



Anti-Dumping Commission
GPO Box 2013
Canberra ACT 2601
Australia



Dear Sirs,

Re: Investigation 644 into Interchangeable bolted clipping system brackets from China; Submission of Responses to the Notice of deficiencies in response to exporter questionnaire (“Deficiency Response”); Our client: Cixi Guanhaiwei Qinyan Hardware Factory (“Qinyan”)

Enclosed please find Qinyan’s responses in both confidential and public versions to the Notice of deficiencies in response to exporter questionnaire dated 26 September 2024 issued by the Anti-Dumping Commission for the above-captioned investigation. Any amended data in the Excel tables are marked in yellow so that you may easily compare between the original and revised versions.


The attachments enclosed are as followings:

| | | |
|--------------------|---|-------------------------|
| Attachment A | Narrative of Qinyan’s Deficiency Response | Confidential Attachment |
| Attachment A-2.9 | Internal Organization Chart of Qinyan _updated | Confidential Attachment |
| Attachment A-4.1 | Financial Statements_updated | Confidential Attachment |
| Attachment A-4.3.1 | Legal Articles | Public Attachment |
| Attachment A-4.6 | Trial Balance in Excel | Confidential Attachment |
| Attachment A-4.7 | Chart of Accounts in Excel | Confidential Attachment |
| Attachment C-1.2 | List of MCCs of the goods exported to Australia | Public Attachment |
| Attachment G - 1.1 | Production Process_updated | Confidential Attachment |
| Attachment H-1.1 | 2023 Annual Report | Confidential Attachment |
| Attachment K | Qinyan's Response to Section K | Confidential Attachment |
| Table G-5 | Australian CTM | Confidential Attachment |
| Table G-8 | Upwards Cost Reconciliation | Confidential Attachment |

PUBLIC RECORD

Qinyan has made a good-faith effort to respond to the Commission's questions to the best of their capability. However, should the Commission require further clarification or explanation of the following documents, either prior to or during or subsequent to the on-site verification process, Qinyan will do their utmost to oblige.

Sincerely yours,

A handwritten signature in black ink, appearing to be the Chinese characters '姜丽勇' (Jiang Liyong).

Jiang Liyong
Counsel for Cixi Guanhaiwei Qinyan Hardware Factory

24 October 2024

PUBLIC RECORD

ATTACHMENT A

PUBLIC RECORD

NOT CAPABLE OF SUMMARY

PUBLIC RECORD

ATTACHMENT A-2.9

PUBLIC RECORD

NOT CAPABLE OF SUMMARY

PUBLIC RECORD

ATTACHMENT A-4.1

PUBLIC RECORD

NOT CAPABLE OF SUMMARY

PUBLIC RECORD

ATTACHMENT A-4.3.1

中华人民共和国企业所得税法（2018 修正）

发 文 机 关：全国人民代表大会
常务委员会

发 布 日 期：2018.12.29

生 效 日 期：2018.12.29

时 效 性：现行有效

Promulgated by:

Standing Committee of the National
People's Congress

Promulgation Date:

2018.12.29

Effective Date:

2018.12.29

Validity Status:

valid

中华人民共和国企业所得税法 (2018 修正)

（2007 年 3 月 16 日第十届全国人民代表大会第五次会议通过
根据 2017 年 2 月 24 日第十二届全国人民代表大会常务委员第二十六次会议《关于修改〈中华人民共和国企业所得税法〉的决定》第一次修正 根据 2018 年 12 月 29 日第十三届全国人民代表大会常务委员会议第七次会议《关于修改〈中华人民共和国电力法〉等四部法律的决定》第二次修正）

Corporate Income Tax Law of the People's Republic of China (Amended in 2018)

(Adopted at the 5th Session of the Tenth National People's Congress on March 16, 2007, amended for the first time in accordance with the Decision on Revision of the Corporate Income Tax Law of the People's Republic of China adopted at the 26th Session of the Standing Committee of the Twelfth National People's Congress of the People's Republic of China on February 24, 2017, and amended for the second time in accordance with the Decision on Revision of Four Laws Including the Electric Power Law of the People's Republic of China adopted at the 7th Session of the Standing Committee of the Thirteenth National People's Congress on December 29, 2018)

第一章 总 则

Chapter 1 General Provisions

第一条 在中华人民共和国境内，企业和其他取得收入的组织（以下统称企业）为企业所得税的

Article 1 Enterprises and other organizations within the People's Republic of China (hereinafter collectively referred to as "enterprises") that derive income are corporate income tax payers, who shall pay such tax pursuant to the provisions of this Law. This Law shall not apply to enterprises wholly-owned by

纳税人，依照本法的规定缴纳企业所得税。

个人独资企业、合伙企业不适用本法。

an individual and partnership enterprises.

第二条 企业分为居民企业和非居民企业。

本法所称居民企业，是指依法在中国境内成立，或者依照外国（地区）法律成立但实际管理机构在中国境内的企业。

本法所称非居民企业，是指依照外国（地区）法律成立且实际管理机构不在中国境内，但在中国境内设立机构、场所的，或者在中国境内未设立机构、场所，但有来源于中国境内所得的企业。

Article 2 Enterprises are divided into resident enterprises and non-resident enterprises. A resident enterprise referred to in this Law shall mean, an enterprise lawfully incorporated in China, or an enterprise lawfully incorporated pursuant to the laws of a foreign country (region) but where actual management functions are conducted in China.

A non-resident enterprise referred to in this Law shall mean, an enterprise lawfully incorporated pursuant to the laws of a foreign country (region) that has an office or premises established in China with no actual management functions performed in China, or an enterprise that has income derived from or accruing in China although it does not have an office or premises in China.

第三条 居民企业应当就其来源于中国境内、境外的所得缴纳企业所得税。

非居民企业在中国境内设立机构、场所的，应当就其所设机构、场所取得的来源于中国境内的所

Article 3 Corporate income tax shall be payable by a resident enterprise for income derived from or accruing in or outside China. Corporate income tax shall be payable by a non-resident enterprise, for income derived from or accruing in China by its office or premises established in China, and for income derived from or accruing outside China for which the established office or premises has a de facto relationship.

Where the non-resident enterprise has no office or premises established in China or the income derived or accrued has no de

得，以及发生在中国境外但与其所设机构、场所有实际联系的所得，缴纳企业所得税。

非居民企业在中国境内未设立机构、场所的，或者虽设立机构、场所但取得的所得与其所设机构、场所没有实际联系的，应当就其来源于中国境内的所得缴纳企业所得税。

facto relationship with the office or premises established, corporate income tax shall be payable by the non-resident enterprise for income derived from or accruing in China.

第四条 企业所得税的税率为 25%。

非居民企业取得本法第三条第三款规定的所得，适用税率为 20%。

Article 4 The corporate income tax shall be at the rate of 25%. The applicable tax rate for income of a non-resident enterprise under the provisions of the third paragraph of Article 3 shall be 20%.

第二章 应纳税所得额

Chapter 2 Taxable Amount of Income

第五条 企业每一纳税年度的收入总额，减除不征税收入、免税收入、各项扣除以及允许弥补的以前年度亏损后的余额，为应纳税所得额。

Article 5 The taxable amount of income of an enterprise shall be the total income of the enterprise in each tax year less non-taxable income, tax-exempt income, various deductions and permitted amount of losses in previous years made good.

第六条 企业以货币形式和非货币形式从各种来源取得的收入，

Article 6 The total income of an enterprise comprises monetary and non-monetary forms of income received by the enterprise from various sources, which include: (1) income

| | |
|---------------|---|
| 为收入总额。包括： | from sale of goods; |
| （一）销售货物收入； | (2) income from provision of labor services; |
| （二）提供劳务收入； | (3) income from transfer of property; |
| （三）转让财产收入； | (4) gains from dividends, bonus issues or other returns on equity investment; |
| （四）股息、红利等权益性投 | (5) interest income; |
| 资收益； | (6) rental income; |
| （五）利息收入； | (7) income from royalties; |
| （六）租金收入； | (8) income from gifts and donations; and |
| （七）特许权使用费收入； | (9) other income. |
| （八）接受捐赠收入； | |
| （九）其他收入。 | |

| | |
|----------------------|---|
| 第七条 收入总额中的下列收 | Article 7 The following income within the total income is |
| 入为不征税收入： | deemed as non-taxable income: (1) financial allocation; |
| （一）财政拨款； | (2) administrative and institutional expenses and government funds lawfully collected and brought under financial administration; |
| （二）依法收取并纳入财政管 | (3) other non-taxable income stipulated by the State Council. |
| 理的行政事业性收费、政府性基 | |
| 金； | |
| （三）国务院规定的其他不征 | |

税收入。

第八条 企业实际发生的与取得收入有关的、合理的支出，包括成本、费用、税金、损失和其他支出，准予在计算应纳税所得额时扣除。

Article 8 Costs, expenses, taxes, losses and other reasonable expenditure incurred in relation to income received by an enterprise may be deducted when computing the taxable amount of income.

第九条 企业发生的公益性捐赠支出，在年度利润总额 12% 以内的部分，准予在计算应纳税所得额时扣除；超过年度利润总额 12% 的部分，准予结转以后三年内在计算应纳税所得额时扣除。

Article 9 Expenditure in the form of charitable donations and gifts which falls within 12% of the gross annual profit by an enterprise, may be deducted when computing the taxable amount of income; the portion in excess of 12% of the gross annual profit may be carried forward for deduction when computing the taxable amount of income for the next three years.

第十条 在计算应纳税所得额时，下列支出不得扣除：

- （一）向投资者支付的股息、红利等权益性投资收益款项；
- （二）企业所得税税款；
- （三）税收滞纳金；
- （四）罚金、罚款和被没收财物的损失；
- （五）本法第九条规定以外的

Article 10 The following expenditures may not be deducted when computing the taxable amount of income: (1) dividends, bonus issues or other returns on equity investment issued to investors;

- (2) corporate income tax;
- (3) late tax payment fine;
- (4) penalties, fines and losses on confiscated property;
- (5) expenditures in the form of donations and gifts other than those stipulated in Article 9;
- (6) sponsorship expenditure;
- (7) expenditures out of the capital reserves that have yet been audited and determined;

捐赠支出；

（六）赞助支出；

（七）未经核定的准备金支出；

（八）与取得收入无关的其他支出。

(8) other expenses unrelated to income.

第十一条 在计算应纳税所得额时，企业按照规定计算的固定资产折旧，准予扣除。

下列固定资产不得计算折旧扣除：

（一）房屋、建筑物以外未投入使用的固定资产；

（二）以经营租赁方式租入的固定资产；

（三）以融资租赁方式租出的固定资产；

（四）已足额提取折旧仍继续使用的固定资产；

Article 11 Fixed asset depreciation computed by an enterprise pursuant to provisions may be deducted when computing the taxable amount of income. Depreciation is not deductible for the following fixed assets:

(1) fixed assets other than houses and buildings that have not been put into use;

(2) fixed assets rented under an operating lease;

(3) fixed assets rented out under a financing lease;

(4) fixed assets still in use despite having been fully depreciated;

(5) fixed assets unrelated to business activities;

(6) independently valued land that is regarded as a fixed asset account entry; and

(7) other fixed assets for which deduction of depreciation is not allowed.

（五）与经营活动无关的固定
资产；

（六）单独估价作为固定资产
入账的土地；

（七）其他不得计算折旧扣除
的固定资产。

第十二条 在计算应纳税所得
额时，企业按照规定计算的无形资
产摊销费用，准予扣除。

下列无形资产不得计算摊销费
用扣除：

（一）自行开发的支出已在计
算应纳税所得额时扣除的无形资
产；

（二）自创商誉；

（三）与经营活动无关的无形
资产；

（四）其他不得计算摊销费用
扣除的无形资产。

Article 12 Amortization of intangible asset expenses computed by an enterprise pursuant to provisions may be deducted when computing the taxable amount of income. Amortization of expenses is not deductible for the following intangible assets:

(1) expenditure for intangible assets developed by the enterprise that have already been deducted during computation of the taxable amount of income;

(2) individually created goodwill;

(3) intangible assets unrelated to business activities;

(4) other intangible assets for which deduction of amortization expenses is not allowed.

第十三条 在计算应纳税所得

Article 13 The following expenditures incurred by an enterprise as long-term prepaid expenses that are amortized

额时，企业发生的下列支出作为长期待摊费用，按照规定摊销的，准予扣除：

（一）已足额提取折旧的固定资产的改建支出；

（二）租入固定资产的改建支出；

（三）固定资产的大修理支出；

（四）其他应当作为长期待摊费用的支出。

pursuant to provisions may be deducted when computing the taxable amount of income: (1) expenditure for the reconstruction of fixed assets which have been fully depreciated;

(2) expenditure for the reconstruction of fixed assets under lease;

(3) expenditure for the overhaul of fixed assets; and

(4) other expenditure which ought to be regarded as long-term prepaid expenses.

第十四条 企业对外投资期间，投资资产的成本在计算应纳税所得额时不得扣除。

Article 14 Asset investment costs for asset investments made by an enterprise during the period of external investment may not be deducted when computing the taxable amount of income.

第十五条 企业使用或者销售存货，按照规定计算的存货成本，准予在计算应纳税所得额时扣除。

Article 15 Inventory costs computed by an enterprise pursuant to provisions for inventory used or sold by the enterprise may be deducted when computing the taxable amount of income.

第十六条 企业转让资产，该项资产的净值，准予在计算应纳税所得额时扣除。

Article 16 The net value of an asset transferred by an enterprise may be deducted when computing the taxable amount of income.

第十七条 企业在汇总计算缴

Article 17 When an enterprise consolidates computation of

纳企业所得税时，其境外营业机构的亏损不得抵减境内营业机构的盈利。

the corporate income tax payable, it shall not set-off an overseas business entity's losses against the profits of a business entity in China.

第十八条 企业纳税年度发生的亏损，准予向以后年度结转，用以后年度的所得弥补，但结转年限最长不得超过五年。

Article 18 Where an enterprise incurs a loss in a tax year, the enterprise is allowed to carry the loss forward to subsequent years to be set-off against income from subsequent years, provided the loss carried forward does not exceed five years.

第十九条 非居民企业取得本法第三条第三款规定的所得，按照下列方法计算其应纳税所得额：

Article 19 The taxable amount of income for income derived by or accruing to a non-resident enterprise pursuant to the provisions of the third paragraph of Article 3 shall be computed as follows: (1) the taxable amount of income for gains from dividends, bonus issues or other returns on equity investment, and income from interest, rental and royalty shall be the total amount of gains or income;

（一）股息、红利等权益性投资收益和利息、租金、特许权使用费所得，以收入全额为应纳税所得额；

(2) the taxable amount of income for a transfer of property shall be the total amount of income from the transfer less the net value of the property; and

（二）转让财产所得，以收入全额减除财产净值后的余额为应纳税所得额；

(3) the taxable amount of income for all other income shall be computed with reference to the above methods stipulated in items (1) and (2).

（三）其他所得，参照前两项规定的方法计算应纳税所得额。

第二十条 本章规定的收入、扣除的具体范围、标准和资产的税务处理的具体办法，由国务院财

Article 20 The specific scopes, standards and asset tax treatment measures for incomes and deductions stipulated in this Chapter shall be formulated by the finance and taxation departments of the State Council.

政、税务主管部门规定。

第二十一条 在计算应纳税所得额时，企业财务、会计处理办法与税收法律、行政法规的规定不一致的，应当依照税收法律、行政法规的规定计算。

Article 21 Where an enterprise's financial and accounting methods during computation of the enterprise's taxable amount of income are inconsistent with the provisions in tax laws and administrative regulations, the provisions in laws and administrative regulations shall prevail.

第三章 应纳税额

Chapter 3 Tax Amount Payable

第二十二条 企业的应纳税所得额乘以适用税率，减除依照本法关于税收优惠的规定减免和抵免的税额后的余额，为应纳税额。

Article 22 The amount of tax payable by an enterprise shall be its taxable amount of income multiplied by the applicable tax rate less any tax reduction and exemption incentives stipulated in this Law.

第二十三条 企业取得的下列所得已在境外缴纳的所得税税额，可以从其当期应纳税额中抵免，抵免限额为该项所得依照本法规定计算的应纳税额；超过抵免限额的部分，可以在以后五个年度内，用每年度抵免限额抵免当年应抵税额后的余额进行抵补：

（一）居民企业来源于中国境外的应税所得；

（二）非居民企业在中国境内

Article 23 Where an enterprise has paid income tax overseas for any of the following income derived, the income tax paid overseas may be used to set-off the amount of tax payable for the current period; the total allowable amount of tax set-off shall be limited to the total amount of tax payable over such income pursuant to the provisions of this Law; amounts in excess of the tax set-off limit for the current period may be used to set-off the amount of tax payable for subsequent periods within their tax set-off limits within the next five years: (1) taxable income derived by a resident enterprise outside China;

(2) taxable income derived from or accruing outside China by a non-resident enterprise with office or premises established in China for which the income has a de facto relationship with the offices or premises in China.

设立机构、场所，取得发生在中国境外但与该机构、场所有实际联系的应税所得。

第二十四条 居民企业从其直接或者间接控制的外国企业分得的来源于中国境外的股息、红利等权益性投资收益，外国企业在境外实际缴纳的所得税税额中属于该项所得负担的部分，可以作为该居民企业的可抵免境外所得税税额，在本法第二十三条规定的抵免限额内抵免。

Article 24 Where dividends, bonus issues or other returns on equity investment gains from sources outside China are distributed to a resident enterprise by a foreign enterprise controlled directly or indirectly by the resident enterprise, the portion of overseas income tax paid by the foreign enterprise for the said gains which is part of corporate income tax may be set-off against the amount of overseas income tax payable by the resident enterprise within the tax set-off limits stipulated in Article 23.

第四章 税 收 优 惠

Chapter 4 Tax Incentives

第二十五条 国家对重点扶持和鼓励发展的产业和项目，给予企业所得税优惠。

Article 25 The State grants corporate income tax incentives to key industries and projects supported and encouraged by the State.

第二十六条 企业的下列收入为免税收入：

- （一）国债利息收入；
- （二）符合条件的居民企业之间的股息、红利等权益性投资收

Article 26 The following enterprise income shall be tax-exempt income: (1) income from interest on treasury bonds;

(2) gains from dividends, bonus issues or other returns on equity investment between qualified resident enterprises;

(3) gains from dividends, bonus issues or other returns on equity investment obtained by a non-resident enterprise with an office or premises established in China, from a resident enterprise which has a de facto relationship with the offices or premises; and

益；

（三）在中国境内设立机构、场所的非居民企业从居民企业取得与该机构、场所有实际联系的股息、红利等权益性投资收益；

（四）符合条件的非营利组织的收入。

(4) income of qualified non-profit organizations.

第二十七条 企业的下列所得，可以免征、减征企业所得税：

（一）从事农、林、牧、渔业项目的所得；

（二）从事国家重点扶持的公共基础设施项目投资经营的所得；

（三）从事符合条件的环境保护、节能节水项目的所得；

（四）符合条件的技术转让所得；

（五）本法第三条第三款规定的所得。

Article 27 Corporate income tax may be reduced or exempted for the following enterprise income: (1) income from agriculture, forestry, husbandry and fishery projects;

(2) income from investment in and operation of key public infrastructure projects supported by the State;

(3) income from qualified environmental protection, energy conservation and water conservation projects;

(4) income from qualified technology transfer projects; and

(5) income stipulated under the third paragraph of Article 3.

第二十八条 符合条件的小型

Article 28 Corporate income tax for qualified small profit enterprises shall be at a reduced tax rate of 20%. Corporate

微利企业，减按 20% 的税率征收企业所得税。

国家需要重点扶持的高新技术企业，减按 15% 的税率征收企业所得税。

income tax for key advanced and new technology enterprises supported by the State shall be at a reduced tax rate of 15%.

第二十九条 民族自治地方的自治机关对本民族自治地方的企业应缴纳的企业所得税中属于地方分享的部分，可以决定减征或者免征。自治州、自治县决定减征或者免征的，须报省、自治区、直辖市人民政府批准。

Article 29 The autonomous agency of an ethnic autonomous region may reduce or exempt the autonomous region's share of entitlement to corporate income tax payable by enterprises of the ethnic autonomous regions. The decision of an autonomous prefecture or autonomous county to reduce or exempt corporate income tax must be submitted to the People's Government of the relevant province, autonomous region or centrally-administered municipality for approval.

第三十条 企业的下列支出，可以在计算应纳税所得额时加计扣除：

（一）开发新技术、新产品、新工艺发生的研究开发费用；

（二）安置残疾人员及国家鼓励安置的其他就业人员所支付的工资。

Article 30 The following expenditure of an enterprise may be deducted when computing the taxable amount of income: (1) research and development expenses for the development of new technologies, new products and new processes;

(2) wage payments for placement arrangements of disabled employee and other employees as encouraged by the State.

第三十一条 创业投资企业从事国家需要重点扶持和鼓励的创业

Article 31 Where venture capital enterprises engage in key venture capital investments supported and encouraged by the State, the taxable amount of income may be set-off against a

投资，可以按投资额的一定比例抵扣应纳税所得额。

certain percentage of the investment amount.

第三十二条 企业的固定资产由于技术进步等原因，确需加速折旧的，可以缩短折旧年限或者采取加速折旧的方法。

Article 32 Where accelerated depreciation of an enterprise's fixed assets is necessary as a result of advancement in technology, the total number of years of depreciation may be reduced or an accelerated depreciation method may be adopted.

第三十三条 企业综合利用资源，生产符合国家产业政策规定的产品所取得的收入，可以在计算应纳税所得额时减计收入。

Article 33 Income from the consolidated utilization of resources and the manufacture of products which comply with State industrial policy provisions may be deducted when computing the taxable amount of income.

第三十四条 企业购置用于环境保护、节能节水、安全生产等专用设备的投资额，可以按一定比例实行税额抵免。

Article 34 Investments by an enterprise in the acquisition of special facilities for environmental protection, energy conservation, water conservation, work safety and other special facilities may be set-off against the taxable amount based on a certain percentage.

第三十五条 本法规定的税收优惠的具体办法，由国务院规定。

Article 35 Specific measures on tax incentives stipulated by this Law shall be formulated by the State Council.

第三十六条 根据国民经济和社会发展的需要，或者由于突发事件等原因对企业经营活动产生重大影响的，国务院可以制定企业所得税专项优惠政策，报全国人民代表大会常务委员会备案。

Article 36 The State Council may, pursuant to the needs of the national economy and social development or any major effect that unexpected events may have on enterprise business activity, formulate special incentive policies for corporate income tax and file records with the Standing Committee of the National People's Congress.

第五章 源泉扣缴

Chapter 5 Deduction at Source

第三十七条 对非居民企业取得本法第三条第三款规定的所得应缴纳的所得税，实行源泉扣缴，以支付人为扣缴义务人。税款由扣缴义务人在每次支付或者到期应支付时，从支付或者到期应支付的款项中扣缴。

Article 37 Income tax over non-resident enterprise income pursuant to the provisions of the third paragraph of Article 3 shall be subject to withholding at the source, where the payer shall act as the withholding agent. The tax amount for each payment made or due shall be withheld by the withholding agent from the amount paid or payable.

第三十八条 对非居民企业在中国境内取得工程作业和劳务所得应缴纳的所得税，税务机关可以指定工程价款或者劳务费的支付人为扣缴义务人。

Article 38 The tax authorities may designate the payer of project fees or labor service fees as the withholding agent to withhold income tax over non-resident enterprise income derived in China from projects or the provision of labor services.

第三十九条 依照本法第三十七条、第三十八条规定应当扣缴的所得税，扣缴义务人未依法扣缴或者无法履行扣缴义务的，由纳税人在所得发生地缴纳。纳税人未依法缴纳的，税务机关可以从该纳税人在中国境内其他收入项目的支付人应付的款项中，追缴该纳税人的应纳税款。

Article 39 Where a withholding agent fails to withhold tax or perform tax withholding obligations pursuant to the provisions of Article 37 and Article 38, the taxpayer shall pay tax at the place where the income is derived. Where the taxpayer fails to pay tax pursuant to law, the tax authorities may demand payment of the tax amount payable, from a payer of the taxpayer with payable tax amounts from other taxable income items in China.

第四十条 扣缴义务人每次代

Article 40 Withholding agents shall turn over tax withheld to

扣的税款，应当自代扣之日起七日内缴入国库，并向所在地的税务机关报送扣缴企业所得税报告表。

the Treasury within seven days from the date of withholding and file a corporate income tax withholding report with the tax authorities at their location.

第六章 特别纳税调整

Chapter 6 Special Tax Adjustment

第四十一条 企业与其关联方之间的业务往来，不符合独立交易原则而减少企业或者其关联方应纳税收入或者所得额的，税务机关有权按照合理方法调整。

Article 41 Where business dealings between an enterprise and its interested parties fail to comply with the independent transaction principle, and reductions are made to the taxable income or the amount of income of the enterprise or its interested parties, the tax authorities have a right to make adjustments according to a reasonable method. Where intangible assets are jointly developed or transferred by an enterprise and its interested party, or labor services are jointly provided or received by an enterprise and its interested party, costs shall be apportioned according to the independent transaction principle when computing the taxable amount of income.

企业与其关联方共同开发、受让无形资产，或者共同提供、接受劳务发生的成本，在计算应纳税所得额时应当按照独立交易原则进行分摊。

第四十二条 企业可以向税务机关提出与其关联方之间业务往来的定价原则和计算方法，税务机关与企业协商、确认后，达成预约定价安排。

Article 42 An enterprise may propose the pricing principle and computation method for business dealings between the enterprise and its interested parties to the tax authorities. Pre-determined pricing arrangements shall be concluded after negotiation and confirmation between the tax authorities and the enterprise.

第四十三条 企业向税务机关报送年度企业所得税纳税申报表时，应当就其与关联方之间的业务

Article 43 An enterprise shall attach an annual interested party business dealings report for all business dealings between the enterprise and its interested parties when filing annual corporate income tax returns. Where the tax authorities conduct investigations into interested party business dealings, the

往来，附送年度关联业务往来报告表。

enterprise and its interested parties and other enterprises related to the interested party business dealing under investigation shall provide the relevant information pursuant to the provisions.

税务机关在进行关联业务调查时，企业及其关联方，以及与关联业务调查有关的其他企业，应当按照规定提供相关资料。

第四十四条 企业不提供与其关联方之间业务往来资料，或者提供虚假、不完整资料，未能真实反映其关联业务往来情况的，税务机关有权依法核定其应纳税所得额。

Article 44 Where an enterprise fails to provide information on a business dealing between the enterprise and its interested parties, or provides false or incomplete information which fails to reflect the true nature of the interested party business dealing, the tax authorities have the right to determine the taxable amount of income pursuant to law.

第四十五条 由居民企业，或者由居民企业和中国居民控制的设立在实际税负明显低于本法第四第一款规定税率水平的国家（地区）的企业，并非由于合理的经营需要而对利润不作分配或者减少分配的，上述利润中应归属于该居民企业的部分，应当计入该居民企业的当期收入。

Article 45 Where the actual tax burden of an establishment controlled by a resident enterprise or by a resident enterprise jointly with Chinese residents, is clearly lower than an enterprise in a country (region) stipulated in the first paragraph of Article 4, and any undistributed or reduced distribution of profit does not result from reasonable operational needs, the share of the said profit attributable to the resident enterprise shall be included as income of the resident enterprise for the current period.

第四十六条 企业从其关联方接受的债权性投资与权益性投资的比例超过规定标准而发生的利息支

Article 46 The interest expenditure incurred by an enterprise for the proportion of debt securities investments and equity investments made by its interested parties which exceed stipulated standards shall not be deducted when computing

出，不得在计算应纳税所得额时扣除。

the taxable amount of income.

第四十七条 企业实施其他不具有合理商业目的的安排而减少其应纳税收入或者所得额的，税务机关有权按照合理方法调整。

Article 47 Where the taxable income or amount of income of an enterprise is reduced as a result of arrangements with no reasonable commercial objectives implemented by the enterprise, the tax authorities have a right to make adjustments according to a reasonable method.

第四十八条 税务机关依照本章规定作出纳税调整，需要补征税款的，应当补征税款，并按照国务院规定加收利息。

Article 48 Where the tax authorities have made tax adjustments pursuant to the provisions of this chapter and the taxpayer is required to make up outstanding tax payments, the additional tax amount shall be levied and collected with interest pursuant to the provisions of the State Council.

第七章 征收管理

Chapter 7 Administration of Levying and Collection

第四十九条 企业所得税的征收管理除本法规定外，依照《中华人民共和国税收征收管理法》的规定执行。

Article 49 The administration of levying and collection of corporate income tax shall comply with the provisions of this Law and the provisions of the Law of the People's Republic of China on Administration of Tax Levying and Collection.

第五十条 除税收法律、行政法规另有规定外，居民企业以企业登记注册地为纳税地点；但登记注册地在境外的，以实际管理机构所在地为纳税地点。

Article 50 Unless tax laws and administrative regulations provide otherwise, the place of incorporation shall be the location for tax payment by a resident enterprise; and the place of the actual management office shall be the location for tax payment by enterprises incorporated overseas. Where a resident enterprise has established a non-legal-person business entity in China, corporate income tax shall be computed and paid in a consolidated basis.

居民企业在中国境内设立不具有法人资格的营业机构的，应当汇

总计算并缴纳企业所得税。

第五十一条 非居民企业取得本法第三条第二款规定的所得，以机构、场所所在地为纳税地点。非居民企业在中国境内设立两个或者两个以上机构、场所，符合国务院税务主管部门规定条件的，可以选择由其主要机构、场所汇总缴纳企业所得税。

非居民企业取得本法第三条第三款规定的所得，以扣缴义务人所在地为纳税地点。

Article 51 Where a non-resident enterprise derives income pursuant to the second paragraph of Article 3, the office or premises of the entity shall be the location for tax payment. Where a non-resident enterprise has established two or more offices or premises in China and meets the conditions prescribed by the taxation department of the State Council, the non-resident enterprise may arrange for its main office or premises to pay tax in a consolidated basis. Where a non-resident enterprise derives income pursuant to the third paragraph of Article 3, the location of the withholding agent shall be the venue for tax payment.

第五十二条 除国务院另有规定外，企业之间不得合并缴纳企业所得税。

Article 52 Unless the State Council stipulates otherwise, enterprises shall not make combined payments of corporate income tax.

第五十三条 企业所得税按纳税年度计算。纳税年度自公历 1 月 1 日起至 12 月 31 日止。

企业在一个纳税年度中间开业，或者终止经营活动，使该纳税年度的实际经营期不足十二个月的，应当以其实际经营期为一个纳

Article 53 Corporate income tax shall be computed based on a tax year. A tax year commences in 1 January and ends in 31 December of a calendar year. Where an enterprise commences operations or terminates business activities during a tax year and the actual period of business operations within the tax year is less than 12 months, the actual period of business operations shall be deemed as a tax year.

When an enterprise undergoes liquidation pursuant to law, the period of liquidation shall be deemed as a tax year.

税年度。

企业依法清算时，应当以清算期间作为一个纳税年度。

第五十四条 企业所得税分月或者分季预缴。

企业应当自月份或者季度终了之日起十五日内，向税务机关报送预缴企业所得税纳税申报表，预缴税款。

企业应当自年度终了之日起五个月内，向税务机关报送年度企业所得税纳税申报表，并汇算清缴，结清应缴应退税款。

企业在报送企业所得税纳税申报表时，应当按照规定附送财务会计报告和其他有关资料。

第五十五条 企业在年度中间终止经营活动的，应当自实际经营终止之日起六十日内，向税务机关办理当期企业所得税汇算清缴。

企业应当在办理注销登记前，

Article 54 Corporate income tax shall be prepaid on a monthly or quarterly basis. Enterprises shall file corporate income tax returns with the tax authorities and prepay tax within 15 days after each month or quarter ends.

Enterprises shall file annual corporate income tax returns with the tax authorities within five months after each year ends, compute the tax payment and settle tax payments and refunds.

Enterprises shall attach the financial accounting report and other relevant materials pursuant to the provisions when filing corporate income tax returns.

Article 55 Where business activity is terminated by an enterprise during the year, it shall compute and settle corporate income tax for the current period with the tax authorities within 60 days after the date of termination of operations. The enterprise shall compute the income, file tax returns with the tax authorities and pay corporate income tax before completing de-registration formalities.

就其清算所得向税务机关申报并依法缴纳企业所得税。

第五十六条 依照本法缴纳的企业所得税，以人民币计算。所得以人民币以外的货币计算的，应当折合成人民币计算并缴纳税款。

Article 56 Corporate income tax paid pursuant to this Law shall be computed in Renminbi. Where the computation is made in a currency other than Renminbi, a Renminbi conversion shall be made for tax payment purposes.

第八章 附 则

Chapter 8 Supplementary Provisions

第五十七条 本法公布前已经批准设立的企业，依照当时的税收法律、行政法规规定，享受低税率优惠的，按照国务院规定，可以在本法施行后五年内，逐步过渡到本法规定的税率；享受定期减免税优惠的，按照国务院规定，可以在本法施行后继续享受到期满为止，但因未获利而尚未享受优惠的，优惠期限从本法施行年度起计算。

Article 57 Enterprises approved and incorporated prior to the promulgation of this Law and subject to low tax rates pursuant to tax laws and administrative regulations may implement a progressive transition to the tax rates stipulated in this Law within five years from the implementation of this Law pursuant to the provisions of the State Council; enterprises entitled to tax reductions and exemptions for a fixed period may, upon implementation of this Law, continue to enjoy the entitlements until the fixed period expires; but the preferential treatment period shall commence from the year of implementation of this Law for enterprises which have yet to make a profit to enjoy the entitlement. Advanced and new technology enterprises in statutory designated areas for foreign economic cooperation and technological exchange, and advanced and new technology enterprises in areas where special regional policies of the State Council are implemented, may be entitled to transitional tax incentives; the specific measures shall be stipulated by the State Council.

法律设置的发展对外经济合作和技术交流的特定地区内，以及国务院已规定执行上述地区特殊政策的地区内新设立的国家需要重点扶持的高新技术企业，可以享受过渡性税收优惠，具体办法由国务院规

Other encouraged enterprises determined by the State shall be entitled to tax reduction and exemption incentives pursuant to the provisions of the State Council.

定。

国家已确定的其他鼓励类企业，可以按照国务院规定享受减免税优惠。

第五十八条 中华人民共和国政府同外国政府订立的有关税收的协定与本法有不同规定的，依照协定的规定办理。

Article 58 Where any tax treaty concluded between the Government of the People's Republic of China and a foreign government contains provisions which differ from the provisions of this Law, the provisions of the relevant tax treaty shall prevail.

第五十九条 国务院根据本法制定实施条例。

Article 59 The State Council shall formulate the implementation regulations pursuant to this Law.

第六十条 本法自 2008 年 1 月 1 日起施行。1991 年 4 月 9 日第七届全国人民代表大会第四次会议通过的《中华人民共和国外商投资企业和外国企业所得税法》和 1993 年 12 月 13 日国务院发布的《中华人民共和国企业所得税暂行条例》同时废止。

Article 60 This Law shall be effective January 1, 2008, repealing simultaneously the Corporate income tax Law of the People's Republic of China for Foreign Investment Enterprises and Foreign Enterprises adopted by the 4th Session of the Seventh National People's Congress on April 9, 1991 and the Provisional Regulations of the People's Republic of China on Corporate income tax promulgated by the State Council on December 13, 1993.

中华人民共和国个人所得税法实施条例（2018 修订）

| | | |
|----------------------|--------------------|---|
| 发 文 机 关 ： 国务院 | Promulgated by: | State Council |
| 发 布 日 期 ： 2018.12.18 | Promulgation Date: | 2018.12.18 |
| 生 效 日 期 ： 2019.01.01 | Effective Date: | 2019.01.01 |
| 时 效 性 ： 现行有效 | Validity Status: | valid |
| 文 号 ： 国务院令第七百零七号 | Document No.: | Fourth Revision on 18 December 2018 pursuant to State Council Order No. 707 |

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| 中华人民共和国个人所得税法实施条例（2018 修订） | Implementation Regulations for the Individual Income Tax Law of the People's Republic of China |
| 国务院令 第 707 号 | Fourth Revision on 18 December 2018 pursuant to State Council Order No. 707 |
| 现公布修订后的《中华人民共和国个人所得税法实施条例》，自 2019 年 1 月 1 日起施行。 | （Promulgated on 28 January 1994 via Order No. 142 of the State Council of the People's Republic of China |
| 总理李克强 | First Revision made on 19 December 2005 pursuant to the Decision of the State Council on Revision of the "Implementation Regulations for the Individual Income Tax Law of the People's Republic of China" |
| 2018 年 12 月 18 日 | Second Revision made on 18 February 2008 pursuant to the Decision of the State Council on Revision of the "Implementation Regulations for the Individual Income Tax Law of the People's Republic of China" |
| 中华人民共和国个人所得税法实施条例 | Third Revision made on 19 July 2011 pursuant to the Decision of the State Council on Revision of the "Implementation Regulations for the Individual Income Tax Law of the People's Republic of China" |
| （1994 年 1 月 28 日中华人民共和国国务院令 第 142 号发布根据 2005 年 12 月 19 日《国务院关于修改〈中华人民共和国个人所得税法 | |

实施条例〉的决定》第一次修订根据 2008 年 2 月 18 日《国务院关于修改〈中华人民共和国个人所得税法实施条例〉的决定》第二次修订根据 2011 年 7 月 19 日《国务院关于修改〈中华人民共和国个人所得税法实施条例〉的决定》第三次修订 2018 年 12 月 18 日中华人民共和国国务院令 第 707 号第四次修订）

第一条 根据《中华人民共和国个人所得税法》（以下简称个人所得税法），制定本条例。

第二条 个人所得税法所称在中国境内有住所，是指因户籍、家庭、经济利益关系而在中国境内习惯性居住；所称从中国境内和境外取得的所得，分别是指来源于中国境内的所得和来源于中国境外的所得。

第三条 除国务院财政、税务主管部门另有规定外，下列所得，不论支付地点是否在中国境内，均

Article 1 These Regulations are formulated pursuant to the Individual Income Tax Law of the People's Republic of China (hereinafter referred to as the "IIT Law").

Article 2 Individuals who have a domicile in China referred to in the IIT Law shall mean individuals who habitually reside in China due to household registration, family and economic interests; income derived in China and overseas referred to in the IIT Law shall mean income sourced in China and foreign-sourced income respectively.

Article 3 Unless otherwise stipulated by the finance authority and the tax department of the State Council, the following income shall be deemed income sourced in China, regardless if the place of payment is in China: (1) Income derived from labour services provided in China due to tenure of office,

| | |
|-----------------|--|
| 为来源于中国境内的所得： | employment, performance of contract, etc; |
| （一）因任职、受雇、履约等 | (2) Income derived from lease of property to a lessee for use in China; |
| 在中国境内提供劳务取得的所得； | (3) Income derived from licensing of various licensing rights for use in China; |
| （二）将财产出租给承租人在 | (4) Income derived from transfer of properties such as immovable property in China or transfer of other properties in China; and |
| 中国境内使用而取得的所得； | (5) Income from interest, dividends and bonuses derived from enterprises, institutions, other organisations and resident individuals in China. |
| （三）许可各种特许权在中国 | |
| 境内使用而取得的所得； | |
| （四）转让中国境内的不动产 | |
| 等财产或者在中国境内转让其他财 | |
| 产取得的所得； | |
| （五）从中国境内企业、事业 | |
| 单位、其他组织以及居民个人取得 | |
| 的利息、股息、红利所得。 | |

第四条 在中国境内无住所的个人，在中国境内居住累计满 183 天的年度连续不满六年的，经向主管税务机关备案，其来源于中国境外且由境外单位或者个人支付的所得，免于缴纳个人所得税；在中国境内居住累计满 183 天的任一年度中有一次离境超过 30 天的，其在中国境内居住累计满 183 天的年度

Article 4 For an individual who does not have a domicile in China and has resided in China for 183 days or more cumulatively in a tax year for less than six consecutive years, his/her foreign-sourced income paid by an overseas organisation or individual shall, upon filing with the tax authority in charge, be exempted from individual income tax; where he/she leaves China for more than 30 days in any year in which he/she resides in China for 183 days or more cumulatively, the computation of consecutive number of years for which he/she resides in China for 183 days or more cumulatively shall restart.

的连续年限重新起算。

第五条 在中国境内无住所的个人，在一个纳税年度内在中国境内居住累计不超过 90 天的，其来源于中国境内的所得，由境外雇主支付并且不由该雇主在中国境内的机构、场所负担的部分，免于缴纳个人所得税。

Article 5 For an individual who does not have a domicile in China and resided in China for not more than 90 days cumulatively in a tax year, his/her income sourced in China which is paid by his/her overseas employer and not borne by the said employer's organisation or workplace in China shall be exempted from individual income tax.

第六条 个人所得税法规定的各项个人所得的范围：

（一）工资、薪金所得，是指个人因任职或者受雇取得的工资、薪金、奖金、年终加薪、劳动分红、津贴、补贴以及与任职或者受雇有关的其他所得。

（二）劳务报酬所得，是指个人从事劳务取得的所得，包括从事设计、装潢、安装、制图、化验、测试、医疗、法律、会计、咨询、讲学、翻译、审稿、书画、雕刻、影视、录音、录像、演出、表演、广告、展览、技术服务、介绍服务、经纪服务、代办服务以及其他

Article 6 The scope of various individual income stipulated in the IIT Law shall be: (I) income from wages and salaries shall mean wages, salaries, bonuses, year-end increments, profit sharing, allowances and subsidies derived by individuals from tenure of office or employment, as well as other income in relation to their tenure of office or employment.

(II) income from labour remuneration shall mean income derived by individuals engaging in design, renovation, installation, drafting, laboratory testing, testing, medical, legal, accounting, consultancy, lecturing, translation, proofreading, painting and calligraphy, sculpting, video, audio recording, video recording, performance, advertising, exhibition, technical services, introduction services, brokerage services, agency services and other personal services.

(III) Income from author's remuneration shall mean income derived by individuals from publication of their works in the form of books and newspapers etc.

(IV) income from royalties shall mean income derived by individuals from provision of patents, trademark rights, copyrights, non-patented technology and the right to use other licensing rights; income derived from provision of the right to use copyrights shall exclude income from author's remuneration.

劳务取得的所得。

（三）稿酬所得，是指个人因其作品以图书、报刊等形式出版、发表而取得的所得。

（四）特许权使用费所得，是指个人提供专利权、商标权、著作权、非专利技术以及其他特许权的使用权取得的所得；提供著作权的使用权取得的所得，不包括稿酬所得。

（五）经营所得，是指：

1. 个体工商户从事生产、经营活动取得的所得，个人独资企业投资人、合伙企业的个人合伙人来源于境内注册的个人独资企业、合伙企业生产、经营的所得；

2. 个人依法从事办学、医疗、咨询以及其他有偿服务活动取得的所得；

3. 个人对企业、事业单位承包经营、承租经营以及转包、转租取

(V) Income from business operation shall mean:

1. Income derived from production and business operation by an individually-owned business, as well as income from production and business operation of a sole-proprietorship enterprise or a partnership registered in China derived by an investor of the sole-proprietorship enterprise or a partner individual of the partnership enterprise;

2. income derived by an individual from engaging in school, medical, consulting and other paid services pursuant to the law;

3. income derived by an individual from business operation and contracted operation of enterprises or institutions as well as from sub-contracting and sublet operation; and

4. income derived by an individual from other production and business operation.

(VI) Income from interest, dividends and bonuses shall mean income derived by individuals from interest, dividends and bonuses in relation to possession of creditor's rights and equity.

(VII) Income from lease of property shall mean income derived by individuals from leasing of immovable property, machinery and equipment, vehicles and vessels and other properties.

(VIII) Income from transfer of property shall mean income derived by individuals from transfer of priced securities, equity, share of properties of a partnership enterprise, immovable property, machinery and equipment, vehicles and vessels and other properties.

(IX) Contingent income shall mean income derived by individuals from awards, prizes, lottery and other income of contingent nature.

The category of taxable income for income derived by individuals which is difficult to classify shall be determined by the tax department of the State Council.

得的所得；

4. 个人从事其他生产、经营活动取得的所得。

（六）利息、股息、红利所得，是指个人拥有债权、股权等而取得的利息、股息、红利所得。

（七）财产租赁所得，是指个人出租不动产、机器设备、车船以及其他财产取得的所得。

（八）财产转让所得，是指个人转让有价证券、股权、合伙企业中的财产份额、不动产、机器设备、车船以及其他财产取得的所得。

（九）偶然所得，是指个人得奖、中奖、中彩以及其他偶然性质的所得。

个人取得的所得，难以界定应纳税所得项目的，由国务院税务主管部门确定。

第七条 对股票转让所得征收

Article 7 The measures on levying of individual income tax on income from share transfer shall be separately stipulated by

个人所得税的办法，由国务院另行规定，并报全国人民代表大会常务委员会备案。

the State Council, and filed record with the Standing Committee of the National People's Congress.

第八条 个人所得的形式，包括现金、实物、有价证券和其他形式的经济利益；所得为实物的，应当按照取得的凭证上所注明的价格计算应纳税所得额，无凭证的实物或者凭证上所注明的价格明显偏低的，参照市场价格核定应纳税所得额；所得为有价证券的，根据票面价格和市场价格核定应纳税所得额；所得为其他形式的经济利益的，参照市场价格核定应纳税所得额。

Article 8 Income derived by individuals shall include cash, in kind, priced securities and economic interests in other forms; for income in the form of in kind, the taxable income amount shall be computed based on the price stated on the voucher obtained; where there is no voucher for in kind or where the price stated on the voucher is obviously low, the taxable income amount shall be determined with reference to the market value; for income in the form of priced securities, the taxable income amount shall be determined based on the par value of the voucher and the market value; for income in other forms of economic interests, the taxable income amount shall be determined with reference to the market value.

第九条 个人所得税法第四条第一款第二项所称国债利息，是指个人持有中华人民共和国财政部发行的债券而取得的利息；所称国家发行的金融债券利息，是指个人持有经国务院批准发行的金融债券而取得的利息。

Article 9 Interest on treasury bonds referred to in item (2) of the first paragraph of Article 4 of the IIT Law shall mean interest derived by individuals holding bonds issued by the Ministry of Finance of the People's Republic of China; interest on financial debentures issued by the State shall mean interest derived by individuals holding financial debentures issued with the approval of the State Council.

第十条 个人所得税法第四条

Article 10 Subsidies and allowances issued in accordance with the unified provisions of the State referred to in item (3)

第一款第三项所称按照国家统一规定发给的补贴、津贴，是指按照国务院规定发给的政府特殊津贴、院士津贴，以及国务院规定免予缴纳个人所得税的其他补贴、津贴。

of the first paragraph of Article 4 of the IIT Law shall mean special government allowances and veteran academician allowances granted in accordance with the provisions of the State Council, as well as other subsidies and allowances which are exempted from individual income tax in accordance with the provisions of the State Council.

第十一条 个人所得税法第四条第一款第四项所称福利费，是指根据国家有关规定，从企业、事业单位、国家机关、社会组织提留的福利费或者工会经费中支付给个人的生活补助费；所称救济金，是指各级人民政府民政部门支付给个人的生活困难补助费。

Article 11 Welfare benefits referred to in item (4) of the first paragraph of Article 4 of the IIT Law shall mean living subsidies paid to individuals out of welfare funds or union funds appropriated by enterprises, institutions, State organs or social groups in accordance with the relevant provisions of the State; relief funds shall mean subsidies paid by civil administration authorities of the people's governments at all levels to individuals with living difficulties.

第十二条 个人所得税法第四条第一款第八项所称依照有关法律、法规规定应予免税的各国驻华使馆、领事馆的外交代表、领事官员和其他人员的所得，是指依照《中华人民共和国外交特权与豁免条例》和《中华人民共和国领事特权与豁免条例》规定免税的所得。

Article 12 Income derived by diplomatic agents and consular officers and other personnel of all embassies and consulates in China who should be exempted from tax in accordance with the provisions of the relevant laws of China referred to in item (8) of the first paragraph of Article 4 of the IIT Law shall mean income exempted from tax in accordance with the provisions of the Regulations of the People's Republic of China on Diplomatic Privileges and Immunities and the Regulations of the People's Republic of China on Consular Privileges and Immunities.

第十三条 个人所得税法第六条第一款第一项所称依法确定的其

Article 13 Other deductions determined pursuant to the law referred to in item (1) of the first paragraph of Article 6 of the IIT Law shall include payment by an individual for enterprise annuity and occupational annuity which comply with State

他扣除，包括个人缴付符合国家规定的企业年金、职业年金，个人购买符合国家规定的商业健康保险、税收递延型商业养老保险的支出，以及国务院规定可以扣除的其他项目。

专项扣除、专项附加扣除和依法确定的其他扣除，以居民个人一个纳税年度的应纳税所得额为限额；一个纳税年度扣除不完的，不结转以后年度扣除。

provisions, expenditure of an individual for purchase of commercial health insurance and tax-deferred commercial pension insurance which comply with State provisions, and other deductible items stipulated by the State Council. The special deductions, special additional deductions and other deductions determined pursuant to the law shall be capped at the taxable income amount of a resident individual in a tax year; excess amount for a tax year shall not be carried forward to subsequent years for deduction.

第十四条 个人所得税法第六条第一款第二项、第四项、第六项所称每次，分别按照下列方法确定：

（一）劳务报酬所得、稿酬所得、特许权使用费所得，属于一次性收入的，以取得该项收入为一次；属于同一项目连续性收入的，以一个月内取得的收入为一次。

（二）财产租赁所得，以一个

Article 14 "Each income item" referred to in item (2), item (4) and item (6) of Article 6 of the IIT Law shall be determined in accordance with the following methods respectively: (1) For income from labour remuneration, income from author's remuneration or income from royalties which is one-off income, each income item shall be each instance of deriving such income; for consecutive income of the same project, each income item shall be the income derived within one month.

(2) For income from lease of property, each income item shall be the income derived within one month.

(3) For income from interest, dividends and bonuses, each income item shall be the income derived at the time of payment of interest, dividends and bonuses.

(4) For contingent income, each income item shall be each instance of deriving such income.

（三）利息、股息、红利所得，以支付利息、股息、红利时取得的收入为一次。

（四）偶然所得，以每次取得该项收入为一次。

第十五条 个人所得税法第六条第一款第三项所称成本、费用，是指生产、经营活动中发生的各项直接支出和分配计入成本的间接费用以及销售费用、管理费用、财务费用；所称损失，是指生产、经营活动中发生的固定资产和存货的盘亏、毁损、报废损失，转让财产损失，坏账损失，自然灾害等不可抗力因素造成的损失以及其他损失。

取得经营所得的个人，没有综合所得的，计算其每一纳税年度的应纳税所得额时，应当减除费用 6 万元、专项扣除、专项附加扣除以及依法确定的其他扣除。专项附加扣除在办理汇算清缴时减除。

从事生产、经营活动，未提供完整、准确的纳税资料，不能正确

Article 15 Costs and expenses referred to in item (3) of the first paragraph of Article 6 of the IIT Law shall mean all direct expenses incurred in production and business operations, and indirect expenses which are allocated as costs, as well as sales expenses, administrative expenses and financial expenses; losses shall mean losses, damages and scrap loss of fixed assets and inventories incurred in production and business activities, losses from transfer of property, bad debt loss, losses due to force majeure factors such as natural disaster, and other losses. Where an individual who derives income from business operation does not have consolidated income, when computing his/her taxable income amount of each tax year, the tax authority shall deduct RMB60,000 expenses, special deductions, special additional deductions and other deductions determined pursuant to the law. Special additional deductions shall be deducted when handling computation and settlement.

Where a taxpayer engaging in production and business activities is unable to provide complete and accurate tax payment materials and cannot compute the taxable income amount correctly, the tax authority in charge shall assess the taxable income amount or the tax payable amount.

计算应纳税所得额的，由主管税务机关核定应纳税所得额或者应纳税额。

第十六条 个人所得税法第六条第一款第五项规定的财产原值，按照下列方法确定：

（一）有价证券，为买入价以及买入时按照规定交纳的有关费用；

（二）建筑物，为建造费或者购进价格以及其他有关费用；

（三）土地使用权，为取得土地使用权所支付的金额、开发土地的费用以及其他有关费用；

（四）机器设备、车船，为购进价格、运输费、安装费以及其他有关费用。

其他财产，参照前款规定的方法确定财产原值。

纳税人未提供完整、准确的财产原值凭证，不能按照本条第一款

Article 16 Original value of the property referred to in item (5) of the first paragraph of Article 6 of the IIT Law shall be determined in accordance with the following methods: (1) In the case of priced securities: the purchase price and the relevant expenses paid at the time of purchase pursuant to the provisions;

(2) In the case of buildings: the construction expenses or the purchase price and other relevant expenses;

(3) In the case of land use rights: the amount paid to acquire the land use rights, land development expenses and other relevant expenses; and

(4) In the case of machinery and equipment, vehicles and vessels: the purchase price, transportation expenses, installation expenses and other relevant expenses.

In the case of other properties, the original value shall be determined with reference to the aforesaid methods.

Where a taxpayer fails to provide complete and accurate vouchers for the original value of the property and is unable to accurately compute the original value of the property in accordance with the methods stipulated in the first paragraph of this Article, the original value of the property shall be determined by the tax authorities in charge.

Reasonable expenses referred to in item (5) of the first paragraph of Article 6 of the IIT Law shall mean the relevant expenses paid pursuant to the provisions at the time of sale of property.

规定的方法确定财产原值的，由主管税务机关核定财产原值。

个人所得税法第六条第一款第五项所称合理费用，是指卖出财产时按照规定支付的有关税费。

第十七条 财产转让所得，按照一次转让财产的收入额减除财产原值和合理费用后的余额计算纳税。

第十八条 两个以上的个人共同取得同一项目收入的，应当对每个人取得的收入分别按照个人所得税法的规定计算纳税。

第十九条 个人所得税法第六条第三款所称个人将其所得对教育、扶贫、济困等公益慈善事业进行捐赠，是指个人将其所得通过中国境内的公益性社会组织、国家机关向教育、扶贫、济困等公益慈善事业的捐赠；所称应纳税所得额，是指计算扣除捐赠额之前的应纳税所得额。

Article 17 In the case of income from transfer of property, tax shall be computed in accordance with the balance after deduction of the original value of the property and reasonable expenses from the income amount for each transfer of property.

Article 18 In the case of income jointly derived by two or more individuals for the same income item, tax shall be computed and paid individually on the income derived by each individual in accordance with the provisions of IIT Law.

Article 19 "an individual donating his or her income to public welfare and charitable causes such as education and poverty alleviation" referred to in the third paragraph of Article 6 of the IIT Law shall mean donations made by an individual through public welfare social groups and State organs in China to public welfare and charitable causes such as education and poverty alleviation; the taxable income amount referred to shall mean the taxable income amount prior to computation of deductible donation amount.

第二十条 居民个人从中国境内和境外取得的综合所得、经营所得，应当分别合并计算应纳税额；从中国境内和境外取得的其他所得，应当分别单独计算应纳税额。

Article 20 For consolidated income and income from business operation derived by a resident individual from China and overseas, the tax payable amount shall be aggregated and computed separately; for other income derived from China and overseas, the tax payable amount shall be computed separately.

第二十一条 个人所得税法第七条所称已在境外缴纳的个人所得税税额，是指居民个人来源于中国境外的所得，依照该所得来源国家（地区）的法律应当缴纳并且实际已经缴纳的所得税税额。

Article 21 Individual income tax paid overseas referred to in Article 7 of the IIT Law shall mean tax payable which should be and has been actually paid by a taxpayer on income derived outside China, in accordance with the laws of the country (region) where the income is sourced from. "the tax payable amount computed pursuant to the provisions of this Law for the said taxpayer's overseas income" referred to in Article 7 of the IIT Law shall mean the tax credit ceiling for the income tax amount paid overseas by a resident individual on consolidated income, income from business operation and other income (hereinafter referred to as the "tax credit limit"). Unless otherwise stipulated by the finance authority and the tax authority of the State Council, the sum of the tax credit limit for consolidated income sourced from an overseas country (region), the tax credit limit for income from business operation sourced from an overseas country (region) and the tax credit limit for other income sourced from an overseas country (region) shall be the tax credit limit for income sourced from the said country (region).

个人所得税法第七条所称纳税人境外所得依照本法规定计算的应纳税额，是居民个人抵免已在境外缴纳的综合所得、经营所得以及其他所得的所得税税额的限额（以下简称抵免限额）。除国务院财政、税务主管部门另有规定外，来源于中国境外一个国家（地区）的综合所得抵免限额、经营所得抵免限额以及其他所得抵免限额之和，为来源于该国家（地区）所得的抵免限额。

Where the individual income tax actually paid by a taxpayer in an overseas country (region) is less than the tax credit limit for the said country (region) computed in accordance with the provisions of the preceding paragraph, the difference in tax amount shall be paid in China; where the individual income tax actually paid by a taxpayer in an overseas country (region) exceeds the tax credit limit for the said country (region), the excess shall not be deducted from the tax payable amount of the current tax year but may be carried forward to the tax credit limit for the said country (region) in subsequent tax years. The carry forward period shall not exceed

five years.

居民个人在中国境外一个国家（地区）实际已经缴纳的个人所得税税额，低于依照前款规定计算出的来源于该国家（地区）所得的抵免限额的，应当在中国缴纳差额部分的税款；超过来源于该国家（地区）所得的抵免限额的，其超过部分不得在本纳税年度的应纳税额中抵免，但是可以在以后纳税年度来源于该国家（地区）所得的抵免限额的余额中补扣。补扣期限最长不得超过五年。

第二十二条 居民个人申请抵免已在境外缴纳的个人所得税税额，应当提供境外税务机关出具的税款所属年度的有关纳税凭证。

Article 22 Taxpayers claiming a credit for individual income tax paid overseas shall provide the original tax payment receipt issued by the foreign tax authorities for the year in which the tax is attributable.

第二十三条 个人所得税法第八条第二款规定的利息，应当按照税款所属纳税申报期最后一日中国人民银行公布的与补税期间同期的人民币贷款基准利率计算，自税款纳税申报期满次日起至补缴税款期限届满之日止按日加收。纳税人在补缴税款期限届满前补缴税款的，

Article 23 Interest referred to in the second paragraph of Article 8 of the IIT Law shall be computed in accordance with the benchmark interest rate of a Renminbi loan for the same period as the period for topping up under-paid tax which is announced by the People's Bank of China on the last day of the tax declaration period to which the tax is attributable, and be accrued daily for the period from the day following the expiry of the tax declaration period to the deadline for topping up under-paid tax. Where the taxpayer tops up under-paid tax before the deadline for topping up under-paid tax, the interest shall be accrued up to the date on which under-paid tax is topped up.

利息加收至补缴税款之日。

第二十四条 扣缴义务人向个人支付应税款项时，应当依照个人所得税法规定预扣或者代扣税款，按时缴库，并专项记载备查。

前款所称支付，包括现金支付、汇拨支付、转账支付和以有价证券、实物以及其他形式的支付。

Article 24 When making payment of taxable amounts to individuals, the withholding agents shall withhold tax in advance or deduct on behalf in accordance with the provisions of the IIT Law, hand over to the treasury promptly and keep specific records for future inspection. Payment referred to in the preceding paragraph shall include cash payment, remittance, fund transfer and payment in the form of priced securities, in kind and other forms.

第二十五条 取得综合所得需要办理汇算清缴的情形包括：

（一）从两处以上取得综合所得，且综合所得年收入额减除专项扣除的余额超过 6 万元；

（二）取得劳务报酬所得、稿酬所得、特许权使用费所得中一项或者多项所得，且综合所得年收入额减除专项扣除的余额超过 6 万元；

（三）纳税年度内预缴税额低于应纳税额；

（四）纳税人申请退税。

Article 25 The scenarios of deriving consolidated income which necessitate computation and settlement shall

include: (1) deriving consolidated income from two or more sources, and the balance after deducting special deductions from the annual income amount of consolidated income exceeds RMB60,000;

(2) deriving one or more items of income from labour remuneration, income from author's remuneration or income from royalties, and the balance after deducting special deductions from the annual income amount of consolidated income exceeds RMB60,000;

(3) tax amount paid in advance within a tax year is less than the tax payable amount; and

(4) the taxpayer applies for tax refund.

A taxpayer applying for tax refund shall provide his/her bank account opened in China, and apply for tax refund at the locality of computation and settlement.

The detailed measures for computation and settlement shall be formulated by the tax authority of the State Council.

纳税人申请退税，应当提供其在中国境内开设的银行账户，并在汇算清缴地就地办理税款退库。

汇算清缴的具体办法由国务院税务主管部门制定。

第二十六条 个人所得税法第十条第二款所称全员全额扣缴申报，是指扣缴义务人在代扣税款的次月十五日内，向主管税务机关报送其支付所得的所有个人的有关信息、支付所得数额、扣除事项和数额、扣缴税款的具体数额和总额以及其他相关涉税信息资料。

Article 26 Declaration and withholding of full amount for all staff referred to in the second paragraph of Article 10 of the IIT Law shall mean submission by a withholding agent of the information of all individuals whose income is withheld thereby, the amount of income paid, deductible items and amounts, specific amount and total amount of tax withheld, as well as other relevant tax information, to the tax authorities in charge within the first 15 days of the month following the tax withholding.

第二十七条 纳税人办理纳税申报的地点以及其他有关事项的具体办法，由国务院税务主管部门制定。

Article 27 The detailed measures on venue of tax declaration and payment by taxpayers and other related matters shall be formulated by the tax authority of the State Council.

第二十八条 居民个人取得工资、薪金所得时，可以向扣缴义务人提供专项附加扣除有关信息，由扣缴义务人扣缴税款时减除专项附加扣除。纳税人同时从两处以上取得工资、薪金所得，并由扣缴义务

Article 28 At the time of obtaining income from wages and salaries, a resident individual may provide information relating to special additional deductions to the withholding agent, for the withholding agent to deduct the special additional deductions when making tax withholding. Where a taxpayer derives income from wages and salaries concurrently from two or more sources, and the withholding agent deducts the special additional deductions, the same special additional deduction item shall only be deducted from one source of income

人减除专项附加扣除的，对同一专项附加扣除项目，在一个纳税年度内只能选择从一处取得的所得中减除。

居民个人取得劳务报酬所得、稿酬所得、特许权使用费所得，应当在汇算清缴时向税务机关提供有关信息，减除专项附加扣除。

第二十九条 纳税人可以委托扣缴义务人或者其他单位和个人办理汇算清缴。

第三十条 扣缴义务人应当按照纳税人提供的信息计算办理扣缴申报，不得擅自更改纳税人提供的信息。

纳税人发现扣缴义务人提供或者扣缴申报的个人信息、所得、扣缴税款等与实际情况不符的，有权要求扣缴义务人修改。扣缴义务人拒绝修改的，纳税人应当报告税务机关，税务机关应当及时处理。

纳税人、扣缴义务人应当按照

in a tax year.

A resident individual deriving income from labour remuneration, income from author's remuneration and income from royalties shall provide the relevant information to the tax authorities at the time of computation and settlement, for deduction of special additional deduction.

Article 29 A taxpayer may entrust the withholding agent or other organisation or individual to complete computation and settlement.

Article 30 The withholding agent shall compute and handle withholding declaration based on the information provided by the taxpayer, and shall not arbitrarily change information provided by the taxpayer. Where the taxpayer discovers any discrepancy between the facts and the personal information, income, tax withheld information etc provided or declared by the withholding agent, the taxpayer shall have the right to require the withholding agent to amend. Where the withholding agent refuses to amend, the taxpayer shall report to the tax authorities, the tax authorities shall promptly process.

The taxpayer and the withholding agent shall, pursuant to the provisions, retain materials relating to special additional deduction. The tax authorities may conduct random inspection for special additional deduction information provided by a taxpayer; the detailed measures shall be separately stipulated by the tax authority of the State Council. Where the tax authorities discover that a taxpayer has provided false information, the tax authorities shall order the taxpayer to make correction and notify the

规定保存与专项附加扣除相关的资料。税务机关可以对纳税人提供的专项附加扣除信息进行抽查，具体办法由国务院税务主管部门另行规定。税务机关发现纳税人提供虚假信息的，应当责令改正并通知扣缴义务人；情节严重的，有关部门应当依法予以处理，纳入信用信息系统并实施联合惩戒。

withholding agent; in serious cases, the relevant authorities shall handle pursuant to the law, include in the creditworthiness information system and implement joint punishment.

第三十一条 纳税人申请退税时提供的汇算清缴信息有错误的，税务机关应当告知其更正；纳税人更正的，税务机关应当及时办理退税。

Article 31 Where there is an error in the computation and settlement information provided by a taxpayer applying for tax refund, the tax authorities shall notify the taxpayer to make correction; where the taxpayer makes correction, the tax authorities shall promptly process tax refund.

扣缴义务人未将扣缴的税款解缴入库的，不影响纳税人按照规定申请退税，税务机关应当凭纳税人提供的有关资料办理退税。

Where the withholding agent has not turned over the withheld tax to the treasury, this shall not affect the taxpayer's application for tax refund pursuant to the provisions, and the tax authorities shall process tax refund based on the relevant materials provided by the taxpayer.

第三十二条 所得为人民币以外货币的，按照办理纳税申报或者扣缴申报的上一月最后一日人民币汇率中间价，折合成人民币计算应纳税所得额。年度终了后办理汇算

Article 32 Where income is derived in a currency other than Renminbi, the taxable income amount shall be computed by converting the income amount to Renminbi in accordance with the Renminbi central parity rate on the last day of the month preceding the tax declaration or withholding declaration. For computation and settlement handled at the end of a year, reconversion is not required for income in non-Renminbi currency for which tax is withheld on a monthly

清缴的，对已经按月、按季或者按次预缴税款的人民币以外货币所得，不再重新折算；对应当补缴税款的所得部分，按照上一纳税年度最后一日人民币汇率中间价，折合成人民币计算应纳税所得额。

basis, quarterly basis or for each income item; income for which under-paid tax is to be topped up, the taxable income amount shall be computed by converting the income amount to Renminbi in accordance with the Renminbi central parity rate on the last day of the last tax year.

第三十三条 税务机关按照个人所得税法第十七条的规定付给扣缴义务人手续费，应当填开退还书；扣缴义务人凭退还书，按照国库管理有关规定办理退库手续。

Article 33 Tax authorities shall, at the time of making payment of handling fees to withholding agents pursuant to the provisions of Article 17 of the IIT Law, issue an income refund letter to the withholding agents; the withholding agents shall present the income refund letter to complete withdrawal formalities pursuant to the relevant provisions on treasury administration.

第三十四条 个人所得税纳税申报表、扣缴个人所得税报告表和个人所得税完税凭证式样，由国务院税务主管部门统一制定。

Article 34 Individual income tax declaration form, report on withholding of individual income tax and individual income tax payment receipt formats shall be formulated by the tax authority of the State Council on a unified basis.

第三十五条 军队人员个人所得税征收事宜，按照有关规定执行。

Article 35 Matters relating to levying and collection of individual income tax from military personnel shall be implemented pursuant to the relevant provisions.

第三十六条 本条例自 2019 年 1 月 1 日起施行。

Article 36 These Regulations shall be implemented with effect from 1 January 2019.

PUBLIC RECORD

中华人民共和国个人所得税法实施条例（2018 修订）



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ATTACHMENT A-4.6

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ATTACHMENT A-4.7

PUBLIC RECORD

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ATTACHMENT C-1.2

PUBLIC RECORD

C-1.2 List of MCCs of the Goods Exported to Australia

| |
|-------------|
| A -100060-A |
| C-100080-A |
| D-100059-A |
| D-100082-A |
| G-100063-A |
| H-110062-A |
| I-100066-A |
| J-100053-A |
| J-100055-A |
| K-100058-A |

PUBLIC RECORD

ATTACHMENT G-1.1

PUBLIC RECORD

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ATTACHMENT H-1.1

PUBLIC RECORD

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PUBLIC RECORD

ATTACHMENT K

PUBLIC RECORD

SECTION K AUSTRALIAN MARKET

K-1 Prevailing conditions of competition in the Australian market

1. Describe the Australian market for the goods and the prevailing conditions of competition within the market, including:
 - (a) Provide an overall description of the Australian market for the goods which explains its main characteristics and trends over the past five years
 - (b) Provide the sources of demand for the goods in Australia, including the categories of customers, users or consumers of the product
 - (c) Provide an estimated proportion (%) of sales revenue from each of those sources of demand listed in (b)
 - (d) Describe the factors that influence consumption/demand variability in Australia, such as seasonal fluctuations, factors contributing to overall market growth or decline, government regulation, and developments in technology affecting either demand or production
 - (e) Describe any market segmentations in Australia; such as geographic or product segmentations
 - (f) Provide an estimated proportion of sales revenue from each of the market segments listed in (e)
 - (g) Describe the way in which Australian manufactured and other imported goods compete in the Australian market
 - (h) Describe the ways that the goods are marketed and distributed in the Australian market and
 - (i) Describe any other factors that are relevant to characteristics or influences on the market for the goods in Australia.

Provide documentary evidence to support the responses made to questions 1(a) to (i).

Qinyan is not informed enough to comment on the market conditions and market, structure, product range or use for interchangeable bolted clipping system brackets in Australia.

2. Provide a diagram which describes the Australian market structure for the goods, ensuring that all the categories of participants are included. In this diagram use linkages to illustrate the different levels of trade and distribution channels within the Australian market.

Qinyan is not informed enough to comment on the market structure for the goods in Australia.

3. Describe the commercially significant market participants in the Australian market for the goods at each level of trade over the investigation period. Include in your description:
 - names of the participants

From the information obtained from Fenghui, Qinyan is aware that Abey Australia Pty Ltd (“Abey”) is one of the significant market participants in Australian market for the goods. However, Qinyan is not informed enough to comment on all the market participants in Australia.

- the level of trade for each market participant (e.g., manufacturer, reseller, original equipment manufacturer (EOM), retailer, corporate stationer, importer, etc.)

Abey is a manufacture of the goods.

- a description of the degree of integration (either vertical or horizontal) for each market participant and

Qinyan is not informed enough to comment on the degree of integration for each market participant.

- an estimation of the market share of each participant.

PUBLIC RECORD

Qinyan is not informed enough to comment on the accurate market share of each participant. According to Qinyan's knowledge, Abey takes about 60% market share.

4. Identify the names of commercially significant importers in the Australian market for the goods over the investigation period and estimate their market share. Specify the country each importer imports from and their level of trade in the Australian market, if known.

Qinyan is not informed enough to comment on the significant importers in Australian market for the goods other than the import reported in Table B-2.

5. Describe the regulatory framework of the Australian market for the goods as it relates to competition policy, taxation, product standards and the range of the goods. Provide a copy of any regulation described, if available.

Qinyan is not informed enough to comment on the regulatory framework in Australia.

6. Describe any entry restrictions for new participants into the Australian market for the goods. Your response could include information on:
 - resource ownership
 - patents and copyrights
 - licenses
 - barriers to entry
 - import restrictions and
 - government regulations (including the effect of those government regulations).

In responding to question 6 ensure that relevant regulations are referenced.

Qinyan is not aware of any significant entry restrictions.

K-2 Goods in the Australian market

1. Generally describe the range of the goods offered for sale in the Australian market. The description should include all goods under consideration including those produced by your company. Your description could include information about:
 - quality differences
 - price differences
 - supply/availability differences
 - technical support differences
 - the prevalence of private labels/customer brands
 - the prevalence of generic or plain labels
 - the prevalence of premium labels and
 - product segmentation.

Qinyan exports the goods to Australia through an unrelated Chinese trader. Please refer to Table B-2 of Qinyan's response to the Export Questionnaire and Attachment A-2.11 of Fenghui's response to the Export Questionnaire for the details of the goods exported to Australia.

2. Describe the end uses of the goods in the Australian market from all sources.

Interchangeable bolted clipping system brackets and clip-heads are used in adhering piping systems.

3. Describe the key product attributes that influence purchasing decisions or purchaser preferences in the Australian market. Rank these preferences or purchasing influencers in order of importance.

It is based on the market demand, quality and price.

PUBLIC RECORD

4. Identify if there are any commercially significant market substitutes in the Australian market for the goods.

Qinyan is not informed enough to comment on the commercially significant market substitutes in the Australian market for the goods.

5. Identify if there are any commercially significant market complements in the Australian market for the goods.

Qinyan is not informed enough to comment on the commercially significant market complements in the Australian market for the goods.

6. Have there been any changes in market or consumer preferences in the Australian market for the goods in the last five years? If yes, provide details including any relevant research or commentary on the industry/sector that supports your response.

Qinyan is not aware of any changes in market or consumer preferences in Australia for the goods in the last five years.

K-3 Relationship between price and cost in Australia

1. Describe the importance of the Australian market to your company's operations. In your response describe:
 - (a) The proportion of your company's sales revenue derived from sales of the goods in Australia and

Approximately [CONFIDENTIAL TEXT DELETED - Percentage]% of total revenue is derived from sales of the goods in Australia.

- (b) The proportion of your company's profit derived from sales of the goods in Australia.

There is no separate accounting for the profits derived from sales of the goods in Australia.

In responding to question 1 please provide evidence supporting calculations.

2. Is your organisation/business entity the price leader for the goods in the Australian market? If no, please explain the reasons behind your response and specify the name(s) of the price leaders.

Qinyan is not applicable to answer this question as Qinyan knows little information of the price leader for the goods in the Australian market. Qinyan is not directly communicate with the Australian customer as Qinyan exports the goods to Australia through an unrelated Chinese trader.

3. Describe the nature of your product pricing (e.g., market penetration, inventory clearance, product positioning, price taker, price maker, etc.) and your price strategies (e.g., competition-based pricing, cost-plus pricing, dynamic pricing, price skimming, value pricing, penetration pricing, bundle pricing, etc.) in Australia. If there are multiple strategies applied, please rank these by importance. If there are different strategies for different products, please specify these. Provide copies of internal documents which support the nature of your product pricing.

The selling prices of the goods under consideration are determined based on the cost of the goods, market price of the goods and negotiation with the customer.

4. Explain the process for how the selling prices of the goods for the Australian market by your business are determined. Provide copies of internal documents which support how pricing is determined.

Qinyan negotiated with customer transaction by transaction. The general manager have the right to determine the final selling prices for each transaction.

PUBLIC RECORD

5. How frequently are your Australian selling prices reviewed? Describe the process of price review and the factors that initiate and contribute to a review. Provide the names and positions of all persons involved.

Qinyan negotiated the selling price with its customers transaction by transaction.

6. Rank the following factors in terms of their influence on your pricing decisions in the Australian market, with the most important factor ranked first and the least important factor ranked last:
- Competitors' prices
 - Purchase price of raw materials
 - Cost to make and sell the goods
 - Level of inventory
 - Value of the order
 - Volume of the order
 - Value of forward orders
 - Volume of forward orders
 - Customer relationship management
 - Supplier relationship management
 - Desired profit
 - Brand attributes
 - Other [please define what this factor is in your response]

**Qinyan ranks the factors influencing its pricing decisions in the Australian market as follows:
[CONFIDENTIAL TEXT DELETED – Important factors ranked]**

7. Describe the relationship between selling price and costs to make and sell in the Australian market. Does your company maintain a desired profit margin for the goods? If not, does your company seek to maintain a desired profit margin for the goods? Provide copies of internal documents which support your response to this question.

The sales of the goods by Qinyan was profitable during the period.

8. Do you offer price reductions (e.g., commissions, discounts, rebates, allowances or credit notes) in the Australian market? If yes, provide a description and explain the terms and conditions that must be met by the customer to qualify. Explain how the cost to make and sell are considered in establishing these price reductions. Provide copies of internal documents which support your claims in response to this question.

Not applicable.

9. Do you offer bundled pricing in the Australian market? If yes, explain how the pricing for bundled sales is determined. Explain how the costs to make and sell are considered in establishing these bundled prices for the goods. Provide copies of internal documents which support your claims in response to this question.

Not applicable.

10. Does the volume of sales to a customer or the size of an order influence the selling price? If yes, advise how volume is used to determine selling prices. Explain how the costs to make and sell are considered in establishing volume based prices for the goods. Provide copies of internal documents which support your claims in response to this question.

Not applicable.

11. Does your organisation/business entity use sales contracts in the Australian market? If yes:
- (a) What proportion of your sales revenue would come from contracted sales versus uncontracted sales?
 - (b) Do you offer exclusivity contracts? If yes, what proportion of your sales revenue would come from exclusivity contracts?

PUBLIC RECORD

- (c) How frequently are sales contracts renegotiated?
- (d) How frequently are price reviews conducted between contracts?
- (e) Do you provide opportunities for price reviews for customers within contracts? If yes, provide a description of the process and an explanation of the circumstances that might lead to a price review.
- (f) Do changes in your costs to make and sell enable you to review prices for customers within contracts?
- (g) Provide a list of the customers under contract during the investigation period and copies of the two largest contracts in terms of sales revenue.

Not applicable. Qinyan exported the goods to Australia through an unrelated Chinese trader.

12. Provide copies of any price lists for the goods used in the Australian market during the investigation period. If you do not use price lists, describe the transparency of your prices in the Australian market.

Not applicable.

13. How do you differentiate pricing for different products/models of the goods in the Australian market? Describe how your products are grouped for price differentiation and the methodology used. Describe any cost to make or selling cost differences between differentiated products. Describe how these cost differences (if any) influence pricing decisions. Provide copies of internal documents which support your claims in response to this question.

The price is based on the cost of the goods and market price.

14. Do you tier or segment your Australian customers for the goods in terms of pricing? If yes, provide:
- (a) a general description of how this is done
 - (b) list the factors that influence pricing differentiation in different tiers or segments and
 - (c) explain how cost to make and selling costs are considered in making pricing decisions for different tiers or segments.

Provide copies of internal documents which support your claims in response to this question.

Not applicable.

15. Do you sell the goods to related entities in Australia? If yes, describe how prices are set for related party transactions and specify what proportion of your sales in terms of sales revenue are to related party entities. If available, provide copies of any internal documents relevant to establishing pricing to related parties.

Not applicable.

K-4 Marketing and sales support in the Australian market

1. How does your company market the goods in the Australian market? Include in your response the value proposition used (e.g., competitive price, superior quality, reliability, availability, etc.).

Not applicable.

2. Does your company conduct brand segmentation in the Australian market for the goods? If yes, describe the brand segmentation used and provide the proportion of sales revenue derived from each brand segment.

Not applicable.

PUBLIC RECORD

3. Provide examples of your Australian advertising of the goods over the past five years. If you have not used advertising in Australia, provide examples of any other promotion campaigns you have conducted over the investigation period.

Not applicable.

4. How many people are in your Australian sales team and where are they located? In general terms, how are they remunerated? If they are offered performance pay based on sales, describe the performance indicators used to establish the performance pay. Provide copies of internal documents which support your claims in response to this question.

The sales team of Qinyan is located at No. 38 Haitong Road, East Industrial Park, Guanhaiwei Town, Cixi City, Ningbo, Zhejiang Province, China..

5. Describe what parameters are provided to sales staff to assist in establishing pricing for the goods when negotiating sales with customers. Provide copies of internal documents which support your claims in response to this question.

The decisions of selling price are made by the general manager.

TABLE G-5

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TABLE G-8

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