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***Review of variable factors – exports of A4 Copy Paper from the Republic of Indonesia (Indonesia) – Review No. 551 (Review)***

1. We refer to the review of variable factors (**Review**) in relation to exports of A4 Copy Paper from, among other countries, Indonesia initiated on 16 April 2020 by the Anti-Dumping Commissioner (**Commissioner**) on application by Paper Australia Pty Ltd (**Australian Paper**).
2. We represent APRIL in relation to the Review.<sup>1</sup>
3. APRIL is concerned with Sections H to L of the Exporter Questionnaire (Indonesia) that was forwarded to them for a response. In particular, for the reasons summarised below as well as a number of other concerns with those Sections, which concerns are set out below, our clients query the relevance, if any, that those Sections of the Exporter Questionnaire (Indonesia) have to APRIL or to the Review.
4. Accordingly, APRIL is seeking clarification on Sections H to L of the Exporter Questionnaire (Indonesia) to assist it in responding to those Sections, including to provide a complete and relevant response.

***A Summary of matters on which clarification is requested in relation to Sections H to L of the Exporter Questionnaire (Indonesia)***

A-1 In summary, clarification is sought on the following:

- 1) what is the criteria for assessing whether sales of A4 Copy Paper in Indonesia are ‘unsuitable for use’ in determining normal values for comparison with export prices (section 269TAC(2)(a)(ii) of the *Customs Act 1901* refers) and how or why is that criteria relevant for this purpose;
- 2) once that criteria is identified and it is clarified how and why that criteria is relevant for assessing whether sales in the country of export are ‘unsuitable for use’ in determining normal values for comparison with export prices, the relevance of the questions in Sections H to L of the Exporter Questionnaire (Indonesia) in obtaining factual

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<sup>1</sup> In this submission references to ‘APRIL’ are references to APRIL International Enterprises Pte Ltd (**AIE**), APRIL Far East (Malaysia) Sdn Bhd (**AFEM**) and PT Riau Andalan Kertas (**RAK**) jointly, all being ‘affected parties’ for the purposes of the Review.

information and evidence relevant to that criteria need to be re-assessed and re-formulated.

- A-2 As set out below, unfortunately, neither the background information contained in Sections H to L of the Exporter Questionnaire (Indonesia) nor other material available from the Anti-Dumping Commission (**Commission**), such as the 'Dumping and Subsidy Manual', comprehensively sets out with precision the criteria for determining whether sales in the Indonesian A4 Copy Paper market, or 'prices' in such sales, are 'unsuitable for use' in determining normal values for comparison with export prices.
- A-3 Clarification of this criteria and how and why it is relevant to the Review will determine what questions need to be posed in Sections H to L of the Exporter Questionnaire (Indonesia) to solicit factual information and evidence relevant to addressing that criteria. This will enable the questions to be precise and specifically obtain factual information supported by evidence relevant to addressing the criteria for assessing whether sales in the country of export are 'unsuitable for use' in determining normal values for comparison with export prices.
- A-4 Consequently, the questions in Sections H to L of the Exporter Questionnaire (Indonesia) should be reviewed, clarified and, where necessary or appropriate, be re-formulated so that they specifically and precisely address the criteria for assessing whether sales in the country of export are 'unsuitable for use' in determining normal values for comparison with export prices. This obviously assumes that these Sections remain in the Questionnaire and are not deleted or need not be responded to in the case of APRIL.
- A-5 Further, clarification is requested on why the Review has been extended unilaterally to include consideration of whether a so-called 'particular market situation' currently exists in relation to the Indonesian A4 Copy Paper market. The Review has not similarly been extended to consider whether sales in the Brazilian, Chinese and Thai A4 Copy Paper markets are unsuitable for use in determining normal values for comparison with export prices.
- A-6 In this respect, clarification also is requested on why the Review apparently has not been extended unilaterally to include consideration of whether sales in the Australian A4 Copy Paper market are suitable or unsuitable for use in calculating a Non-Injurious Price and/or assessing material injury to the Australian industry based on criteria similar to or the same as that used to assess the suitability of sales in the Indonesian A4 Copy Paper market.
- A-7 Essentially, therefore, clarification is required as to what criteria render sales in a market 'unsuitable for use' for the purpose of determining normal values for comparison with export prices and why, or for any other purpose relevant to the Review and, again, why.
- A-8 Based on that criteria the questions posed in Sections H to L of the Exporter Questionnaire then can be re-assessed, re-framed and clarified so that they explicitly and precisely address that criteria, assuming that those Sections remain and are not deleted.

**B. No claim was made by Australian Paper that sales of A4 Copy Paper in Indonesia were 'unsuitable for use' in determining normal values for comparison with export prices**

B-1 Australian Paper's application for a review of the variable factors applying to APRIL's exports of A4 Copy from Indonesia to Australia consisted of the following:

- APRIL's export prices for A4 Copy Paper exported to Australia from Indonesia had increased; and
- APRIL's domestic selling prices of A4 Copy Paper in Indonesia had increased.

B-2 In its application, Australian Paper claimed that 'global average pulp prices' had increased. It is unclear what relevance, if any, that this claim has to the Review. No explanation was provided as to its relevance to the Review. If, as would appear to be the case, Australian Paper is indicating that pulp prices in Indonesia reflect 'global average pulp prices' and respond to movements in those global pulp prices, this would indicate that the Government of Indonesia does not influence pulp prices in Indonesia and that prices for A4 Copy Paper in Indonesia are not somehow influenced by the Government of Indonesia through its influence on pulp prices in Indonesia. No doubt this is why Australian Paper did not claim in its application any such influence by the Government of Indonesia and, consequently, that sales of A4 Copy Paper in Indonesia were 'unsuitable for use' in determining normal values for comparison with export prices.

B-3 However, Australian Paper did make the following statement in its application:

*"Producers/exporters in Brazil, China, Indonesia and Thailand also experienced similar, overall cost increases, however, these have not translated into increased selling prices in Australia – even though export prices from the four countries have increased in 2018 and 2019."*

B-4 No evidence was provided in support of this claim, nor what were the 'overall cost increases'. The Commissioner, in the Consideration Report, seems to have assumed that it was an increase in pulp costs. More importantly, Australian Paper apparently considers that these cost increases flowed through to prices for A4 Copy Paper sold in the countries in question, including In Indonesia. This would indicate that prices of A4 Copy Paper sold in Indonesia properly reflect and are responsive to production costs, including changes to such costs, and this would indicate a market free from government 'influence' but responsive to competitive market conditions.

B-5 In any event, it is clear that Australian Paper's application was based, and only based, on increases in export prices and domestic prices for A4 Copy Paper. In other words, Australian Paper has accepted that domestic selling prices for A4 Copy Paper by APRIL in Indonesia are suitable for use in the Review. In particular, that sales of A4 Copy Paper in Indonesia, including by APRIL, are not 'unsuitable for use' in determining normal values for comparison with export prices.

- B-6 If it did not consider that domestic sales of A4 Copy Paper by APRIL in Indonesia were suitable for use in determining a normal value (i.e. that they were 'unsuitable' for that use), it no doubt would have made such a claim and provided its reasons and evidence in support of that claim in its application for the Review. It did not.
- B-7 This was accepted by the Commissioner in initiating the Review. That is, the Commissioner accepted domestic sales of A4 Copy Paper in Indonesia as being suitable for determining normal values and, therefore, suitable for determining that such variable factors had changed. If it had concerns with this, the Commissioner did not raise any such concerns with Australian Paper or with the Minister for Industry, Science and Technology (**Minister**) despite having the opportunity to do so.
- B-8 The fact that a 'variable factor' in the original investigation, that is, a 'normal value' consisted of a 'constructed normal value' because it was considered that sales of A4 Copy Paper in Indonesia were 'unsuitable for use' in determining normal values appears to have been considered no longer relevant by either Australian Paper or the Commissioner.
- B-9 The determination of normal values for exports of A4 Copy Paper from Indonesia in the original investigation was based on a claim by Australian Paper that such sales were 'unsuitable for use' in the determination of normal values of exports of A4 Copy Paper from Indonesia. This claim was accepted and constructed normal values were used in lieu of normal values being based on sales in Indonesia's A4 Copy Paper market.
- B-11 That is, a different methodology was used to determine a variable factor, namely, normal values, for exports of A4 Copy Paper from Indonesia in the original investigation than was used by Australian Paper in its application for the Review. This alternate methodology used by Australian Paper in its application was accepted without demur by the Commissioner.
- B-12 A change in methodology in the determination of a variable factor of itself would entail a change in that variable factor, as well as an increase in prices in sales of A4 Copy Paper in Indonesia, which sales and prices were adopted by Australian Paper in its application and accepted by the Commissioner in initiating the Review, that is, domestic sales of A4 Copy Paper in Indonesia.
- B-13 In considering Australian Paper's application, the Commissioner had the opportunity to raise with Australian Paper any matter not raised in that application, such as whether sales of A4 Copy Paper in Indonesia were 'unsuitable for use' in determining normal values for comparison with export prices. The Commissioner apparently did not raise with Australian Paper any such issue and none is referred to in the Consideration Report.
- B-14 Further, if the Commissioner considered that the Review should extend to include any additional matter such as whether sales of A4 Copy Paper in Indonesia were 'unsuitable for use' in determining normal values for comparison with export prices, the Commissioner

could have recommended to the Minister that the Review be so extended to include that additional matter: see section 269ZC(4)(b) of the *Customs Act 1901*. The Commissioner did not do so and the Minister has not approved any such extension.

- B-15 Finally, Anti-Dumping Notice (**ADN**) No. 2020/39 announcing the initiation of the Review makes no mention of the review of the variable factors of the antidumping measures applying to exports from Indonesia being extended to include inquiring into whether sales of A4 Copy Paper in Indonesia were 'unsuitable for use' in determining normal values for comparison with export prices. Why not if this extension was intended?
- B-16 It, therefore, is unclear why Sections H to L to the Exporter Questionnaire (Indonesia) have been included in the Exporter Questionnaire (Indonesia). Is not the Review a review of the increases in prices of A4 Copy Paper sold by APRIL in sales of A4 Copy Paper in the Indonesian market? Similarly as regards the exporters in the other countries in question. If not, why not? On what legal basis can the Commissioner extend the Review to consider whether sales of A4 Copy Paper in the Indonesian market are 'unsuitable for use' in determining normal values for comparison with export prices? Hence the need for clarification of this issue.
- B-17 Finally, the Commissioner has not unilaterally extended the Review to consider whether sales of A4 Copy Paper in Brazil, China or Thailand are 'unsuitable for use' in determining normal values for exports from those countries based on the same or similar criteria in assessing whether sales in the Indonesian A4 Copy Paper market are 'unsuitable for use'. Why not? Australian Paper makes no distinction as to the suitability or unsuitability of sales of A4 Copy Paper in any of the markets in the countries covered by the Review. Why then is the Commissioner considering whether sales of A4 Copy Paper in Indonesia are 'unsuitable for use' in determining normal values for exports from Indonesia but not considering whether sales of A4 Copy Paper in Brazil or Thailand are 'unsuitable for use' in determining normal values for exports from those countries based on the same criteria? Again, clarification is required for this difference in approach by the Commissioner.
- B-18 Similarly, the Commissioner apparently has not extended the Review to consider whether sales of A4 Copy Paper in the Australian market are 'unsuitable for use' in assessing a Non-Injurious Price (**NIP**). Rather, it would appear that the Commissioner is likely to use the usual methodology for determining a NIP, that is, determining what price the Australian industry could 'reasonably expect' in the Australian A4 Copy Paper market unaffected by dumping? Why would this methodology be appropriate for this purpose without considering whether sales of A4 Copy Paper in the Australian market would likely be or not be suitable for this purpose using similar criteria being used to assess whether sales in the Indonesian A4 Copy Paper market are 'unsuitable' for determining normal values. Clarification of why this is not apparently being considered by the Commissioner is requested as it would seem to be a relevant consideration.

B-19 Also, such consideration would seem appropriate given that the Australian forestry and paper industries are amongst the most highly regulated industries in Australia. Further, the Australian industry has a dominant 85% market share of the Australian A4 Copy Paper market. Such market dominance plus government policies and regulation of the domestic forestry and paper industries would seem to influence, either directly or indirectly prices in that 'market', including export prices, and potentially distort them.

B-20 We would be grateful if these matters could be clarified. That is:

- (a) why the Commissioner has unilaterally extended the Review to consider whether sales of A4 Copy Paper in Indonesia are 'unsuitable for use' in determining normal values for exports from Indonesia notwithstanding that this was not raised by Australian Paper in its application;
- (b) why the Commissioner apparently has extended the Review to consider whether sales of A4 Copy Paper in Indonesia are 'unsuitable for use' in determining normal values for exports from Indonesia when Australian Paper's application was based on a different methodology. That is, Australian Paper's application that the normal value variable factor for exports of A4 Copy Paper from Indonesia had changed was based on prices for sales of A4 Copy Paper in Indonesia, which Australian Paper claimed had increased. Australian Paper, therefore, considered suitable for such use (i.e. determining normal values) using that methodology (i.e. domestic sales);
- (c) why the Commissioner is considering whether sales of A4 Copy Paper in Indonesia are 'unsuitable for use' in determining normal values for exports from Indonesia notwithstanding that the Commissioner did not raise this with the Australian industry in considering its application, nor indicate this in its Consideration Report and nor did the Commissioner recommend to the Minister that the Review be extended to include any additional matters such as whether sales of A4 Copy Paper in Indonesia are 'unsuitable for use' in determining normal values for exports from Indonesia;
- (d) why the Commissioner is not considering whether sales of A4 Copy Paper in Brazil, China or Thailand are 'unsuitable for use' in determining normal values for exports from those countries but is considering whether sales of A4 Copy Paper in Indonesia are 'unsuitable for use' in determining normal values for exports from Indonesia; and
- (e) why the Commissioner is not considering whether sales in the Australian A4 Copy Paper market are 'unsuitable for use' in determining a Non-Injurious Price, especially given the various likely 'influences' on prices in that market, either directly or indirectly, from a variety of sources.

**C. *What is the criteria for determining whether sales of A4 Copy Paper in the Indonesian A4 Copy Paper market are "unsuitable for use" in determining normal values for comparison with export prices?***

C-1 Despite:

- Australian Paper accepting that domestic selling prices for A4 Copy Paper by APRIL in Indonesia are suitable for use in the Review;
- there being no claim in Australian Paper’s application that sales in the Indonesian A4 Copy Paper market are ‘unsuitable for use’ in determining normal values (see section 269TAC(2)(a)(ii) of the *Customs Act 1901*); and
- the Commissioner apparently not raising with Australian Paper or the Minister whether sales of A4 Copy Paper in Indonesia are somehow currently ‘unsuitable for use’ in determining normal values but, rather, accepting that such sales are suitable for that purpose in accepting Australian Paper’s application,

Sections H to L of the Exporter Questionnaire pose a variety of questions seeking certain information, evidence and opinions whose relevance to the Review is unclear.

C-2 Apparently, those questions are somehow relevant to whether a so-called ‘particular market situation’ currently exists in the Indonesian market for A4 Copy Paper and, consequently, whether sales in that market provide a ‘proper comparison’ with export prices for the purposes of determining whether exports have been at dumped prices.

C-3 However, as the Commission would be aware, that is not the relevant test. The relevant test, pursuant to section 269TAC(2)(a)(ii) of the *Customs Act 1901*, is whether sales of A4 Copy Paper in the Indonesian A4 Copy Paper market are ‘unsuitable for use’ in determining normal values for comparison with export prices. That is, whether:

*“... sales in that market are not suitable for use in determining a price under subsection (1)”.*

Sub-section (1) of section 269TAC of the *Customs Act 1901* provides, as you would be aware, for the determination of normal values based on the *“... price paid or payable for like goods sold in the ordinary course of trade for home consumption in the country of export in sales that are arms-length transactions by the exporter”*,

C-4 The Exporter Questionnaire (Indonesia) does not set out what are the criteria for assessing whether sales of A4 Copy Paper in the Indonesian A4 Copy Paper market are ‘unsuitable for use’ in determining normal values or why and how any such criteria are relevant for this purpose. Absent such criteria, it is not possible to determine whether any of the questions in Sections H to L of the Exporter Questionnaire (Indonesia) are relevant to whether sales of A4 Copy Paper in the Indonesian market, or the prices in those sales, are ‘unsuitable for use’ in determining normal values.

C-5 In other words, the Exporter Questionnaire (Indonesia) should set out in the background information the criteria that the Commissioner considers relevant to whether sales in the country of export are ‘unsuitable for use’ in determining normal values and why and how. Questions in the Exporter Questionnaire (Indonesia) should clearly and precisely address that criteria and seek factual information and evidence relevant to that criteria. This would enable respondents to respond with accurate and complete factual information supported

by evidence to such questions. Anything else would be mere speculation of no value to the Commissioner in the Review.

- C-6 Subject to the following, the Commissioner should have set out in the Exporter Questionnaire (Indonesia) what are the criteria to determine whether sales of A4 Copy Paper in the Indonesian market are 'unsuitable for use' in determining normal values. Absent such criteria, as indicated, it is unclear what information the questions in Sections H to L are seeking to obtain and what relevance any such information has to such criteria.
- C-7 Such criteria need to be provided and, then, the questions in Sections H to L of the Exporter Questionnaire (Indonesia) would need to be re-assessed and re-framed, if they are to be retained. This would ensure that those questions clearly and precisely address that criteria and provide clear guidance as to what information and evidence are being sought and why.
- C-8 Further, such questions presumably should only seek factual information in responses supported by objective, probative evidence. Questions that seek expressions of opinion and/or speculative responses, and questions that are open ended would have no relevance to the Commissioner in the Review and, therefore, should be excluded.
- C-9 For example, how are questions seeking information on the shareholding or composition of the board of directors of an exporter or producer of A4 Copy Paper or its price list (if any) relevant to whether whether sales of A4 Copy Paper in the Indonesian A4 Copy Paper market are "unsuitable for use" in determining normal values for comparison with export prices? What relevance does this have to whether whether sales in the Indonesian A4 Copy Paper market are 'unsuitable for use' in determining normal values for this purpose? Why is this information being sought if its relevance, if any, cannot be clearly established.
- C-10 Similarly, questions, such as those seeking information from a respondent to the Exporter Questionnaire (Indonesia) as to who is the 'price leader' in the Indonesian A4 Copy Paper market do not set out the criteria as to what constitutes a 'price leader, whether it is for the whole Indonesian A4 Copy Paper market or sub-markets or for all A4 Copy Paper or particular kinds of A4 Copy Paper and so on. Absent the criteria as to what constitutes a 'price leader', a response to such a question is simply an expression of opinion or mere speculation and not a statement of fact and others may have different opinions depending upon what criteria they apply in answering the question. Further, the question of who a 'price leader' may or may not be and how that question is relevant to whether sales of A4 Copy Paper in Indonesia are 'unsuitable for use' in determining normal values is far from clear in the Exporter Questionnaire (Indonesia).
- C-11 Of relevance to this issue is the Commission's 'Dumping and Subsidy Manual', at pages 36 and 37. It seeks to address this issue of when sales in a domestic market are 'unsuitable for use' in determining normal values. However, as set out in **Attachment A** to this letter, those criteria do not provide guidance on these issues, which is also further addressed in Attachment A.



C-12 Additionally, the following issues would seem relevant to establishing what are the criteria for whether sales are ‘unsuitable for use’ in determining normal values for comparison with export prices, including how and why. They are:

- (i) what ‘situation in a market’ renders ‘sales’ for a product in that market ‘unsuitable for use’ in determining normal values for comparison with export prices;
- (ii) what ‘situation in a market’ renders sales in that market being ‘unsuitable for comparison with export prices’ but sales in another market being ‘suitable’ for such use and why;
- (iii) how and why does the ‘use’ of a ‘price’ in a ‘sale’ (e.g. to be used for comparison with export prices as opposed to any other use) determine whether the ‘sale’, or ‘price’, is or is not suitable for comparison with export prices;
- (iv) what ‘influence’ on domestic sales of a product in a market, either directly or indirectly, is relevant to ‘suitability’ or unsuitability’ for use in determining normal values and to what extent does such an ‘influence’ render a sale in a domestic market ‘unsuitable for that use’ and why;
- (v) what distinguishes ‘influence’ by a government, either directly or indirectly, from ‘influence’ by another entity (e.g. a union, industry association, a non-government organization, or an entity with a monopoly or near monopoly position in the relevant market) or from ‘influence’ by an event (e.g. war, terrorist attack, drought, bushfire, flood, pandemic, etc., and response(s) to those events) that affect sales in a market and determine whether sales in that market are ‘unsuitable for use’ in determining normal values as compared with sales in other markets;
- (vi) what ‘influences’ from what ‘sources’ and to ‘what extent’ on the prices of inputs to manufacture are relevant to determining that sales in a market are ‘unsuitable for use’ in determining normal values, and what differentiates these from other ‘influences’ from other ‘sources’ and to a different ‘extent’ for rendering sales of an end-product in a market ‘suitable for use’ in determining normal values;
- (vii) how does an ‘influence’ on the price of an input to manufacture a particular product and, consequently, the cost of that input to manufacture that product affect the ‘price’ of that product when sold in the market and somehow render sales in that market, as opposed to prices in that market, ‘unsuitable for use’ in determining normal values and what evidence establishes such ‘influence’ on the ‘price’ of that product when sold in the relevant market;
- (viii) what is the causal link between the cost of an input to manufacture a product and the price at which the end product is sold in a market – that is, does that cost flow through to the ‘price’ of the end product and, if so, how does it affect that price and to what extent when the product is sold in a market; and
- (ix) if a ‘benchmark price’ from another jurisdiction or jurisdictions is used or to be used as such, is information similar to the information being sought in Sections H to L of the Exporter Questionnaire (Indonesia) sought in relation to the ‘benchmark price’ to determine its suitability for use as such and, if not, why not?

C-13 Essentially, what are the criteria that render sales in a market ‘unsuitable for use’ in determining normal values for comparison with export prices and why? What defines a ‘market’ so that the presence of certain conditions or the absence of other conditions render ‘sales’ in that market ‘unsuitable for use’ in determining normal values for comparison with export prices?

C-14 Again, hence the need for clarification of these matters.

**D. *Who bears the burden of claiming and proving that domestic sales are ‘unsuitable for use’ in normal value calculations***

D-1 It is important to note that it is not incumbent on producers and exporters in Indonesia to establish that domestic sales of A4 Copy Paper in Indonesia are ‘suitable for use’ in determining normal values for comparison with export prices or, alternatively and, more correctly, not ‘unsuitable’ for such use. Rather, it is incumbent on those claiming that such sales are ‘unsuitable for use’ in determining normal values for comparison with export prices to make that claim, to provide reasons and evidence in support of that claim as to why and how such sales are ‘unsuitable’.

D-2 Australia Paper has not made any such claim. Perhaps the absence of any such claim is the reason for the lack of clarity with Sections H to L of the Exporter Questionnaire (Indonesia). If so, there is no claim, or particulars of any claim, to respond to in this regard.

D-3 In its application, Australian Paper accepted that domestic sales of A4 Copy Paper in Indonesia were relevant and acceptable in this regard. Australian Paper did not claim such sales to be ‘unsuitable’ and, instead, used them to support its application for the Review.

D-4 The Commissioner also did not raise this as an issue in considering Australian Paper’s application. In the Consideration Report, the Commissioner did not recommend to the Minister that the Review be extended to include any additional matters such as whether sales of A4 Copy Paper in Indonesia are ‘unsuitable for use’ in determining normal values for exports from Indonesia. Instead, the Commissioner accepted Australian Paper’s position that such sales were not ‘unsuitable for use’ in initiating the Review. The Commissioner also accepted that such sales were relevant (i.e. suitable) to establishing that variable factors had changed when he accepted Australian Paper’s application.

D-5 Why then is the Commissioner in the Exporter Questionnaire (Indonesia) seeking information and evidence as to whether a so-called ‘particular market situation’ existed in Indonesia during the review period? This is unclear. Clarification of this issue would assist APRIL in understanding the information and evidence that are being sought by Sections H to L of the Exporter Questionnaire (Indonesia) and why that information and evidence are relevant to the Review.

**E. *There is no legislative basis for the Commissioner to “investigate” or “inquire” into matters on his own volition***

- E-1 If Australian Paper in its application has not claimed nor provided any evidence in support that sales of A4 Copy Paper in the Indonesian market are 'unsuitable for use' in determining normal values for comparison with export prices, APRIL seeks clarification on the legislative basis for the Commissioner including Sections H to L in the Exporter Questionnaire (Indonesia). Sections H to L of the Exporter Questionnaire (Indonesia) are arguably not relevant to the scope of the Review.
- E-2 The scope of the Review is whether a variable factor to the antidumping measures applying to exports of A4 Copy Paper from Indonesia have changed. That variable factor is the normal value of such exports determined by reference to prices of sales for A4 Copy Paper in the Indonesian market. Why is this not the scope of this aspect of the Review and what is the legal basis for the Commissioner departing from it?
- E-3 Australia Paper has not raised any claim that the findings of the previous investigation into exports of A4 copy paper from Indonesia are relevant to the Review, assuming such findings were supported by evidence and were correct. It is therefore unclear how findings in a previous dumping investigation into exports of A4 Copy Paper to Australia from Indonesia, that took place some time ago and related to a different investigation period are now somehow relevant to the Review.
- E-4 In addition, no claim was made, nor evidence submitted, by Australian Paper in its application for the Review that the conditions prevailing in Indonesia when the original investigation was conducted continued to exist in Indonesia during the review period. It is, therefore, unclear, why the Commissioner is requesting responses to the questions in Sections H to L of the Exporter Questionnaire (Indonesia) when Australian Paper has not claimed in its application for the Review that sales of A4 Copy Paper in Indonesia are "unsuitable for use" in determining normal values and the Commissioner accepted this in initiating the Review.
- E-5 Again, no explanation is provided as to how each of the questions posed in Sections H to L of the Exporter Questionnaire (Indonesia) is relevant to assessing whether sales of A4 Copy Paper in Indonesia are 'unsuitable for use' in determining normal values. This should be provided to assist respondents in responding to such questions. Will consideration be given to re-frame questions in Sections H to L of the Exporter Questionnaire (Indonesia) or otherwise address this concern? Please advise.

***F. Sections H to L of the Exporter Questionnaire (Indonesia) are not relevant to APRIL's circumstances***

- F-1 In the original dumping investigation into exports of A4 Copy Paper from Indonesia initiated in April 2016 (Investigation No. 341), the Commissioner found that:
- as verified by the Commission, internal transfers of pulp to RAK from a related body corporate were at arm's length and, pursuant to a benchmarking exercise undertaken by

the Commission, reflected prices of pulp in other markets and, therefore, constituted competitive market costs;

- these competitive market costs were accurately reflected in RAK's records, along with other amounts necessary to calculate a constructed normal value; and
- the constructed normal value calculated by the Commission provided a proper comparison with export prices of A4 Copy Paper exported to Australia from Indonesia by APRIL.

- F-2 In other words, whether a constructed normal value or a normal value based on domestic selling prices was used, the normal value used for comparison with export prices would be the same or, if different, not materially different. Accordingly, issues such as whether a so-called 'particular market situation' existed and, consequently, what amount (i.e. whether a normal value based on prices in domestic sales or a constructed normal value) provided a 'proper comparison' to export prices was irrelevant to APRIL's circumstances. Either was appropriate because the cost of pulp to RAK was not a government-influenced cost.
- F-3 Although the amounts in question (e.g. export prices, prices/costs of pulp, domestic selling prices of A4 Copy Paper, etc.) may have changed, the arrangements and transactions regarding RAK's cost to make and sell (**CTMS**) A4 Copy Paper, including the supply and cost of pulp, have not changed nor the nature of its sales in the Indonesian A4 Copy Paper market. Consequently, Sections H to L of the Exporter Questionnaire (Indonesia) have no relevance to APRIL's production and sale of A4 Copy Paper in Indonesia for the purposes of determining a normal value for comparison with export prices.
- F-4 This, no doubt, will be verified by the Commission when it verifies the information and evidence submitted in response to preceding Sections of the Exporter Questionnaire (Indonesia) as was the case in Investigation No. 341.
- F-5 As Sections H to L of the Questionnaire have no relevance to APRIL's circumstances, there is no reason or justification for APRIL to incur the considerable time and expense in completing Sections H to L of the Exporter Questionnaire (Indonesia). If, following verification, any information or evidence that Sections H to L seek to obtain is required in relation to APRIL, then, it can be requested and provided at that time.
- F-6 Consequently, APRIL seeks clarification that Sections H to L of Exporter Questionnaire (Indonesia) need not be completed by APRIL since those Sections have no relevance to APRIL's particular circumstances.

**G. *Numerous questions in Sections H to L of the Exporter Questionnaire (Indonesia) are vague and uncertain and often require speculative responses***

- G-1 Finally, numerous questions posed in Sections H to L of the Exporter Questionnaire (Indonesia) appear fundamentally flawed. This is because they are based on unfounded assumptions, are often open-ended, lack precision, do not address any specific criteria

relevant to the Review and frequently call for responses that, at best, would be speculative and mere conjecture.

G-2 For example, some questions require the respondent to assume that a so-called 'particular market situation' currently exists in Indonesia. However, what constitutes a 'particular market situation' or the nature and scope of that 'particular market situation' is not set out in the Exporter Questionnaire (Indonesia). Without knowing why sales in the Indonesian A4 Copy Paper market and, therefore, 'prices' of such sales, are 'unsuitable for use' in determining normal values, it is not possible to respond meaningfully to the questions being posed.

G-3 By way of analogy, an investigation into a criminal offence succeeds or fails on whether the investigation unearths objective, probative evidence that establishes the commission of the offence. Evidentiary gaps cannot be filled by opinions of the investigators amounting to no more than conjecture, assumptions, supposition and speculation. This is the nature of an investigation and is reflected in the Commonwealth Government's '*Australian Government Investigations Standards*' (AGIS) (August 2011):

*"An investigation is a process of seeking information relevant to an alleged, apparent or potential breach of the law, involving possible judicial proceedings. The primary purpose of an investigation is to gather admissible evidence for any subsequent action, whether under criminal, civil penalty, civil, disciplinary or administrative sanctions."* (page 1 of AGIS)

G-4 While AGIS applies to investigations of breaches of law, its principles are equally applicable to other investigations including dumping investigations and inquiries. The purpose of a dumping investigation is to gather evidence to support material findings of fact necessary for the imposition of antidumping measures. In this case, the purpose of the Review is to gather evidence to determine whether relevant variable factors have changed so that the dumping duty notice needs to be updated. We refer the Commission to Article 1 of the WTO Anti-Dumping Agreement, which states that the conduct of a dumping investigation in accordance with that Agreement is a condition to any imposition of antidumping measures.

G-5 As many of the questions contained in Sections H to L of the Exporter Questionnaire (Indonesia) require the respondent to assume that a 'particular market situation' exists, which is an unfounded assumption, any responses to these questions could only amount to mere conjecture and speculation, and could not be relied upon by the Commissioner in the Review. They could not constitute evidence providing a basis for a finding of fact.

G-6 Examples of questions lacking precision or seeking speculative responses or of seemingly no relevance are set out in **Attachment B**. It is unclear what relevance, if any, these questions have for the Review and what specific issues and criteria relevant to the Review they are seeking to address, especially given the unlimited breadth, open-ended and speculative nature of these questions.

- G-7 Further, the background information set out for a number of questions in Sections H to L of the Exporter Questionnaire (Indonesia) are of limited, if any, relevance to the Review. For example, such background information does not set out the criteria that the Commissioner will be using to assess whether sales of A4 Copy Paper in Indonesia are or are not ‘unsuitable for use’ in determining normal values for comparison with export prices.
- G-8 Accordingly, each of the questions in Sections H to L of the Exporter Questionnaire (Indonesia) needs to be re-assessed as to its relevance to the Review. In particular, each question should specify the issue it is seeking to address, the criteria relevant for determining that issue and the specific factual information supported by evidence that addresses that criteria.
- G-9 It is of considerable concern that responding to Sections H to L of the Exporter Questionnaire (Indonesia) will require expenditure of significant time and expense when the questions in those Sections and the information and evidence have no apparent relevance to any specific criteria that the Commissioner needs to address in the Review.

## **H. Conclusion**

- H.1 In light of the foregoing, we would submit that Sections H to L of the Exporter Questionnaire (Indonesia) are not relevant to the Review and request the Commissioner’s confirmation that these Sections may be disregarded and are not required to be responded to. To recapitulate, the reasons for this request are:
- Australia Paper in its application for the Review did not claim that sales of A4 Copy Paper in Indonesia were ‘unsuitable for use’ in determining normal values for comparison with export prices but, instead, considered domestic sales in Indonesia to be suitable for such use;
  - it is incumbent on Australian Paper to claim, and provide particulars and evidence in support of that claim, that sales of A4 Copy Paper in Indonesia are ‘unsuitable for use’ in determining normal values for comparison with export prices, and it has made no such claim in its application for the Review;
  - the Commissioner did not raise with Australian Paper whether sales of A4 Copy Paper in Indonesia were ‘unsuitable for use’ in determining normal values for comparison with export prices, nor did the Commissioner recommend to the Minister that the Review be extended to include that matter;
  - there is no legislative basis for the Commissioner to extend the Review to “investigate” matters on his own volition in the absence of any such claim by Australian Paper;
  - even assuming that the Commissioner could lawfully extend the Review on his own volition to include matters that were not raised by Australian Paper in its application for the Review:

- (i) the Commissioner has not specified what criteria determine whether sales of A4 Copy Paper in Indonesia would be “unsuitable for use” in determining normal values for comparison with export prices and why; and
  - (ii) in the absence of criteria that may determine whether sales of A4 Copy Paper in Indonesia would be “unsuitable for use” in determining normal values for comparison with export prices, it is not possible to formulate questions that address that criteria;
- the Commissioner is not considering whether sales of A4 Copy Paper in Brazil or Thailand are ‘unsuitable for use’ in determining normal values for exports from those countries but for some unexplained reason is only considering whether sales of A4 Copy Paper in Indonesia are ‘unsuitable for use’ in determining normal values for exports from Indonesia;
  - the Commissioner is not considering whether sales in the Australian A4 Copy Paper market are ‘unsuitable for use’ in determining a NIP.

H-2 In the alternative, if the Commissioner considers that the information being sought by the questions in Sections H to L of the Exporter Questionnaire (Indonesia) are relevant to assessing whether sales of A4 Copy Paper in Indonesia would be ‘unsuitable for use’ in determining normal values for comparison with export prices, we would be grateful if the Commissioner could please clarify the relevance of each question in these Sections and the criteria that the Commissioner considers are relevant for this purpose, so that APRIL may meaningfully respond to them.

If you have any questions or require clarification on any of the foregoing, please let us know.

Yours sincerely,

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## Attachment A

### Anti-Dumping Commission's Dumping & Subsidy Manual Criteria for Determining Market Situation – Sales 'Unsuitable for Use'

Section 269TAC(2)(a)(ii) of the *Customs Act 1901* provides that:

*"... because the situation in the market of the country of export is such that sales in that market are not suitable for use in determining a price [under subsection (1)]",*

the normal value is a constructed normal value consisting of the cost of production of the goods in question plus general administration and selling costs plus an amount for profit.

Pages 36 and 37 of the Commission's '*Dumping and Subsidy Manual*' (**Manual**) set out the criteria for determining when sales in the domestic market in the country of export for a particular good are not suitable for use in determining a normal value of the good in question.

That criteria consisted of the following: -

(a) ***prices in the domestic market do not reflect a "fair price in normal market conditions"***

No explanation is provided as to what are the criteria for determining a 'fair price' and, in particular, when or what constitutes a 'fair' price and how a 'fair price' determines whether prices are suitable for use in determining a normal value. 'Fairness' would seem to be an alien concept in the determination of normal values. No mention of 'fairness' is made in the WTO Anti-Dumping Agreement or in Part XVB of the *Customs Act 1901*.

Further, what constitutes 'normal market conditions' is not explained. What are 'normal market conditions'? How is this determined? What is a 'normal' market condition as opposed to an 'abnormal' market condition?

Also, what are 'market conditions' and how are they relevant to normal value determinations for dumping purposes?

(b) ***whether prices are "artificially low"***

What distinguishes a 'low' price from an 'artificially low' price? What makes a 'price' an 'artificial' price, whether high or low?

The Manual states that:

*"Government influence on prices or costs could be one cause of "artificially low pricing". Government influence means influence from any level of government."*

What 'government influences' are relevant in this regard are not stated in the Manual but presumably any government influence, whether through government policies, regulation or otherwise, is relevant provided that, whatever that 'influence' is, it affects prices in some way, whether directly or indirectly, so that such prices are 'artificially low'.



This presupposes what constitutes an ‘artificially low’ price. That is, when is a price ‘artificially low’? Presumably when it has been influenced by government. However, what constitutes a ‘low’ price as opposed to any other price – how is it measured – and why is a ‘low price’ relevant? If a price has been influenced by government so that regardless of whether it is a ‘low price’, a ‘normal price’ or a ‘high price’, is not what is relevant whether it is a ‘market price’? That is, what is relevant is whether the price does not reflect a ‘market price’ because of government of influence regardless of whether it is a low, high or other price?

The matter to be determined, therefore, is not whether prices are ‘artificially low’ but, rather, whether government has ‘influenced’ prices in sales in the domestic market in the country of export so that prices of sales in that market are not ‘market prices’, whatever a ‘market price’ is.

This requires setting out the criteria as to whether a ‘price’ is in fact a ‘market price’. However, the test is whether ‘sales’ in the market in the country of export are ‘unsuitable for use’ in determining normal values for comparison with export prices. Consequently, the question is what renders ‘sales’ in a market ‘unsuitable’ for this purpose? What are the criteria, being objective criteria that are capable of being established by appropriate evidence, that render ‘sales’ in a ‘market’ as ‘unsuitable’ for this purpose?

The Manual does not set out any such criteria nor does it define what constitutes a ‘market’. In the absence of these, it is not possible to determine whether sales of the goods in question in the country of export are unsuitable for use in determining a normal value for comparison with export prices. There is nothing to measure whether such ‘sales’ are ‘unsuitable’ for this purpose.

(c) ***government involvement in the domestic market distorts competitive conditions***

The Manual provides that ‘government involvement’ in a domestic market may distort ‘competitive conditions’ in that market and, therefore, presumably render sales in that market unsuitable for use in determining a normal value.

This raises the question of what ‘government involvement’ is being referred to as all governments to a greater or lesser extent have some involvement in domestic markets?

The Manual indicates that one form of ‘government involvement’ may be the presence of ‘government owned enterprises’ in that market. However, the Manual does recognise that the mere involvement of government owned enterprises in a market does not of itself render sales in that market unsuitable. More is required. The Manual provides the following example:

*“Rather, market conditions will no longer be said to prevail when the number of government owned enterprises, together with any unprofitable sales by those same*

*enterprises, has caused a significant distortion to the prices received by private enterprises.”*

It is unclear why the number of government owned enterprises present in a market is relevant and how that is relevant. Government owned enterprises can compete against one another as well as with privately owned enterprises. Similarly, sales at a loss are not uncommon with privately owned enterprises. Why are sales at a loss by government owned enterprises different from sales at a loss by privately owned enterprises? This is not explained.

What is critical, as indicated by the above extract from the Manual, is whether the presence of government owned enterprises in the market has ‘distorted’ prices in that market so that such ‘prices’ are not ‘market prices’. This requires identifying how the government owned enterprise or enterprises ‘distort’ in some way prices in that market so that they are not ‘market prices’.

Also, what is unclear from this extract from the Manual is actually how government owned enterprises cause prices in a market to be ‘distorted’. What is the relevant causal link between the government owned enterprise and the distorted prices and what extent of distortion is required to render them unsuitable and why? The Manual is silent on these issues.

Another issue that arises is why ‘government’ involvement in a market is the only relevant factor. Why not other organisations and entities such as, for example, trade unions, industry associations, non-profit organisations, etc., or privately-owned companies or businesses with a monopoly or near monopoly position in the market in question such as is the case in the Australian A4 Copy Paper market. They all may influence conditions in a market.

Similarly, market conditions and sales in a market may be ‘influenced’ by other sources such as, for example, droughts, floods, fires and other natural disasters. Would they render sales in a market so affected by such events to be unsuitable for use in determining normal values for comparison with export prices and, if so or if not, why?

Again, it is not the entity exercising influence that is relevant but, rather, whether it influences market conditions and consequently prices in that market and, if so, how and to what extent. The entity itself is irrelevant but, rather, only any influence exerted on market conditions and prices, the nature of that influence and the extent to which it influences market conditions and prices.

(d) ***prices are lower than they otherwise would be due to government influence on the costs of inputs to manufacture***

The Manual states that government influence on the costs of inputs to manufacture of itself would not render sales in the domestic market of the goods in question unsuitable for use. More is required.

The Manual states that:

*“The Commission looks at the effect of this influence on market conditions and the extent to which domestic prices can no longer be said to prevail in a normal competitive market. It should be noted that government influence on costs can only disqualify the sales if those costs can be shown to be affecting the domestic prices.”*

It is unclear how government influence on the costs of inputs to manufacture affects market conditions in the country of export for the goods in question. This is not explained in the Manual. The cost of an input to manufacture does not necessarily affect the price of the end product. Whether and to what extent it does is a matter for the producer, who, no doubt, would also take into account the market conditions in the market in which the end product is being sold.

The Manual states that costs of an input to manufacture that is influenced by government can only disqualify sales “if those costs can be shown to be affecting the domestic prices”. This would require identifying how a government was influencing the costs of an input or inputs to manufacture and to what extent those costs were so influenced and then to what extent those costs of the inputs to manufacture had flowed through to the price of the end product so that such prices were not set by competitive market conditions in the relevant market. This presupposes either that the producer held a monopoly or near monopoly position in the market and, thereby, influenced prices in that market or a significant number of sellers in the relevant market were selling the goods in question produced from inputs to manufacture the costs of which had been influenced in some material way that had flowed through to prices of the goods in question and, thereby, somehow had distorted market conditions.

(e) **Conclusion**

In light of the foregoing, there would seem to be no clear criteria for determining when sales in the domestic market for the goods in the country of export are unsuitable for use.

The first step should be to establish what constitutes a ‘market’. That is, what are the conditions in a market that determine whether sales in that market are unsuitable for determining a normal value for comparison with export prices. The Manual does not address this. It needs to be addressed as a threshold matter to determining whether sales in a market are ‘unsuitable’ for this purpose.

## Attachment B

### Examples of Questions In Sections H to L of the Exporter Questionnaire (Indonesia) Lacking Precision or Seeking Speculative Responses or are of No Apparent Relevance

#### 1. Section H – Market Situation

H-1 *Specific questions are asked throughout this questionnaire in relation to the Government of Indonesia's interaction with your businesses. However, please generally describe all interaction that your business has with the Government of Indonesia at all levels, including (but not limited to):*

- (a) reporting requirements;*
- (b) payment of taxes;*
- (c) senior management representation within your business;*
- (d) approval/negotiation of business decisions (e.g. investment decisions, management decisions, pricing decisions, production decisions, sales decisions);*
- (e) licensing;*
- (f) restrictions on land use;*
- (g) provision of loans; and*
- (h) provision of grants, awards or other funds.*

H-1.2 *Information on business structure, ownership and management:*

- (a) Indicate whether your company is a state-owned or state-invested enterprise (SIE) (refer to the Glossary of Terms for definition).*
- (b) List the Board of Directors and Board of Shareholders of your business and all other entities/businesses your business is related to. Indicate the names of common directors and officers between yours and related businesses, where applicable.*
- (c) Are any members of your business' (and/or all other entities your business is related to) Board of Directors or Board of Shareholders representatives, employees, or otherwise affiliated with the Government of Indonesia (at any level, from any agency, or otherwise associated entity)? If yes, identify the individuals, their role on that Board and their affiliation with the Government of Indonesia.*
- (d) Are any members of your business' (and/or all other entities your business is related to) Board of Directors or Board of Shareholders appointed, managed or recommended by the Government of Indonesia? If yes, identify any relevant government department(s) they are affiliated with.*
- (e) Indicate who owns what percentage of all shares in your business and identify whether they are:*

- *an affiliate, representative, agency or otherwise representative of the Government of Indonesia;*
- *employees of your business;*
- *foreign investors; or*
- *other (please specify).*

*(f) Provide the details of any significant changes in the ownership structure of your business during the [original] investigation period.*

### *H-1.3 Information on business licensing*

- (a) Provide a copy of your business license(s).
- (b) Identify the Government of Indonesia departments or offices responsible for issuing the license(s).
- (c) Describe the procedures involved in applying for the license(s).
- (d) Describe any requirements or conditions that must be met in order to obtain the license(s).
- (e) Describe and explain any restrictions imposed on your business by the business license(s).
- (f) Describe any sanctions imposed on your business if you act outside the scope of your business license(s).
- (g) Describe and explain any rights or benefits conferred to your business under the license(s).

*H-2.1 Are there any Government of Indonesia opinions, directives, decrees, promulgations, measures, etc. concerning the pulp and paper industry/sector that were put in place or operating during the [original] investigation period [2015]? If yes, please provide a copy of that documentation and a translation as well. Also provide documentation concerning the Government of Indonesia or any association of the Government of Indonesia's notification of the measures concerning A4 copy paper to your company over the [original] investigation period [2015].*

### H-3.1 Taxation

- (a) *Were there any export taxes on the exports of A4 copy paper during the [original] investigation period [2015]?*
- (b) *What was the value-added tax (VAT) rebate applicable to A4 copy paper exports during the [original] investigation period [2015]?*
- (c) *Have there been any changes to the VAT rebate applicable to A4 copy paper exports in the last five years? If yes, provide:*
  - (i) *a detailed chronological history of the VAT rebate rates;*
  - (ii) *products affected;*
  - (iii) *the effective dates of the rate changes;*
  - (iv) *fully translated copies of any Government of Indonesia notices regarding these changes, including the relevant appendices.*
- (d) *Are you aware of any tax changes being planned that would impact the A4 copy paper sector?*

### H-3.2 Sales terms

- (a) *Identify the person who authorises the sales terms, prices and other contract provisions for the sale of A4 copy paper by your business.*
- (b) *Explain how the selling prices of A4 copy paper by your business are determined, including any Government of Indonesia involvement in your business' pricing decisions, and indicate if the goods are subject to Government of Indonesia direct or indirect pricing or government guidance pricing.*
- (c) *Does your business coordinate the selling prices or supply of A4 copy paper with other domestic producers or any Government of Indonesia departments? If yes, provide details.*
- (d) *Explain whether your business provides information or data to the Government of Indonesia, other government officials or commercial/industry organisations, including those outside of Indonesia, which report on the pulp and paper sector.*
- (e) *Explain whether your business provides A4 copy paper price data to any other person at the provincial, regional or special economic zone level of government.*

## Section I – Market Situation

### I-1 Market Situation

*As part of its Review, the Commission will consider if a market situation exists in the Indonesian A4 copy paper market during the review period.*

### I-2 Proper Comparison

*In the event that the Minister is satisfied this market situation is found to exist during the review period, please comment and provide any relevant evidence on:*

- (a) *the effect of the market situation on your business' domestic price in Indonesia;*

- (b) *the effect of the market situation on your business' export price;*
- (c) *whether the effect of the market situation is such that your business' domestic price and export price cannot be properly compared.*

## **Section J Proper Comparison**

*J-1 Describe the Indonesian market for A4 copy paper and the prevailing conditions of competition within the market, including:*

- a. Provide an overall description of the A4 copy paper market in Indonesia which explains its main characteristics and trends over the past five years;*
- b. Provide the sources of demand for A4 copy paper in Indonesia, including the categories of customers, users or consumers of the product;*
- c. Provide the proportion (%) of sales revenue from each of those sources of demand listed in (b);*
- d. Describe the factors that influence consumption/demand variability in Indonesia, 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 Indonesia; such as geographic or product segmentations;*
- f. Provide the proportion of sales revenue from each of the market segments listed in (e);*
- g. Describe the way in which Indonesian and imported A4 copy paper compete in the Indonesian market;*
- h. Describe the ways that A4 copy paper are marketed and distributed in the Indonesian market; and*
- i. Describe any other factors that are relevant to characteristics or influences on the A4 copy paper market in Indonesia.*

## **Section K – Proper Comparison and Production Costs**

### *K-1.1 Production of A4 Copy Paper*

*Describe how your company determines its volume of production for A4 copy paper, product mix of production and the factors that contribute to these decisions. How frequently are production volumes determined for A4 copy paper? How frequently is the product mix determined for A4 copy paper? Provide copies of internal documents which support your claims in response to this question.*

## **Section L – Proper Comparison – Australian A4 Copy Paper Market**

- L-1.1 Describe the Australian market for A4 copy paper and the prevailing conditions of competition within the market, including:
- a. Provide an overall description of the A4 copy paper market in Australia which explains its main characteristics and trends over the past five years;
  - b. Provide the sources of demand for A4 copy paper in Australia, including the categories of customers, users or consumers of the product;
  - c. Provide the 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 the proportion of sales revenue from each of the market segments listed in (e);
  - g. Describe the way in which Australian manufactured, Indonesian and other imported A4 copy paper compete in the Australian market;
  - h. Describe the ways that A4 copy paper are marketed and distributed in the Australian market; and
  - i. Describe any other factors that are relevant to characteristics or influences on the A4 copy paper market in Australia.

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