or purchase of PV modules or Panels products.

**Answer:**

**None. There are no government departments/offices that are involved, either directly or indirectly, in the Respondent's manufacture, sale or purchase of PV modules or Panels products.**

- d) Provide copies of the minutes of your Board of Directors and Board of Shareholders meetings over the investigation period.

**Answer:**

**Please refer to Annex H.1.2.d) for the Minutes of Board of Shareholders' Meetings over the investigation period.**



**【Minutes of board of shareholders' meetings was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

- e) Provide copies of the notes to business meetings where pricing decisions on PV modules or Panels products have been made over the investigation period.

**Answer:**

**Not Applicable. The Respondent has no such notes.**

- f) Provide the copies of your Business and/or Corporate Plan that were effective during the Investigation period.

**Answer:**

**Not Applicable. The Respondent has no such document of Business or Corporate Plan.**

- g) Has your business been involved in any mergers and/or acquisitions in the last 5 years? Is so, provide details.

**Answer:**

**No. The Respondent has *not* been involved in any mergers and acquisitions in the last 5 years.**

- h) Has your business undergone any major restructuring in the last 5 years? Is so, provide details.

**Answer:**

**No. The Respondent has *not* undergone any major restructuring in**

the last 5 years.

- i) Is your business currently, or in the last 5 years, been involved in a joint venture? If so, provide details.

**Answer:**

**No. The Respondent has *not* been involved in a joint venture currently, or in the last 5 years.**

**3. Licensing**

- a) Provide a copy of your business license(s).

**Answer:**

**Please refer to Annex H.1.3.a) for the Business License of the Respondent.**

**【Business license was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

- b) Identify the GOC departments or offices responsible for issuing the license(s).

**Answer:**

**It is the Industry and Commerce Administration Authorities at different levels are responsible to issue the business license.**

- c) Describe the procedures involved in applying for your business license(s).

**Answer:**

According to the Regulation of the People's Republic of China on Administration of Registration of Companies, in order to get registration, the company shall first file an application for the business licence in advance of approval of its name, and then submit all the documents required by the Regulation. Within the time limit regulated, the company registration authority shall make a decision of approval or refusal to register, and subsequently notify the company of the decision. The company will or will not get a Business License of Enterprise Legal Person based on the decision.

- d) Describe all requirements and/or conditions that must be met in order to obtain the license(s).

**Answer:**

According to Article 23 of *Company Law*, to establish a limited liability company shall satisfy the following conditions:

- (1) The number of shareholders accords with the quorum;
- (2) The amount of capital contributions paid by the shareholders reaches the statutory minimum amount of the registered capital;
- (3) The articles of association are worked out jointly by shareholders;
- (4) The company has a name and its organizational structure complies with that of a limited liability company; and
- (5) The company has a domicile.

- e) Describe any sanctions and/or restrictions imposed on your business if you act outside the scope of your business license(s).

**Answer:**

According to the Measures of Investigation and Banning on the Unlicensed Business Activities, companies running businesses that are outside the scope of its license shall be banned by corresponding industry and commerce authorities. The unlawful incomes will be confiscated, additional fines and other administrative penalties will be imposed.

**But since there's no limit for applying for a wide range/scope of business activities except those prohibited or restricted by laws and regulations (e.g. drug dealing, production and trade of weapon and dangerous goods, etc.), there is basically no restriction on the business scope in a business license.**

- f) Describe and explain any rights or benefits conferred to your business under the license(s).

**Answer:**

**After obtaining the business licence, a company has all of the rights and benefits conferred by the Chinese company Law and other regulations, which are equally enjoyed by all the legally operated companies.**

- g) Describe the circumstances under which your business license(s) can be revoked, and who has the authority to revoke the license(s).

**Answer:**

**According to the Regulation of the People's Republic of China on the Administration of Company Registration, the business license of a company could be revoked under the following circumstances:**

- 1. the registration of a company is obtained through falsification of the registered capital and the circumstance is serious;**
- 2. the registration of a company is acquired through a false certificate or other deceptive means and the circumstance is serious;**
- 3. failing to start the business after six months of its establishment without justifiable reasons or ceasing the business for more than six months in succession after it starts the business;**
- 4. when altering the registered items of a company, if the registration items fall within the items that shall be examined and approved as prescribed by laws, administrative regulations or decisions of the State Council, but the company engages in relevant business operations without approval by itself and the circumstance is serious;**
- 5. refusing to accept annual inspection;**
- 6. concealing facts or resorted to deception during the annual inspection and the circumstance is serious;**
- 7. forging, altering, leasing, lending or transferring its business license and the circumstance is serious; and**
- 8. engaging in serious illegal acts that may threaten the state security and social public interests taking advantage of the**

name of a company.

The Respondent has not experienced such withdrawal.

- h) What are the on-going conditions and/or requirements of your business license? Name the authority that manages the compliance of these conditions and/or requirements?

Answer:

According to the requirements of the company registration authority, a company shall submit an annual examination report and other documents contain financial conditions of the company within the fixed time.

The relevant authority is Taicang Branch, Suzhou Administration for Industry and Commerce.

#### 4. Capital investment activities

- a) List all capital investment activities (e.g. new production line, upgrades) your business has undertaken in the last 5 years and provide details of the approval process and any conditions placed upon the approval. Provide all relevant documentation, including copies of application forms and approval letters.

Answer:

The Respondent has invested on the projects of plant construction, workshop expansion, and purchasing new equipments, etc. It was the Respondent itself who made the decision to make these investments.

- b) If an application for your capital investment activity was not approved, provide details and documentation for the refusal.

**Answer:**

**Not Applicable. There are no such events taking place.**

- c) Identify all relevant authorities responsible for approving capital investments including the office address, phone and fax numbers. Also provide a brief description of the role of the authority in the approval process.

**Answer:**

**Not Applicable.**

## **5. Financing and investment activities**

- a) How is your business debt funded? Provide a list of all major lenders.

**Answer:**

**The only lender was Taicang Rural Commercial Bank. The Respondent got mortgage loan and pledge loan from this bank during the investigation period.**



- b) What is the rate of interest paid by your business on all debt instruments over the last 5 years?

**Answer:**

**The rate of interest paid by the Respondent on all debt instruments over the last 5 years is as followed:**

<b>Type of Loan</b>	<b>Rate of Interest</b>
mortgage loan (Housing)	[Confidential]
mortgage loan (Equipment)	[Confidential]
pledge loan (Foreign Currency)	[Confidential]

**【Interest rates of loan were deleted.】**

*The interest rates of loan are not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

- c) Has your business benefited from any concessional interest rates for your loans/debts in the last 5 years? If so, provide details.

**Answer:**

**None. The Respondent did not benefit from any concessional interest rates for the loans in the last 5 years.**

- d) Has your business raised any capital using issuance of shares, preferential shares, rights issue, bonds, warrants, debentures, sub-ordinate loans or any other debt and/or equity instruments in the last 5 years? If so:
- i. explain what instruments were used;
  - ii. identify the type (e.g government guarantee) and provider of the security; and
  - iii. explain the reasons for raising the capital.

**Answer:**

**None. The Respondent has *not* raised any capital using issuance of shares, preferential shares, rights issue, bonds, warrants, debentures, sub-ordinate loans or any other debt and/or equity instruments in the last 5 years**

- e) Does your business have policies on how cash reserves are to be invested? If so, provide details.

**Answer:**

**None. No such investment has taken place in the past.**

- f) Has your business invested in either government or non-government debt securities (such as bonds, quasi-government bonds)? If so provide details (e.g. type of instrument, amount invested and the expected rate of return).

**Answer:**

**None. No debt securities investment has been made in either government or nongovernment debt securities.**

**6. Industry associations**

- a) Are you a member of any industry association (either governmental or non-governmental)? If so, for each association provide details including:
- i. The name of the association.
  - ii. When your business joined the association.
  - iii. Whether there are any membership fees.
  - iv. The purpose of the association.
  - v. The benefits of the association.
  - vi. Any restrictions or conditions placed on your business by being a member of the association.
  - vii. Any other on-going requirements for the association.

**Answer:**

**The Respondent is *not* a member of any industry association.**

**7. Interaction with the GOC**

- a) Provide details of all interactions that your business has with the GOC including reporting requirements to the GOC.

**Answer:**

**No such interaction requirements exist for the Respondent.**

- b) Provide contact details of any GOC departments, bureaus or agencies that your business has had any dealings with that are responsible for the administration of measures in the PV modules or panels industry.

Ensure that your response includes contact information regarding the following areas:

- i. industrial policy and guidance on the PV modules or panels industry sector;
- ii. market entry criteria for the PV modules or panels industry sector;
- iii. environmental enforcement for the PV modules or panels industry sector;
- iv. management of land utilization;

- v. the China Banking Regulatory Commission for the PV modules or panels industry sector;
- vi. investigation and inspection of new PV modules or panels expansion facilities;
- vii. the section in the National Development and Reform Commission that is responsible for the PV modules or panels industry sector; and
- viii. import licensing for PV modules or panels raw materials.

**Answer:**

**The contact details of GOC departments and bureaus that the Respondent has had dealings with are as follows:**

<b>Name</b>	<b>Function</b>	<b>Address</b>	<b>Phone Number</b>
Taicang Municipal Environmental Protect Bureau	Environmental assessment	No.99, Xianfu Street, Taicang City	0512-53515048
Taicang Municipal Land Resources Management Bureau	Collection of land use tax	No.96, Shanghai East Road, Taicang City	0512-53521173

- c) Have you had dealings or communications with the National Development and Reform Commission (NDRC) and/or the Ministry of Industry and Information Technology (MIIT) in the last 5 years? If so, provide details.

**Answer:**

**No.**

- d) Provide details of all the taxes paid by your business in the last 5 years (e.g company tax, sales tax, levies, royalties). Ensure that you include the tax rate, whether it is a reduced rate and the name of the authority that it is paid to.

**Answer:**

**The Respondent has paid neither income tax since it is continuous unprofitable over last 5 years, nor the value added tax because it primarily engages in export sales, resulting in higher input tax than output tax all the time, and accordingly there is no VAT needed to be paid.**

**In addition, although the Respondent had made a profit in 2013, the profit was not enough to recover the losses over previous 5 years. Thus, under this circumstance, no income tax is required to be paid.**

- e) List and describe all reports that are required to be submitted to the GOC? How often such reports are required? Identify the government department/office where each report is filed.

**Answer:**

**The Respondent submits the Audited Report and Verify Report to Taicang City State Administration of Taxation every year.**

**The Respondent submits the Annual Inspection Report to Taicang Branch, Suzhou Administration for Industry and Commerce.**

- F) Does your business provide selling price information or participate in surveys to an external agency? If so, provide details.

**Answer:**

**No. The Respondent does not provide selling price information or participate in surveys to an external agency.**

## PART 2PV Modules or Panels

### 1. Sales and production

- a) Provide a list of all your domestic customers of the goods, include the location (city and province) of the customer and indicate whether each customer is an state invested (and/or owned) enterprise (SIE).

**Answer:**

Please refer to [Annex H.2.1.a](#)) for the List of Domestic Customers.

**【List of domestic customers was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

- b) Does your business need to obtain approval or a licence to manufacture and sell the goods? If so, provide details.

**Answer:**

**The Respondent does not need to obtain any approval or licence to manufacture and sell the goods.**

- c) Are there any restrictions and/or conditions in relation to the quality or quantity of the production of the goods placed upon your business? If so, provide details.

**Answer:**

**None. There's no such restriction or condition in relation to the quality or quantity on the production of the goods placed upon the Respondent.**

- d) Does your business require an export licence? If so, provide details.

**Answer:**

**No such export license is specially required for export of the goods under consideration.**

**As other Chinese companies, the Respondent obtained “Foreign Trade Operator’s Registration Form for Record” before export goods.**

**Please refer to [Annex H.2.1.d](#) for the Respondent’s “Foreign Trade Operator’s Registration Form for Record”.**

**【the Respondent’s foreign trade operator’s registration form for record was deleted.】**

*The above information is not susceptible to a meaningful non-confidential summary as it is involved with the customers’ information and business secrets of the Respondent and the disclosure of this information is against to the Respondent’s interest.*

- e) Are the goods sold by your business subject to any export restrictions and/or limits during the previous 5 year? If so, provide details.

**Answer:**

**None. No export restrictions exist on the goods under consideration.**

- f) Provide details regarding any other restrictions (e.g., geographic/regional, downstream, end use) placed upon your business on the sale of the goods.

**Answer:**

**None. There is no such restriction.**

- g) Have there been any changes to your production capacity of the goods

over the last 5 years? If so, provide details.

**Answer:**

**Yes. The Respondent purchased [Confidential] on August 2012.**

**【Information related to purchase of equipment was deleted.】**

*The information related to purchase of equipment is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*



**2. Selling price**

- a) Describe in detail how the selling price of the goods is determined. In particular, provide details of any restrictions, limitations, or other considerations imposed on your business.

**Answer:**

**The selling price is determined by the cost of goods under consideration and market condition.**

**There are no restrictions, limitations, or other considerations imposed on the Respondent.**

- b) Which organisation/business entity do you consider as the price leader of the goods?

**Answer:**

**There is no price leader in the PV industry in China, and each company set their price based on their cost and market condition. The PV price is market-oriented.**

- c) Does your business have a pricing committee in respect of the goods? If so provide the names and positions of all members of the Committee.

**Answer:**

**None. The Respondent has no pricing committee in respect of the goods.**

- d) How often does the pricing committee meet to discuss selling prices of the goods? Provide the minutes or any other relevant documents of all meetings of the pricing committee during the investigation period.

**Answer:**

**Not Applicable. The Respondent has no pricing committee in respect of the goods.**

- e) Identify the person who authorises the sales terms, prices and other contract provisions for the sale of the goods by your business.

**Answer:**

**The Executive Director and the Sales Manager has the power to authorise the sales terms, prices and other contract provisions for the sale of the goods by the Respondent.**

- f) If you have production facilities of the goods in more than one region and/or province, are the laws and regulations in each region the same with respect to pricing of the goods? If not, provide details on the differences.

**Answer:**

**Not Applicable. The Respondent does *not* have production facilities of the goods in more than one region or province.**

**3. Raw material purchases**

***Only answer the following questions if your business, or related businesses, manufacture PV modules or panels***

- a) Provide a detailed listing of your raw material purchases (e.g. polysilicon, silicon ingots, silicon wafers, solar (PV) cells) by completing the '**Raw Material Purchases**' tab in the attached spreadsheet.

**Answer:**

**Please refer to Annex G-6.1 for Table - Raw Material Purchases.**

- b) Do you have more than one supplier of the raw materials? If so, provide an explanation of the reasons of price differences between these suppliers (if applicable)?

**Answer:**

**Yes, the Respondent has more than one supplier of the raw materials. The Respondent does *not* know the reasons of price differences between these suppliers.**

- c) Describe in detail your business' purchase procedures of the raw materials and the considerations in selecting a supplier. If it is by tenders, provide details of the criterion/conditions.

**Answer:**

**The Respondent purchase procedure is as followed:**

**Receive customer's purchase order ⇒ Department of plan and material control calculate the needed volume of raw materials and inform Purchasing Department ⇒ Purchasing Department contact suppliers ⇒ sign purchase contract with supplier ⇒ payment in advance ⇒ Inventory Department receive goods ⇒ Quality Center inspect goods ⇒ remaining payment.**

**The considerations in selecting a supplier are mainly including the**

scale of production, the quality of goods, the selling price and the business reputation.

- d) If any of your raw materials for the production of PV modules or panels are imported by your business, or related businesses :
- i. Provide details including a description of the raw material imported, the supplier and country of origin.

**Answer:**

**The Respondent has imported PV cell from [Confidential]**

**【Name of supplier was deleted.】**

*The name of supplier is not susceptible to a meaningful non-confidential summary as it is involved with the customers' information and business secrets of the Respondent and the disclosure of this information is against to the Respondent's interest.*

- ii. Explain the process required to import the raw materials (e.g. obtaining an import licence, import declarations).

**Answer:**

**The process is as same as domestic purchase. Please find the answers of Question H.2.3.c).**

**No import licence is required.**

- iii. Provide details of any conditions to importing the raw materials (e.g. customs and/or quarantine).

**Answer:**

**There is no special condition for importing the raw materials.**

- iv. Are you eligible for a duty drawback? If so, provide details.

**Answer:**

**The Respondent is eligible for a duty drawback. Due to the import PV cell was used for manufacturing PV panel and sold on domestic market, the Respondent has not ask for duty drawback.**

**SECTION I - EXPORTER'S DECLARATION**

- ✓ I hereby declare that Simax (Suzhou) Green New Energy Co., Ltd. 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 : Mr. Shen Shaojie

Signature :  

Position in

Company : General Manager

Date : June 12, 2014

<b>SECTION J - CHECKLIST</b>
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*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 – export price	✓
Section C – like goods	✓
Section D – domestic price	✓
Section E – fair comparison	✓
Section F – exports to third countries	✓
Section G – costing information	✓
Section H - a particular market situation	✓
Section I – declaration	✓

Electronic Data	Please tick if you have provided spreadsheet
<b>INCOME STATEMENT</b>	✓
<b>TURNOVER</b> – sales summary	✓
<b>AUSTRALIAN SALES</b> – list of sales to Australia	✓
<b>DOMESTIC SALES</b> – list of all domestic sales of like goods	✓
<b>THIRD COUNTRY</b> – third country sales	✓
<b>PRODUCTION</b> – production figures	✓
<b>DOMESTIC COSTS</b> – costs of goods sold domestically	✓
<b>AUSTRALIAN COSTS</b> – costs of goods sold to Australia	✓
<b>Raw Material Purchases</b> – raw material purchases	✓