



**Australian Government**  
**Australian Customs and**  
**Border Protection Service**

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## **International Trade Remedies Branch**

### **Exporter Questionnaire**

**Product concerned:** Hot Rolled Plate Steel From The People's Republic Of China, The Republic Of Korea, The Republic Of Indonesia, Japan and Taiwan

**From:**

**Investigation period:** 1 January to 31 December 2012

**Response due by:** 21 March 2013

**Investigation case manager:** Mr. Mick Kenna & Mrs. Michelle Gibson

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**Australian Customs and Border Protection website:**

[www.customs.gov.au](http://www.customs.gov.au)

**Return completed questionnaire to:** International Trade Remedies Branch  
Australian Customs and Border  
Protection Service  
5 Constitution Avenue  
Canberra ACT 2601  
AUSTRALIA

Attention: Director Operations 3

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**FOR PUBLIC FILE****SECTION A - COMPANY STRUCTURE AND OPERATIONS**

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

**A-1 Identity and communication**

Nippon Steel & Sumitomo Metal Corporation ("**NSSMC**")

All contact relating to this matter should be made through our representative nominated in A-2 below.

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

Name: Mr. John Cosgrave

Address: Level 3, 25 National Circuit Forrest Canberra 2603

Telephone: 6225 3781 or 0419 254 974

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E-mail address of contact person: [john.cosgrave@minterellison.com](mailto:john.cosgrave@minterellison.com)

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

**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).

While NSSMC's sales of the subject goods for Australia are made to trading companies [REDACTED], [DETAILS OF TRADING COMPANIES] we have prepared a table which contains information on the name of each customer for sales of the subject goods on a contract/invoice basis which we understand were designated for Australia during the period of investigation. Please see **Exhibit B4**.

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

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

All of NSSMC's sales of the subject goods for Australia are made to trading companies [REDACTED]. [DETAILS OF TRADING COMPANIES] The trading company sells the goods to importers in Australia.

- 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.

[REDACTED]

[Details of distribution chain]

- 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.

All of NSSMC's sales of the subject goods for Australia are made to trading companies [REDACTED] NSSMC retains ownership of the goods until [REDACTED]. NSSMC understands that ownership of the goods is [REDACTED].

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retained by [REDACTED]  
[REDACTED].[OWNERSHIP DETAILS]

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

As noted above, the subject goods manufactured by NSSMC for Australia are sold to trading companies [REDACTED]

[REDACTED]. [SALES CONTRACT  
DETAILS]

- 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.

As noted above, all of NSSMC's sales of the subject goods for Australia are made to trading companies [REDACTED].[TRADING COMPANY DETAIL]

Price negotiation: Prices are determined [REDACTED]  
[REDACTED].[PRICING DETAILS]

Order placement and acceptance: Orders are [REDACTED]

[REDACTED]. [ORDERING DETAILS]

Invoice: Invoices are issued [REDACTED]

[REDACTED]. [INVOICING DETAILS]

Shipment: NSSMC ships the goods from [REDACTED]

[REDACTED]. [SHIPPING DETAILS]

Payment: Payment periods close [REDACTED]

[REDACTED]. [PAYMENT  
DETAILS]

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- 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).

All of NSSMC's sales of the subject goods for Australia are made to trading companies [REDACTED]. [TRADING COMPANY DETAIL] NSSMC has no direct relationship to Australian customers.

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

N/A

- 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.

As described above, all of NSSMC's sales of the subject goods for Australia are made to trading companies [REDACTED]. [TRADING COMPANY DETAIL]

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

Please see **Exhibit B4**.<sup>1</sup>

Column heading	Explanation
Customer name	Names of your customers
Level of trade	The level of trade of your customers in Australia
Model/grade/type	Commercial model/grade or type
Product code	Code used in your records for the model/grade/type 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 other than the invoice date best establishes the material terms of sale, report that 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 e.g. CIF, C&F, FOB, DDP (in accordance with Incoterms)
Payment terms	Agreed payment terms e.g. 60 days=60 etc
Quantity	Quantity in units shown on the invoice.
Packaging type	E.g. coil, sheet
Gross invoice value	Gross invoice value shown on invoice in the currency of sale, excluding taxes.

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<sup>1</sup> Exhibit B4 is confidential.

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

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

\*\* 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.

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

N/A

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**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.

As noted above, all of NSSMC's sales of the subject goods for Australia are made to trading companies [REDACTED]

[REDACTED] . [SALES DETAILS]

Please note that NSSMC [REDACTED]

[REDACTED] . [PRICING DETAILS]

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

N/A

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

N/A

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)

**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;
- any technical material in respect of the goods;
- commercial invoice;
- bill of lading, export permit;



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- 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.

Customs and Border Protection will select additional shipments for payment verification at the time of the visit.

Because NSSMC [REDACTED]

[REDACTED] [SALES DETAILS]

- I. Attached **B-9-A** [REDACTED] is a set of documents of one transaction [REDACTED]

<sup>2</sup>

1. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

2. [REDACTED]

[REDACTED]

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<sup>2</sup> All documents, B-9-A and B-9-B, are confidential.

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

II. Attached **B-9-B** [REDACTED] is a set of documents of one transaction [REDACTED]

1. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

2. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[SALES DOCUMENTATION DETAILS]