



Australian Government
Department of Industry, Science,
Energy and Resources

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**Anti-Dumping
Commission**

Exporter Questionnaire

THE SOCIALIST REPUBLIC OF VIETNAM

Case number: 559

Product: Aluminium zinc coated steel (of a width less than 600 millimeters)

From: The Socialist Republic of Vietnam

Investigation period: 1 April 2019 to 31 March 2020

Response due by: Thursday 6 August 2020

Extension granted until 31 August 2020

Return completed questionnaire to:
investigations4@adcommission.gov.au

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

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INSTRUCTIONS

Why you have been asked to fill out this questionnaire?

The Anti-Dumping Commission (the Commission) is conducting an investigation into aluminium zinc coated steel (of a width equal to or greater than 600 millimeters) (the goods) exported to Australia from the The Republic of Korea (Korea), Taiwan and the Socialist Republic of Vietnam (Vietnam). This questionnaire is only for exporters from Vietnam. Another exporter questionnaire is available for exporters from Korea and Taiwan.

The Commission will use the information you provide to determine normal values and export prices over the investigation period (the period). This information will determine whether the goods are dumped. The Commission will also use the information you provide to determine whether the goods exported to Australia from Vietnam has been in receipt of countervailable subsidies over the period.

If you do not manufacture the goods

If you play a role in the export of the goods but do not produce or manufacture the goods (for example, you are a trading company, broker, or vendor dealing in the goods), it is important that you forward a copy of this questionnaire to the relevant manufacturers and inform the Commission of the contact details for these manufacturers **immediately**.

The Commission will still require your company to complete this exporter questionnaire except Section G – Cost to make and sell.

What happens if you do not respond to this questionnaire?

You do not have to complete the questionnaire. However, if you do not respond, do not provide all of the information sought, do not provide information within a reasonable time period, or do not allow the Commission to verify the information, we may deem your company to be an uncooperative exporter. In that case the Commission must determine a dumping margin and a subsidy margin having regard to all relevant information.

Therefore, it is in your interest to provide a complete and accurate response to this exporter questionnaire, capable of verification.

Extension requests

If you require a longer period to complete your response to this exporter questionnaire, you must submit a request to the Commission, in writing, for an extension to the due date for all or part of the questionnaire. This request must be made prior to the due date. A request for extension will be rejected if received after the due date.

When considering the extension request, the Commission will have regard to:

- the Commission's responsibility to conduct the case in a timely and efficient manner;
- the reasons why you could not provide a response within the whole period and not only the period remaining between the request and the due date;
- ordinary business practices or commercial principles;
- the Commission's understanding of the relevant industry;
- previous correspondence and previous dealings with your company; and
- information provided by other interested parties.

More information on extensions can be found in the Customs (Extension of Time and Non-cooperation) Direction 2015 at <https://www.legislation.gov.au/Details/F2015L01736>.

You will be informed of the decision whether your request for an extension has been rejected, granted in full or granted in part. For example, you may be granted an extension to submit all sections except for Section A or you may be granted a shorter extension than you requested.

A summary of any requests and grants of extensions to submit a response to this exporter questionnaire will be published in the public record.

Submitting a response to the exporter questionnaire

Responses to the exporter questionnaire should be lodged by email listed on the cover page. In submitting the response to the exporter questionnaire, you must answer all questions, include all attachments and spreadsheets, and provide a non-confidential version of your response to this exporter questionnaire.

If your response to this exporter questionnaire contains major deficiencies that, in the Commissioner's view, cannot be quickly and easily rectified in a further response, then your company may be deemed as an uncooperative exporter (dumping) and or non-cooperative exporter (countervailing).

Confidential and non-confidential responses

You are required to lodge a confidential version (for official use only) and a non-confidential version (for public record) of your response to this exporter questionnaire by the due date. Please ensure that *each page* of information you provide is clearly marked either "FOR OFFICIAL USE ONLY" or "PUBLIC RECORD".

All information provided to the Commission in confidence will be treated accordingly. The non-confidential version of your submission will be placed on the public record, and must contain sufficient detail to allow a reasonable understanding of the substance of the information, but does not breach confidentiality nor adversely affect those interests.

A person is not required to provide a summary for the public record if the Commission can be satisfied that no such summary can be given that would allow a reasonable understanding of the substance of the information.

All submissions are required to have a bracketed explanation of deleted or blacked out information for the non-confidential version of the submission. An example of a statement to accompany deleted/blacked out text is:

[Explanation of cost allocation through the divisions, by reference to machine hours or weight].

If such an explanation is not provided, the Commission may disregard the information in the submission. Where the public record version of your response to the exporter questionnaire does not contain sufficient detail, your company may be deemed to have significantly impeded the case and be deemed an uncooperative exporter.

Verification of the information that you supply

The Commission may wish to conduct a visit, if this option is available to the Commission, to your company to verify your questionnaire response for completeness, relevance and accuracy.

However, on 20 March 2020, the Commission published *Anti-Dumping Notice No. 2020/029*,¹ advising that onsite exporter verification activities have been temporarily suspended until further notice as a result of the COVID-19 pandemic. This position is subject to change as the Commission continues to assess current events.

The Commission remains committed to ensuring that data submitted by parties is complete, relevant and accurate. If an onsite visit is not possible, the Commission may elect to undertake alternative verification activities. This includes but is not limited to remote verification, desktop assessments or

¹ https://www.industry.gov.au/sites/default/files/adu/public-record/notice_adn_-_adn_2020-029_-_temporary_suspension_of_international_onsite_verification_0.pdf

delaying verification activities until such time as onsite verification is possible. The Commission will continue to monitor current events and assess when the suspension of onsite exporter verification activities can be lifted.

A verification visit, or any verification activity is not meant to be a chance for you to provide new or additional information. The Commission expects your response to the questionnaire to be relevant, complete and accurate.

Onsite verification is usually conducted over 4 days, remote and desktop verification may take a longer period of time. In complex cases, a verification visit, if conducted, may be scheduled over 5 days. A desktop verification may require a longer period.

Any verification activity will include a detailed examination of your company's records and we will collect copies of relevant documents. The verification will require the participation of key staff, including your financial accountant, production manager and sales staff. A tour of the manufacturing facility, should an onsite visit be possible, may also be required during the verification visit.

Note that the Commission may disregard any data or information that is not verified, including new or additional information provided after the verification activity.

A report will be prepared following the verification activity, which details the outcomes of the verification. This report will be placed on the public record and may include the publication of the preliminarily-assessed dumping and subsidy margin. The Commission considers that the dumping margin and subsidy margin is not confidential information, but rather an aggregate figure derived from confidential data.

You will be provided with an opportunity to comment on the accuracy and confidentiality of the verification report prior to its publication on the public record.

For information on the Commission's verification procedures, refer to Anti-Dumping Notice No. 2016/30 available on the Commission's website.

Important instructions for preparing your response

- All questions in this exporter questionnaire must be completed. If a question is not applicable to your situation, please answer the question with "Not Applicable" and provide an explanation as to why.
- All questions must be answered in English. An English translation must be provided for documents not originally in English.
- Clearly identify all units of measurement (e.g. KG) and currencies (e.g. AUD) used. Apply the same measurement consistently throughout your response to the questionnaire.
- Label all attachments to your response according to the section of the questionnaire it relates to (e.g. label the chart of accounts as Attachment A-4.6)
- The data must be created as spreadsheet files in Microsoft Excel.
- If you have used formulas to complete spreadsheets, these formulas must be retained and not hard-coded.
- You must retain all worksheets used in answering the questionnaire. Be prepared to provide these worksheets during the Commission's verification of your data.
- If you cannot present electronic data in the requested format contact the case officer as soon as possible.

- Where possible, electronic data should be emailed or shared with the Commission via SIGBOX, a secure online document repository. Please contact the Commission to request access to SIGBOX if required.

CHECKLIST

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

Section	Please tick if you have responded to all questions										
<p>Goods under consideration The goods the subject of the investigation are:</p> <p><i>Flat rolled iron and steel products (whether or not containing alloys), of a width equal to or greater than 600 millimeters ("mm"), plated or coated with aluminium-zinc alloys, not painted, and whether or not including resin coating.</i></p> <p><i>Trade or further generic names often used to describe the subject goods include:</i></p> <ul style="list-style-type: none"> • ZINCALUME® steel; • GALVALUME® steel; • Aluzinc, Supalume, Superlume, ZAM, GALFAN; • Zinc aluminium coated steel; • Aluminium zinc coated steel; • Aluminium zinc magnesium coated steel; • Alu-Zinc Steel sheet in Coils; • Al/Zn; and • Hot Dipped 55% Aluminium-Zinc Alloy coated steel sheet in coil. <p><i>The imported goods the subject of this application covers aluminum zinc coated steel whether or not including any combination of surface treatment. For example, whether passivated (often referred to as chromated), resin coated or not resin coated (often referred to as Anti-Finger Print ("AFP") or not AFP), oiled or not oiled, skin-passed or not skin-passed.</i></p> <p><i>Excluded from the goods description of this application is un-passivated (often referred to as unchromated) aluminium zinc coated steel.</i></p> <p><i>The amount of aluminium zinc coating on the steel is described as its coating mass and is nominated in grams per meter squared (g/m²), with the prefix being AZ (Aluminium Zinc). Common coating masses used are: AZ200, AZ150, AZ100, and AZ70.</i></p> <p><i>There are several relevant International Standards for aluminium zinc coated steel, covering the full range of products via specific grade designations, and including the recommended or guaranteed properties of each of those product grades.</i></p> <p><i>These relevant standards are noted below in the table "Relevant International Standards for Aluminium Zinc Coated Steel".</i></p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <thead> <tr> <th style="width: 30%; text-align: center;">International Standards</th> <th style="width: 70%; text-align: center;">Product Grades</th> </tr> </thead> <tbody> <tr> <td colspan="2" style="text-align: center;"><i>General and Commercial Grades</i></td> </tr> <tr> <td>AS/NZS 1397</td> <td>G1, G2</td> </tr> <tr> <td>ASTM A792</td> <td>CS, type A, B and C</td> </tr> <tr> <td>EN 10346</td> <td>DX51D, DX52D</td> </tr> </tbody> </table>	International Standards	Product Grades	<i>General and Commercial Grades</i>		AS/NZS 1397	G1, G2	ASTM A792	CS, type A, B and C	EN 10346	DX51D, DX52D	<input checked="" type="checkbox"/>
International Standards	Product Grades										
<i>General and Commercial Grades</i>											
AS/NZS 1397	G1, G2										
ASTM A792	CS, type A, B and C										
EN 10346	DX51D, DX52D										

JIS 3321	SGLCC
<i>Forming, Pressing & Drawing Grades</i>	
AS/NZS 1397	G3
ASTM A792	FS, DS
EN 10346	DX53D, DX53D
JIS 3321	SGLCD, SGLCDD
<i>Structural Grades</i>	
AS/NZS 1397	G250, G300, G350, G450, G550
ASTM A792	33 (230), 37(255), 40 (275), 50 (340), 55 (380), 80 (550)
EN 10346	S220GD, S250GD, S280GD, S320GD, S350GD, S550GD
JIS 3321	SGLC400, SGLC440, SGLC490, SGLC570

Tariff classification

The goods are generally, but not exclusively, classified to the following tariff classifications in Schedule 3 of the *Customers Tariff Act 1995*.

Tariff classification (Schedule 3 of the Customs Tariff Act 1995)		
Tariff Subheading	Statistical Code	Description
7210.61.00		FLAT-ROLLED PRODUCTS OF IRON OR NON-FERROUS METALS OF 600 mm OR MORE, CLAD, PLATED OR COATED WITH ALUMINIUM-ZINC ALLOYS
	60	Of a thickness of less than 0.5 mm
	61	Of a thickness of 0.5 mm or more and less than 1.5 mm
	62	Of a thickness of 1.5 mm or more
7225.99.00		FLAT-ROLLED PRODUCTS OF OTHER ALUMINIUM ALLOYS OF 600 mm OR MORE
	39	Other

Model Control Code

Details of the model control code (MCC) structure for the goods are in the table below. Export sales data (Section B-2), domestic sales data (Section D-2) and cost to make and sell data (Section G-3, G-4 & G-5) submitted in this response must follow this MCC structure. At a minimum, the data must report sales and cost data separately for each of the mandatory MCC categories identified.

Item	Category	Sub-Category	Identifier	Sales Category
1	Prime	Prime	P	Mandatory
		Non-Prime	N	
2	Coating Mass	≤ 100 g/m ²	1	Mandatory
		>100 g/m ² to ≤ 165 g/m ²	2	
		>165 g/m ²	3	
3	Steel Grade	G2 / SGLCC	A	Mandatory
		G3 / SGLCD	B	
		G250 / SGLC 340	C	
		G300 / G350 / SGLC 400 /	D	

		SGLC 440 / SGLC 490					
		G450 / G500	E				
		G550 / SGLC 570	F				
		Other	G				
4	Base Metal Thickness (BMT)	< 0.40 mm	1	Mandatory	Mandatory	Yes	
		≥ 0.40 mm to < 0.50 mm	2				
		≥ 0.50 mm to < 0.75 mm	3				
		≥ 0.75 mm to < 1.00 mm	4				
		≥ 1.00 mm to < 2.00 mm	5				
5	Width	< 600 mm	1	Mandatory	Mandatory	No	
		≥ 600 mm	2				
6	Form	Coil	C	Mandatory	Optional	No	
		Sheet	S				

In constructing a MCC, use a "-" between each category. For example: **P-2-E-3-2-C**

The MCCs will be used to model match export models to the identical or comparable domestic models. In addition, the MCCs will be used to determine the profitability of domestic sales in the ordinary course of trade test by comparing domestic selling prices to the corresponding cost to make and sell. The MCC may also be used to compare the export price to the cost to make the exported model as part of the constructed normal value.

If there are models manufactured and sold by your company that do not align within the MCC structure above, this should be raised by lodging a submission with the Commission as soon as is practicable, but no later than the time this questionnaire is due, otherwise the response may be deemed deficient.

Section A

Company information

Section B

Export sales to Australia



Section C

Exported goods & like goods



Section D

Domestic sales



Section E

Due allowance



Section F

Third country sales



Section G

Cost to make and sell



Response:

Please refer to [Appendix G-9_CONF_Capacity Utilisation](#) for Nam Kim Steel's response to this question.



Section H

Particular market situation

Section I



Section J

Production AND Production Costs



Section K Australian Market	<input checked="" type="checkbox"/>
Response: The sales staff will negotiate the price with its customer on detail specification of products, quantity, term of delivery. I	<input checked="" type="checkbox"/>
Section L Countervailing	
Exporter's declaration	<input checked="" type="checkbox"/>
Non-confidential version of this response	<input checked="" type="checkbox"/>

Attachments	Please tick if you have provided spreadsheet
B-2 Australian sales	<input checked="" type="checkbox"/>
B-4 Upwards sales	<input checked="" type="checkbox"/>
B-5 Upwards selling expenses	<input checked="" type="checkbox"/>
B-6 Historical sales	<input checked="" type="checkbox"/>
D-2 Domestic sales	<input checked="" type="checkbox"/>
F-2 Third country sales	<input checked="" type="checkbox"/>
G-3 Domestic CTM	<input checked="" type="checkbox"/>
G-4.1 SG&A listing	<input checked="" type="checkbox"/>
G-4.2 Dom SG&A calculation	<input checked="" type="checkbox"/>
G-5 Australian CTM	<input checked="" type="checkbox"/>
G-7.2 Raw material CTM	<input checked="" type="checkbox"/>
G-7.4 Raw material purchases	<input checked="" type="checkbox"/>
G-8 Upwards costs	<input checked="" type="checkbox"/>
G-9 Capacity utilisation	<input checked="" type="checkbox"/>
L-1 Company turnover	<input checked="" type="checkbox"/>
L-2 Provision of goods	<input checked="" type="checkbox"/>
L-3 Income tax	<input checked="" type="checkbox"/>
L-4 Grants	<input checked="" type="checkbox"/>
L-5 VAT and tariff transactions	<input checked="" type="checkbox"/>
L-6 Preferential loans	<input checked="" type="checkbox"/>

GOODS UNDER CONSIDERATION

The goods the subject of the investigation are:

Flat rolled iron and steel products (whether or not containing alloys), of a width equal to or greater than 600 millimeters (“mm”), plated or coated with aluminium-zinc alloys, not painted, and whether or not including resin coating.

Trade or further generic names often used to describe the subject goods include:

- ZINCALUME® steel;
- GALVALUME® steel;
- Aluzinc, Supalume, Superlume, ZAM, GALFAN;
- Zinc aluminium coated steel;
- Aluminium zinc coated steel;
- Aluminium zinc magnesium coated steel;
- Alu-Zinc Steel sheet in Coils;
- Al/Zn; and
- Hot Dipped 55% Aluminium-Zinc Alloy coated steel sheet in coil.

The imported goods the subject of this application covers aluminum zinc coated steel whether or not including any combination of surface treatment. For example, whether passivated (often referred to as chromated), resin coated or not resin coated (often referred to as Anti-Finger Print (“AFP”) or not AFP), oiled or not oiled, skin-passed or not skin-passed.

Excluded from the goods description of this application is un-passivated (often referred to as unchromated) aluminium zinc coated steel.

The amount of aluminium zinc coating on the steel is described as its coating mass and is nominated in grams per meter squared (g/m²), with the prefix being AZ (Aluminium Zinc). Common coating masses used are: AZ200, AZ150, AZ100, and AZ70.

There are several relevant International Standards for aluminium zinc coated steel, covering the full range of products via specific grade designations, and including the recommended or guaranteed properties of each of those product grades.

These relevant standards are noted below in the table “Relevant International Standards for Aluminium Zinc Coated Steel”.

International Standards	Product Grades
<i>General and Commercial Grades</i>	
AS/NZS 1397	G1, G2
ASTM A792	CS, type A, B and C
EN 10346	DX51D, DX52D
JIS 3321	SGLCC
<i>Forming, Pressing & Drawing Grades</i>	
AS/NZS 1397	G3
ASTM A792	FS, DS
EN 10346	DX53D, DX53D
JIS 3321	SGLCD, SGLCDD
<i>Structural Grades</i>	
AS/NZS 1397	G250, G300, G350, G450, G550
ASTM A792	33 (230), 37(255), 40 (275), 50 (340), 55 (380), 80 (550)
EN 10346	S220GD, S250GD, S280GD, S320GD, S350GD, S550GD
JIS 3321	SGLC400, SGLC440, SGLC490, SGLC570

Tariff classification

The goods are generally, but not exclusively, classified to the following tariff classifications in Schedule 3 of the *Customers Tariff Act 1995*.

Tariff classification (Schedule 3 of the Customs Tariff Act 1995)		
Tariff Subheading	Statistical Code	Description
7210.61.00		FLAT-ROLLED PRODUCTS OF IRON OR NON-ALLOY STEEL, OF A WIDTH OF 600 mm OR MORE, CLAD, PLATED OR COATED: PLATED OR COATED WITH ALUMINIUM-ZINC ALLOYS
	60	Of a thickness of less than 0.5 mm
	61	Of a thickness of 0.5 mm or more but less than 1.5 mm
	62	Of a thickness of 1.5 mm or more
7225.99.00		FLAT-ROLLED PRODUCTS OF OTHER ALLOY STEEL, OF A WIDTH OF 600 mm OR MORE
	39	Other

Model Control Code

Details of the model control code (MCC) structure for the goods are in the table below. Export sales data (Section B-2), domestic sales data (Section D-2) and cost to make and sell data (Section G-3, G-4 & G-5) submitted in this response must follow this MCC structure. At a minimum, the data must report sales and cost data separately for each of the mandatory MCC categories identified.

Item	Category	Sub-Category	Identifier	Sales Data	Cost Data	Key category
7	Prime	Prime	P	Mandatory	Not applicable	Yes
		Non-Prime	N			
8	Coating Mass	≤ 100 g/m ²	1	Mandatory	Mandatory	Yes
		>100 g/m ² to ≤ 165 g/m ²	2			
		>165 g/m ²	3			
9	Steel Grade	G2 / SGLCC	A	Mandatory	Mandatory	Yes
		G3 / SGLCD	B			
		G250 / SGLC 340	C			
		G300 / G350 / SGLC 400 / SGLC 440 / SGLC 490	D			
		G450 / G500	E			
		G550 / SGLC 570	F			
		Other	G			
10	Base Metal Thickness (BMT)	< 0.40 mm	1	Mandatory	Mandatory	Yes
		≥ 0.40 mm to < 0.50 mm	2			
		≥ 0.50 mm to < 0.75 mm	3			
		≥ 0.75 mm to < 1.00 mm	4			
		≥ 1.00 mm to < 2.00 mm	5			
11	Width	< 600 mm	1	Mandatory	Mandatory	No
		≥ 600 mm	2			
12	Form	Coil	C	Mandatory	Optional	No
		Sheet	S			

In constructing a MCC, use a "-" between each category. For example: **P-2-E-3-2-C**

The MCCs will be used to model match export models to the identical or comparable domestic models. In addition, the MCCs will be used to determine the profitability of domestic sales in the ordinary course of trade test by comparing domestic selling prices to the corresponding cost to make

and sell. The MCC may also be used to compare the export price to the cost to make the exported model as part of the constructed normal value.

If there are models manufactured and sold by your company that do not align within the MCC structure above, this should be raised by lodging a submission with the Commission as soon as is practicable, but no later than the time this questionnaire is due, otherwise the response may be deemed deficient.

SECTION A COMPANY INFORMATION

A-1 Company representative and location

1. Please nominate a contact person within your company:

Name:
Position in the company:
Telephone:
E-mail address:

Response:

Name: Mrs. Nguyen Thi Ngoc Lien
Position in the company: Deputy General Director
Telephone: []
E-mail address: []

And,

Name: Mr. Ngo Xuan Diep
Position in the company: Export Director
Telephone: []
E-mail address: []

2. If you have appointed a representative, provide the their contact details:

Name:
Address:
Telephone:
E-mail address:

In nominating a representative, you are granting authority to the Commission to discuss matters relating to the case with the nominated representative, including your company's confidential information.

Response:

Not applicable. Nam Kim Steel does not appoint a representative but we will submit the questionnaire response by the above nominated employees.

3. Please provide the location of the where the company's financial records are held.

Response:

Nam Kim Steel's financial records are held at [] of the company, which is located at:
[].

4. Please provide the location of the where the company's production records are held.

Response:

Nam Kim Steel's production records are held at [] of the company, which is located at:
[]

A-2 Company information

1. What is the legal name of your business?

Response:

The legal name of our company is Nam Kim Steel Joint Stock Company.

2. Does your company trade under a different name and/or brand? If yes, provide details.

Response:

Not applicable. Our company does not trade under any different name and/or brand. Nam Kim Steel uses its registered business brand name to sell the Goods Under Consideration (GUC) only.

3. Was your company ever known by a different legal and/or trading name? If yes, provide details

Response:

Not applicable. Our company was not known by any other legal and/or trading name.

4. Provide a list of your current board of directors and any changes in the last two years.

Response:

Please refer to following table for the list of Nam Kim Steel's current board of directors and the changes in the last two years.

No	Name	Position	Terms of working
<u>Current board of Directors:</u>			
1	<input type="text"/>	<input type="text"/>	
2	<input type="text"/>	<input type="text"/>	
3	<input type="text"/>	<input type="text"/>	<input type="text"/>
4	<input type="text"/>	<input type="text"/>	<input type="text"/>
<u>Changes in the last two years:</u>			
5	<input type="text"/>	<input type="text"/>	<input type="text"/>
6	<input type="text"/>	<input type="text"/>	<input type="text"/>
7	<input type="text"/>	<input type="text"/>	<input type="text"/>

5. Is your company part of a group (e.g. parent company with subsidiaries, common ownership, joint-ventures)? If yes, provide:

- (a) A diagram showing the complete ownership structure; and
- (b) A list of all related companies and its functions

Response:

Not applicable. Nam Kim Steel is not part of any group (e.g. parent company with subsidiaries, common ownership and joint-ventures).

6. Is your company or parent company publically listed?
If yes, please provide:

- (a) The stock exchange where it is listed; and

- (b) Any principle shareholders²
If no, please provide:
(a) A list of all principal shareholders and the shareholding percentages.

Response:

Nam Kim Steel Joint Stock Company is publically listed.
In 2011, Nam Kim Steel was officially listed on Ho Chi Minh City Stock Exchange (HOSE) with stock code "NKG".

Please refer to **Exhibit A-2.6_PUBLIC_Shareholding** -The list of names of Nam Kim Steel's principal shareholders whose shares are over 5% on the overall.

7. What is the overall nature of your company's business? Include details of the products that your company manufacture and sell and the market your company sells into.

Response:

The principal activities of Nam Kim Steel that registered in the Business registration certificate include:

- Manufacturing of metal products, production of steel tole: galvanized, aluminium-zinc alloy coated, steel sheets (galvalume), steel sheets coated, galvanized coating.
- Production of iron, steel, cast iron, production of steel pipes, steel and rolled steel products, cold rolled steel, galvanized steel, black steel tape, galvanized steel tape.
- Trading in real estate, land use rights of ownership, use or rental home.
- Wholesale of metals and metals ores, details: wholesale iron and steel.
- Mechanical processing, handling and metal coating (not processing at its headquarter location).
- Trading scrap (not containing, sorting, processing and recycling at its headquarter location).

Nam Kim Steel produces and sells various types of .

Nam Kim Steel's products have been sold in domestic market and also exported to more than around the world including .

8. If your business does not perform all of the following functions in relation to the goods under consideration, then please provide names and addresses of the companies which perform each function:
- (a) produce or manufacture;
 - (b) sell in the domestic market;
 - (c) export to Australia; and
 - (d) export to countries other than Australia.

Response:

During the investigation period, Nam Kim Steel does perform all of the above mentioned functions in relation to the goods under consideration (GUC).

9. Provide your company's internal organisation chart.

Response:

² Principal shareholders are those who are able to cast, or control the casting of, 5% or more of the maximum amount of votes that could be cast at a general meeting of your company.

Please refer to **Exhibit A-2.9_PUBLIC_Internal Organization Chart** for our response to this question.

10. Describe the functions performed by each group within the organisation.

Response:

There are [] in our organisation. Each department has its particular function and is controlled by the Board of Management:

- [] has its function to manage [] and develop products of each manufacturing facility units.
- [] has its function to manage and control the [] in company.
- [] has function to perform [], the objective of customer, aiming to increase the sale volume and it maximize profitable margin on sell.
- [] has function to perform [], aiming to increase the sale volume and it maximize profitable margin on sell.
- [] has function to make []; and distribute them to each units in properly way. The department also arranges [].
- [] has function to [] such as safety and health and other labor relations.
- [] has function to manage the [] of the company.
- [] has function to manage the [] in operating production activities.

11. Does your company produce brochures, pamphlets or other promotional material? If yes, please provide them.

Response:

Please refer to **Exhibit A-2.11_PUBLIC_Company Profile** for our response to this question.

A-3 General accounting information

1. What is your financial accounting period?

Response:

Nam Kim Steel normal corporate accounting/financial period is starting from the first date (01/01) and finishing on the final date (31/12) of a calendar year.

2. Are your financial accounts audited? If yes, who is the auditor?

Response:

Yes, according to general accounting practice requirement in Vietnam for joint stock company entity type, Nam Kim Steel does have []. They include balance sheet, income statement (profit and loss reports), cash flow statement reported to the financial statements.

[] is the auditor of Nam Kim Steel Joint Stock Company during the POI.

3. What currency are your accounts kept in?

Response:

The currency which is kept in our accounts is Vietnam Dong (VND).

4. What is the name of your financial accounting system?

Response:

During the POI, the accounting system that we used is called [REDACTED]. Please refer to **Exhibit A-3.4_CONF_Flowchart of [REDACTED]** for further detail about the operation of the accounting system [REDACTED].

5. What is the name of your sales system?

Response:

During the POI, Nam Kim Steel did not use a [REDACTED].

However, [REDACTED], Nam Kim Steel has implemented the [REDACTED] for managing the operation of the whole process of [REDACTED].

6. What is the name of your production system?

Response:

During the POI, Nam Kim Steel did not use any [REDACTED].

However, [REDACTED], Nam Kim Steel has implemented the [REDACTED].

7. If your financial accounting, sales and production systems are different, how do the systems interact? Is it electronically or manual? Please provide a detailed explanation and include diagrams.

Response:

As explained above, there is only [REDACTED] used in Nam Kim Steel and it is for [REDACTED]. For sales and production activities, [REDACTED]. In general, the [REDACTED].

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

Response:

Not applicable. Nam Kim Steel accounting practices does comply with the generally accepted accounting principles (GAAP) in Vietnam country in completely and appropriately application.

9. Have there been any changes to your accounting practices and/or policies over the last two years? If yes, please provide details.

Response:

Not applicable. There has not been any changes to Nam Kim Steel's accounting practices and/or policies over the last two years.

A-4 Financial Documents

1. Please provide the two most recently completed annual reports and/or financial statements for your company and any other related companies involved in the production and sale of the goods.

Response:

Please refer to **Exhibit A-4.1_PUBLIC_Financial Statement 2019** and **Exhibit A-4.1_PUBLIC_Financial Statement of six-month period ended 30 June 2020** which were audited for our response to this question.

2. If the financial statements in A-4.1 are unaudited, provide for each company:
(a) the tax returns relating to the same period; and

- (b) reconciliation of the revenue, cost of goods sold, and net profit before tax between the financial statements and tax returns.

Response:

Not applicable. The financial statements submitted in A-4.1 are all **Y**.

3. Does your company maintain different profit centres? If yes, provide profit & loss statements for the profit centre that the goods falls into for:
- (a) the most recent financial year; and
 - (b) the period.

Response:

Not applicable. Nam Kim Steel does not maintain different profit centres.

4. If the period is different to your financial period, please provide:
- (a) Income statements directly from your accounting information system covering the most recent financial period and the period; or
 - (b) Quarterly or half yearly income statements directly from your accounting system covering the most recent financial period and the period.

Response:

Please refer to **Exhibit A-4.1 _PUBLIC_ Financial Statement 2019** and **Exhibit A-4.1 _PUBLIC_ Financial Statement of six-month period ended 30 June 2020** which were audited for our response to this question.

5. Please provide a copy of your company's trial balance (in Excel) covering the period and the most recent financial year.

Response:

Please refer to **Exhibit A-4.5_CONF_Trial Balances** covering the period and 2019 for Nam Kim Steel's response to this question.

6. Please provide your company's chart of accounts (in Excel).
If any of the documents are not in English, please provide a complete translation of the documents.

Response:

Please refer to **Exhibit A-4.6_PUBLIC_Chart of accounts** for our response to this question.

SECTION B EXPORT SALES TO AUSTRALIA

B-1 Australian export sales process

1. Provide details (and diagrams if appropriate) of the export sales process of your company and any entities (e.g. agents) including:
 - (a) Marketing and advertising activities
 - (b) Price determination and/or negotiation process
 - (c) Order placement process
 - (d) Order fulfilment process and lead time
 - (e) Delivery terms and process
 - (f) Invoicing process
 - (g) Payment terms and process

Response:

The marketing and advertising activities are [] and they are not a regular activity. Nam Kim Steel does not [] until now.

Normally, customers in Australia are connected to Nam Kim Steel via []. There are few []. A sale activity will start with an information provided by []. The appointed sale person will continue a discussion with the customer, after [] to conclude in []; then indicate it on the [].

The selling prices of Nam Kim Steel's steel products are determined []. For export goods, the sale staff will negotiate the price with its customer on detail specification of []. The final price shall be approved by the [].

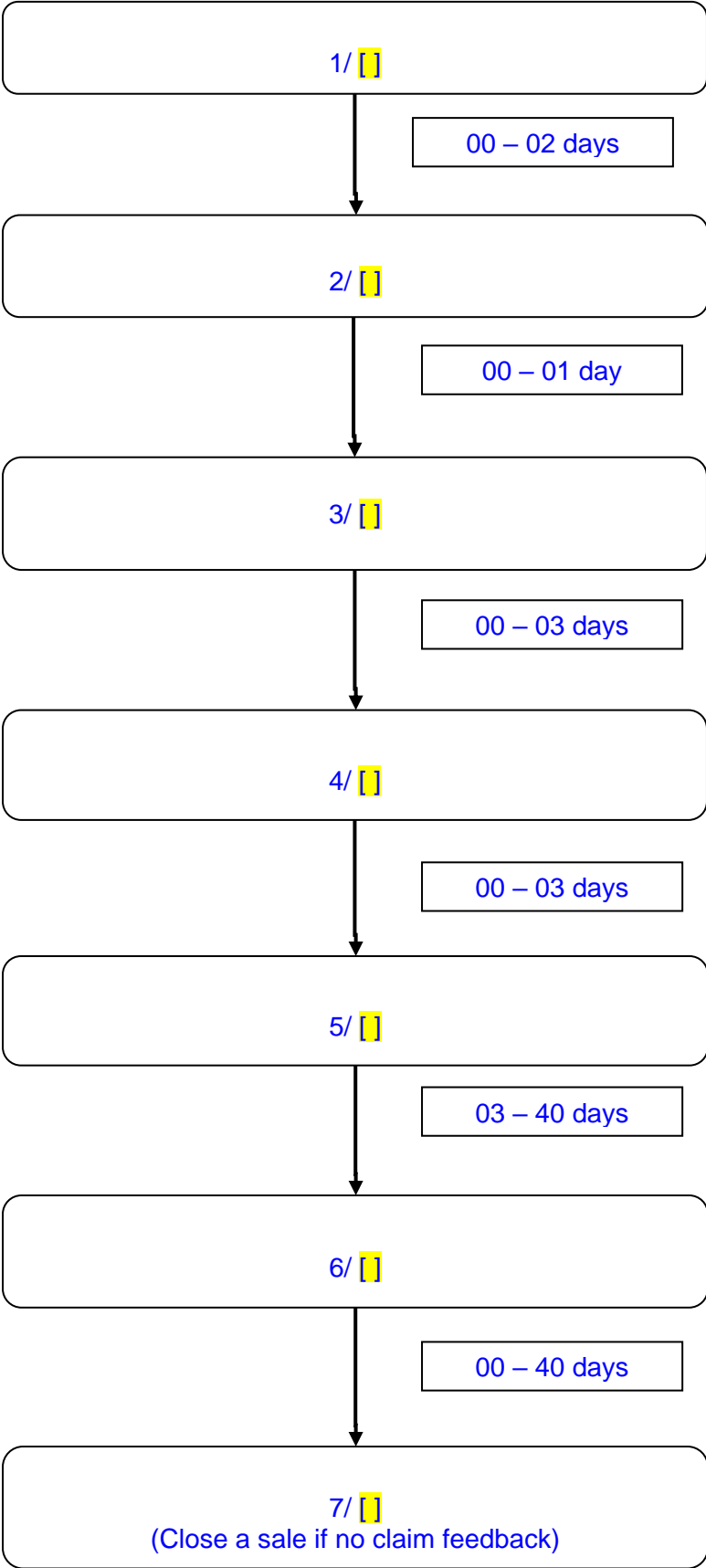
After the [], the payment guarantee will be requested to proceed []; and [] will be finished right afterwards.

The gap between [] to its customer will depend on the required specification of the subject goods, combined with appointed production line; but it is often within [].

On export sales to Australian market, during the POI, Nam Kim Steel sold the goods with [] price term.

The [] will be released to its customer once material is shipped on board, the [] would be made completely as agreed in the payment term of the sale contract. The below flow chart B-1.1 is demonstrated to every step of export sales are made:

Chart B-1.1: Steps of Export Sales Made



2. In what currency do you invoice your customers for goods exported to Australia? If it is not in your local currency:
 - (a) Do your customers pay you into a foreign currency denominated account? If yes, provide details;
 - (b) Do you use forward contracts to lock in the foreign exchange rate relating to the export sales? If yes, provide details;
 - (c) How is the exchange rate determined in your accounting system and how often is it updated?

Response:

Nam Kim Steel invoices its customers for goods exported to Australia in USD currency.

During the POI, Nam Kim Steel did not make any forward contracts of the goods under consideration to lock in the foreign exchange rate. All of Nam Kim Steel sales during the POI to Australia were made on [redacted].

The applied currency conversion into accounting currency Vietnam Dong unit has been reported in **Exhibit B-1.2_CONF_USD Exchange Rate**. The exchange rates used on turnover of export sales was relied on the exchange rate set by [redacted]. At each specific time we made an declaration for export shipment on [redacted], the exchange rate has already been updated. The accountant will base on the information on declarations to report in the accounting system.

3. Are there any customers of the goods exported to Australia related to your company? If yes, please provide a list of each related customer and provide details on how the selling price is set.

Response:

Not applicable. Nam Kim Steel does not have any related company in Australia. All commercial contracts have been made based on mutual agreements in an independent relationship between the seller and the buyer simply.

4. If sales are in accordance with price lists or price extras list, provide copies of these lists.

Response:

Not applicable. Nam Kim Steel did not issue any price lists for export sales during the POI, including Australian market. Prices were negotiated between Nam Kim Steel and its customers on [redacted].

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

Response:

Not applicable. Nam Kim Steel does not offer different selling prices according to distinct distribution channels [redacted].

6. Did you provide on-invoice discounts and/or off-invoice rebates to any customer or an associate of the customer in relation to the sale of the goods exported to Australia during the period? If yes, provide a description and explain the terms and conditions that must be met by the customer to obtain the discount.

Response:

Not applicable. Nam Kim Steel did not provide on-invoice discounts and/or off-invoice rebates to any customer or an associate of the customer in relation to the sale of the goods exported to Australia during the period.

7. Did you issue any credit or debit notes (directly or indirectly) to the customer or associate of the customer in relation to the sale of the goods exported to Australia during the period? If yes, provide details of the credit/debit notes including the reasons the credit/debit notes were issued.

Response:

Not applicable. Nam Kim Steel did not issue any credit or debit notes (directly or indirectly) to the customer or associate of the customer in relation to the sale of the goods exported to Australia during the period.

8. The invoice date will normally be taken to be the date of sale. If you are making a claim that a different date should be taken as the date of sale:
- What date are you claiming as the date of sale?
 - Why does this date best reflect the material terms of sale?

Response:

Correct. The invoice date will normally be taken to be the date of sale.

B-2 Australian sales listing

- Complete the worksheet named "B-2 Australian sales"
 - This worksheet lists all sales (i.e. transaction by transaction) exported to Australia of the goods invoiced within the period. This includes exports to Australia sold through a domestic customer.
 - If you have claimed in B-1.8 that the date of sale is one other than the invoice date, then add the sales within your claimed date of sale.
 - You must provide this list in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.
 - If there are any direct selling expenses incurred in respect of the exports to Australia not listed in the spreadsheet, add a column. For example, if the delivery terms make you responsible for arrival of the goods at an agreed point within Australia (e.g. delivered duty paid), insert additional columns in the spreadsheet for all other costs incurred.

Response:

Please refer to [Appendix B-2_CONF_Australian sales](#) for Nam Kim Steel response to this question.

- Provide a table listing the source of the data for each column in the "B-2 Australian sales" listing.

Response:

Please refer to [Exhibit B-2.2_CONF_Listing Source of the Data](#) for Nam Kim Steel's response to this question.

B-3 Sample export documents

- Select the two largest invoices by value and provide the following documentation:
 - Contracts
 - Purchase order and order confirmation
 - Commercial invoice and packing list
 - Proof of payment and accounts receivable ledger
 - Documents showing bank charges
 - Invoices for inland transport
 - Invoices for port handling and other export charges
 - Bill of lading
 - Invoices for ocean freight & marine insurance (if applicable)
 - Country of origin certificates (if applicable)

If the documents are not in English, please provide a translation of the documents.

Response:

Please refer to [Exhibit B-3.1_CONF_Sample Export Documents](#) for Nam Kim Steel's response to this question.

2. For each document, please annotate the documents or provide a table reconciling the details in the "B-2 Australian sales" listing to the source documents in B-3.1.

Response:

Please refer to [Exhibit B-3.2_CONF_Reconciling to Exhibit B-3.1](#) for Nam Kim Steel's response to this question.

B-4 Reconciliation of sales to financial accounts

1. Please complete the worksheet named "B-4 Upwards sales" to demonstrate that the sales listings in B-2, D-2 and F-2 are complete.
 - You must provide this list in electronic format using the template provided.
 - Please use the currency that your accounts are kept in.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Please refer to [Appendix B-4_CONF_Upwards sales](#) for Nam Kim Steel response to this question.

2. Please provide all documents, other than those in A-4, B-2 and D-2, required to complete the "B-4 Upwards sales" worksheet. If the documents include spreadsheets, all formulas used must be retained.

Response:

The source of data to complete the Appendix B-4 Upwards sales is from [\[1\]](#). Please refer to [Appendix B-4](#) for Nam Kim Steel's response to this question.

3. For any amount in the "B-4 Upwards sales" worksheet that is hard coded (i.e. not a formula), please cross-reference by providing:
 - the name of the source document, including the relevant page number, in column D of the worksheet; and
 - highlight or annotate the amount shown in the source document.

Response:

The source of data to complete the Appendix B-4 Upwards sales is from [\[1\]](#). Please refer to [Appendix B-4](#) for Nam Kim Steel's response to this question.

B-5 Reconciliation of direct selling expenses to financial accounts

1. Please complete the worksheet named "B-5 Upwards selling expense" to demonstrate that the direct selling expenses (e.g. Inland transport) in B-2 and D-2 are complete.
 - You must provide this list in electronic format using the template provided.
 - Please use the currency that your accounts are kept in.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Please refer to [Appendix B-5_CONF_Upwards selling expense](#) for Nam Kim Steel response to this question.

2. Please provide all documents, other than those in A-4, B-2 and D-2, required to complete the “B-5 Upwards selling expense” worksheet. If the documents include spreadsheets, all formulas used must be retained.

Response:

Please refer to [Appendix B-5_CONF_Upwards selling expense](#) for Nam Kim Steel response to this question.

3. For any amount in the “B-5 Upwards selling expenses” worksheet that is hard coded (i.e. not a formula), please cross-reference by providing:
 - the name of the source document, including the relevant page number, in column C of the worksheet; and
 - highlight or annotate the amount shown in the source document.

Response:

Please refer to [Appendix B-5_CONF_Upwards selling expense](#) for Nam Kim Steel response to this question.

B-6 Historical export sales listing

1. Complete the worksheet named “B-6 Historical sales”
 - This worksheet lists the totals of all sales for each product code exported to Australia of the goods in each year ending 31 March for 2017, 2018 and 2019 (i.e. year ending 31 March 2017, etc.). This includes exports to Australia sold through a domestic customer.
 - You must provide this list in electronic format using the template provided.

Provide a table listing the source of the data for each column in the “B-6 Historical sales” listing.

Response:

Please refer to [Appendix B-6_CONF_Historical Sales](#) for Nam Kim Steel response to this question.

SECTION C EXPORTED GOODS & LIKE GOODS

The Commission considers the MCC structure in and of itself is not likely to be commercially sensitive information. Any claim that disclosing the MCC information is confidential or would adversely affect your business or commercial interests must be raised by lodging a submission as soon as practicable, but no later than the time this questionnaire is due.

C-1 Models exported to Australia

1. Fully describe all of the goods your company exported to Australia during the period. Include specification details and any technical and illustrative material that may be helpful in identifying, or classifying, the goods exported to Australia.

Response:

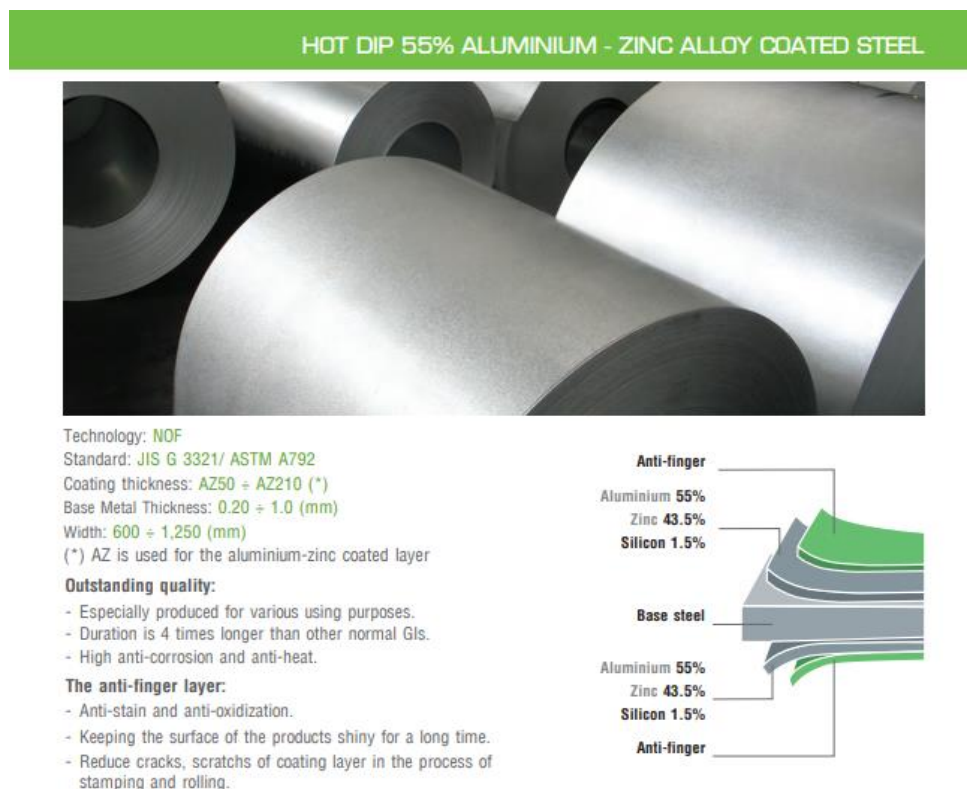
During the POI, Nam Kim Steel exported to Australia the goods in slitted width (of a width less than 600 millimeters), in thickness range from [redacted].

The raw material used to produce the GUC goods will start with the [redacted]. Afterwards, the [redacted] will be processed with [redacted] to reduce the substrate thickness to the [redacted]; increasing the hardness and smoothly of substrate steel for next coating process. After that, the [redacted] is dipped into [redacted], applying [redacted] passivation to be a finished Aluminium-Zinc coated steel coil in master width. In the final process, the master width coil will be slitted into ordered width of the customer.

Please refer the below illustration demonstrate for the characteristic, technical, specification of goods under investigated consideration.

The illustrative material is demonstrated as below picture:

Picture C-1.1: GUC structure illustration



- ❖ Standard: AS 1397
- ❖ Technology: [1]
- ❖ Thickness Range: [1]
- ❖ Width: [1]
- ❖ Grade: [1]
- ❖ Alu-zinc Coating: [1]
- ❖ Passivation: [1]
- ❖ Surface treatment: [1]
- ❖ Quality: [1]

2. Provide a list of MCCs of the goods exported to Australia. This must cover all MCCs listed in the Australian sales listing in B-2.
 - This list must be disclosed in the public record version of the response.

Response:

The list of MCC of the goods exported to Australia is as below:

MCC	Category 1 - Quality	Category 2 - Coating mass	Category 3 - Standard/ Grade	Category 4 - BMT	Category 5 - Width	Category 6 - Form
[P-2-D-5-1-C]	[P]	[2]	[D]	[5]	[1]	[C]
[P-2-F-2-1-C]	[P]	[2]	[F]	[2]	[1]	[C]
[P-2-F-3-1-C]	[P]	[2]	[F]	[3]	[1]	[C]
[P-2-F-4-1-C]	[P]	[2]	[F]	[4]	[1]	[C]
[P-2-F-5-1-C]	[P]	[2]	[F]	[5]	[1]	[C]

Nam Kim Steel does not distinguish price for [1], it means the pricing will be the same even [1]. For different thicknesses, widths and coating mass, the pricing offer will be different. Therefore, Nam Kim Steel would like to claim to drop [1] when making fair comparison.

C-2 Models sold in the domestic market

1. Fully describe all like goods your company sold on the domestic market during the period. Include specification details and any technical and illustrative material that may be helpful in identifying, or classifying, the like goods sold on the domestic market.

RESPONSE:

The goods sold in domestic market have its technical and specification the same or lightly different in coating mass, width, thickness range from Australian goods sold. Please see a below illustration for the type of goods sold domestically:

HOT DIP 55% ALUMINIUM – ZINC ALLOY COATED STEEL SHEET IN COIL

HOT DIP 55% ALUMINIUM - ZINC ALLOY COATED STEEL



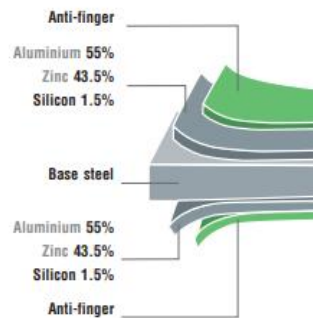
Technology: NDF
 Standard: JIS G 3321/ ASTM A792
 Coating thickness: AZ50 ÷ AZ210 (*)
 Base Metal Thickness: 0.20 ÷ 1.0 (mm)
 Width: 600 ÷ 1,250 (mm)
 (*) AZ is used for the aluminium-zinc coated layer

Outstanding quality:

- Especially produced for various using purposes.
- Duration is 4 times longer than other normal GIs.
- High anti-corrosion and anti-heat.

The anti-finger layer:

- Anti-stain and anti-oxidization.
- Keeping the surface of the products shiny for a long time.
- Reduce cracks, scratches of coating layer in the process of stamping and rolling.



Standard: JIS 3302 or equivalent standard

Technology: []

Thickness Range: []

Width: []

Grade: []

Zinc Coating: []

Passivation: []

Surface treatment: []

Quality: []

The description of manufacturing goods is the same said in answering C-1 above.

2. Provide a list of MCCs of like goods sold on the domestic market. This must cover all MCCs listed in the domestic sales listing in D-2.
 - This list must be disclosed in the public record version of the response.

Response:

The list of MCC of the goods sold on domestic market is as below:

MCC	Category 1 - Quality	Category 2 - Coating mass	Category 3 - Standard/ Grade	Category 4 - BMT	Category 5 - Width	Category 6 - Form
[N-1-D-3-1-C]	[N]	[1]	[D]	[3]	[1]	[C]
[N-1-F-1-1-C]	[N]	[1]	[F]	[1]	[1]	[C]
[N-1-F-2-1-C]	[N]	[1]	[F]	[2]	[1]	[C]
[N-1-F-3-1-C]	[N]	[1]	[F]	[3]	[1]	[C]
[N-1-F-4-1-C]	[N]	[1]	[F]	[4]	[1]	[C]
[N-1-F-5-1-C]	[N]	[1]	[F]	[5]	[1]	[C]
[N-2-D-2-1-C]	[N]	[2]	[D]	[2]	[1]	[C]
[N-2-D-3-1-C]	[N]	[2]	[D]	[3]	[1]	[C]

[N-2-F-3-1-C]	[N]	[2]	[F]	[3]	[1]	[C]
[N-2-F-4-1-C]	[N]	[2]	[F]	[4]	[1]	[C]
[N-2-F-5-1-C]	[N]	[2]	[F]	[5]	[1]	[C]
[P-1-D-3-1-C]	[P]	[1]	[D]	[3]	[1]	[C]
[P-1-E-3-1-C]	[P]	[1]	[E]	[3]	[1]	[C]
[P-1-F-1-1-C]	[P]	[1]	[F]	[1]	[1]	[C]
[P-1-F-3-1-C]	[P]	[1]	[F]	[3]	[1]	[C]
[P-1-F-4-1-C]	[P]	[1]	[F]	[4]	[1]	[C]
[P-1-F-5-1-C]	[P]	[1]	[F]	[5]	[1]	[C]
[P-2-F-2-1-C]	[P]	[2]	[F]	[2]	[1]	[C]
[P-2-F-3-1-C]	[P]	[2]	[F]	[3]	[1]	[C]
[P-2-F-4-1-C]	[P]	[2]	[F]	[4]	[1]	[C]
[P-2-F-5-1-C]	[P]	[2]	[F]	[5]	[1]	[C]

Nam Kim Steel does not distinguish price for [1], it means the pricing will be the same even the [1]. For different thicknesses, widths and coating mass, the pricing offer will be different. Therefore, Nam Kim Steel would like to claim to drop [1] when making fair comparison.

C-3 Internal product codes

1. Does your company use product codes or stock keeping unit (SKU) codes?

If yes:

- (a) Provide details of the product or SKU coding system for the goods, such as a legend or key of the meaning for each code within the product or SKU code.

Response:

Yes, Nam Kim Steel does use an internal coding system called [1] to control products manufactured and sold to Australia, other export countries as well as domestic market. It is also used in Nam Kim Steel's [1].

Please refer to **Exhibit C-3.1_CONF_ [1]** for detail information to clarify every single letter and/or digit (symbolize for place of production, thickness, width...) of the GUC and other coated products.

The [1] is a chain of letters and digits, symbolize in an order for [1]. We have set up a code table showing the meaning of combination of singular letter and digit for each specification of product, therefore, each product has different [1].

- (b) Provide details on how you mapped the product or SKU codes to the MCC for the purpose of completing this questionnaire.

Response:

The MCC uses its letter and digit to identify a range of each product's specification i.e. each UPC. Therefore, [1] with a range of Type (Prime/Non-Prime), Coating Mass, Steel Grade, BMT, Width and Form.

- (c) Provide a table of showing the product or SKU codes for each MCC.

Response:

Please refer to the question C-1.2 and C-2.2 for tables of showing the UPC for each MCC.

If no:

- (a) Provide details on the method used to identify the MCC in the sales and cost spreadsheets.

Response:

Not applicable. Nam Kim Steel does use an internal coding system i.e. [].

SECTION D DOMESTIC SALES

D-1 Domestic sales process

1. Provide details (and diagrams if appropriate) of the domestic sales process of your company and any other related entities including:
 - (a) Marketing and advertising activities
 - (b) Price determination and/or negotiation process
 - (c) Order placement process
 - (d) Order fulfilment process and lead time
 - (e) Delivery terms and process
 - (f) Invoicing process
 - (g) Payment terms and process

Response:

The marketing and advertising activities are independent of sales activities and they are not a regular activity.

Nam Kim Steel did not sell the GUC to the related companies i.e. [] during the POI.

Regarding to unrelated companies, all local customers of Nam Kim Steel would be considered as traditional customers whom have cooperated through year to year. Thus a sale will start with an information provided by customer for a fresh demand. The appointed sale person will continue a discussion with the customer, after several times of negotiation to conclude in []; then indicate it on the [].

It is the same as the [], the selling prices of Nam Kim Steel's steel products are determined not only on []. For domestic goods, the sale staff will negotiate the price with its customer on detail specification of []. The final price shall be approved by [].

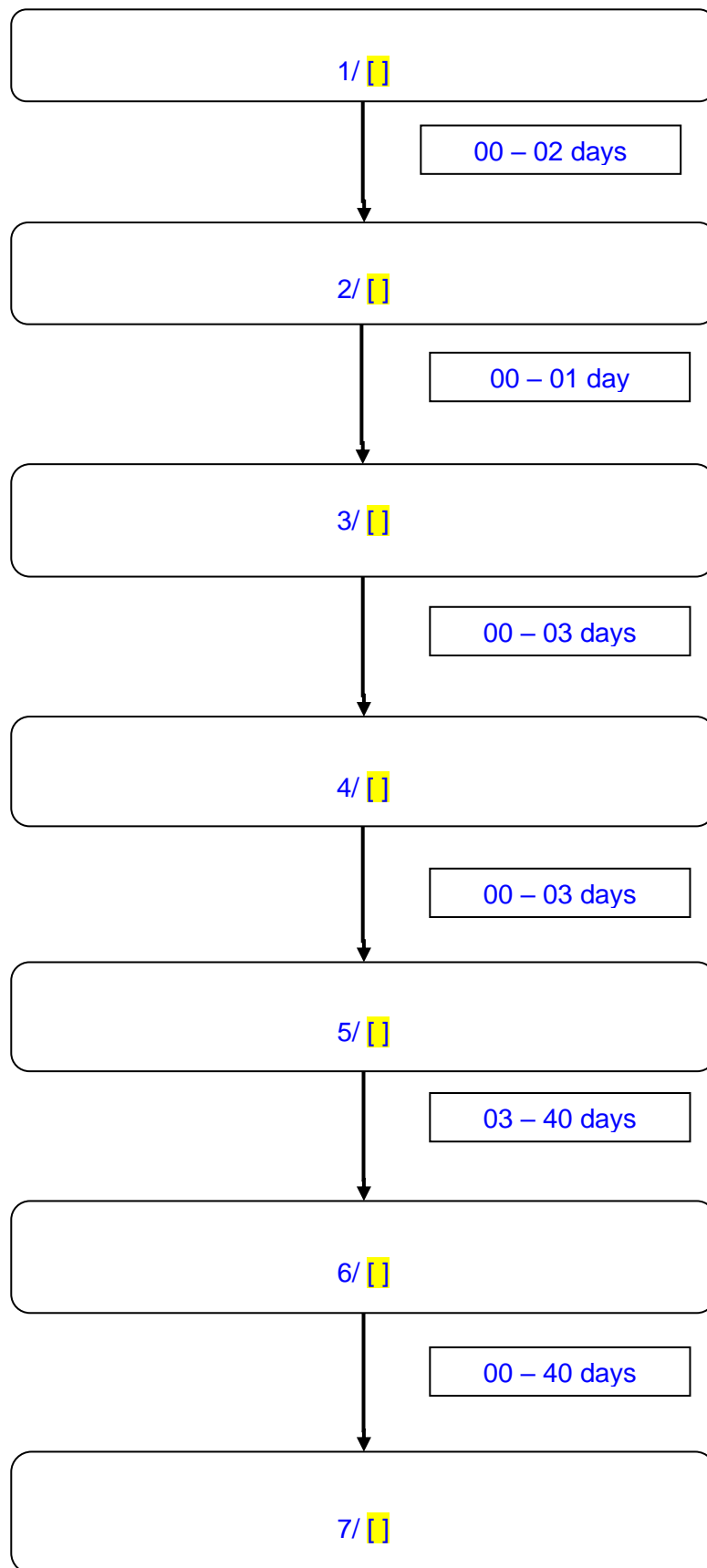
After the [], the payment guarantee will be requested to proceed []; and production order will be finished right afterwards.

The gap between time of order and delivery to its customer will depend on the required specification of the GUC, combined with appointed production line; but it is often [].

On domestic sales, during the POI, Nam Kim Steel sold the goods with [] price term.

The [] will be released to its customer once material is picked up in Nam Kim Steel factory yard, the payment would be made completely by a []. The below flow chart E-1.3 is demonstrated to every step of domestic sales are made.

Chart E-1.3: Steps of Domestic Sale Made



2. Are any domestic customers related to your company? If yes, please provide a list of each related customer and provide details on how the selling price is set.

Response:

During the POI, Nam Kim Steel had [redacted]. They were [redacted]. However, Nam Kim Steel did not sell the GUC to any of its related companies during the period of time.

3. If sales are in accordance with price lists or price extras list, provide copies of these lists.

Response:

Not applicable. Nam Kim Steel did not issue any price lists or price extra lists for domestic sales during the POI. Prices were negotiated between Nam Kim Steel and its customers on [redacted].

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

Response:

Not applicable. Nam Kim Steel does not distinguish its selling prices according to distribution channels.

5. Did you provide on-invoice discounts and/or off-invoice rebates to the customer or an associate of the customer in relation to the sale of the like goods during the period? If yes, provide a description; and explain the terms and conditions that must be met by the importer to obtain the discount.

Response:

Not applicable. Nam Kim Steel did not provide on-invoice discounts and/or off-invoice rebates to the customer or an associate of the customer in relation to the sale of the like goods during the period.

6. Did you issue any credit or debit notes (directly or indirectly) to the customer or associate of the customer in relation to the sale of the like goods during the period? If yes, provide details of the credit/debit notes including the reasons the credit/debit notes were issued.

Response:

Not applicable. Nam Kim Steel did not provide credit or debit notes (directly or indirectly) to the customer or associate of the customer in relation to the sale of the like goods during the period.

7. The invoice date will normally be taken to be the date of sale. If you are making a claim that a different date should be taken as the date of sale:
 - (a) What date are you claiming as the date of sale?
 - (b) Why does this date best reflects the material terms of sale?

Response:

Correct. The invoice date will normally be taken to be the date of sale.

D-2 Domestic sales listing

1. Complete the worksheet named "D-2 Domestic sales"
 - This worksheet lists all domestic sales (i.e. transaction by transaction) of like goods invoiced within the period, even if they are models not exported to Australia
 - If you have claimed in B-1.8 and/or D-1.7 that the date of sale is one other than the invoice date, then add the sales within your claimed date of sale.

- You must provide this list in electronic format using the template provided.
- If you have used formulas to complete this worksheet, these formulas must be retained.
- If there are any other costs, charges or expenses incurred in respect of the sales listed which have not been identified in the table in question D-2 above, add a column for each item. For example, certain other selling expenses incurred.

Response:

Please refer to [Appendix D-2_CONF_Domestic sales](#) for Nam Kim Steel's response to this question.

2. Provide a table listing the source of the data for each column in the "D-2 domestic sales" listing.

Response:

Please refer to [Exhibit D-2.2_CONF_Listing Source of the Data](#) for Nam Kim Steel's response to this question.

D-3 Sample domestic sales documents

1. Select the two largest invoices by value and provide the following documentation:
 - Contracts
 - Purchase order and order confirmation
 - Commercial invoice and packing list
 - Proof of payment and accounts receivable ledger
 - Documents showing bank charges
 - Delivery invoices

If the documents are not in English, please provide a translation of the documents.

Response:

Please refer to [Exhibit D-3.1_CONF_Sample Domestic Sales Documents](#) for Nam Kim Steel's response to this question.

2. For each document, please annotate the documents or provide a table reconciling the details in the "D-2 domestic sales" listing to the source documents in D-3.1.

Response:

Please refer to [Exhibit D-3.2_CONF_Reconciling to the Exhibit D-3.1](#) for Nam Kim Steel's response to this question.

D-4 Reconciliation of sales to financial accounts

This section is not required if you have completed B-4.

1. Please complete the worksheet named "B-4 Upwards sales" to demonstrate that the sales listings in D-2 and F-2 are complete.
 - You must provide this list in electronic format using the template provided.
 - Please use the currency that your accounts are kept in.
 - If you have used formulas to complete this worksheet, these formulas must be retained.
2. Please provide all documents, other than those in A-4, D-2 and F-2, required to complete the "B-4 Upwards sales" worksheet. If the documents include spreadsheets, all formulas used must be retained.
3. For any amount in the "B-4 Upwards sales" worksheet that is hard coded (i.e. not a formula), please cross-reference by providing:

- the name of the source document, including the relevant page number, in column D of the worksheet; and
- highlight or annotate the amount shown in the source document.

Response:

Not applicable. Nam Kim Steel has completed Appendix B-4 Upwards Sales.

SECTION E DUE ALLOWANCE

E-1 Credit expense

1. Do you provide credit to any domestic customers in relation to sales of like goods (i.e. payment terms that are not on a cash or pre-payment basis)? If yes:

Response:

Nam Kim Steel provides credit to its customers by mutual agreements, depending on each customer and time by time.

- (a) Do you provide a rolling credit facility to your domestic customers (i.e. no specific payment terms agreed at the time of sale)? If yes:
- i. Calculate the accounts receivable turnover for each domestic customer (credit sales divided by the average accounts receivable).

Response:

Please refer to **Appendix D-2 _CONF_Domestic Sales** for credit calculation of each customer for Nam Kim Steel's response to this question.

- ii. Calculate the average credit term for each domestic customer by dividing 365 by the accounts receivable turnover

Response:

Please refer to **Appendix D-2 _CONF_Domestic Sales** for credit calculation of each customer for Nam Kim Steel's response to this question.

- (b) Do you have short term borrowings or an overdraft facility? If yes, what is the interest rate, or average of interest rates?

Response:

During the POI, Nam Kim Steel had short term borrowings at [] with below details:

Interest rate

No.	Year	Month	Interest rate
1	[]	April	[]
2	[]	May	[]
3	[]	June	[]
4	[]	July	[]
5	[]	August	[]
6	[]	September	[]
7	[]	October	[]
8	[]	November	[]
9	[]	December	[]
10	[]	January	[]
11	[]	February	[]
12	[]	March	[]
Average			[]

- (c) Do you have term deposits or other cash product (e.g. bonds)? If yes, what is the interest rate, or average of interest rates?

Response:

During the POI, Nam Kim Steel had [] with the interest rate [].
At the same period, Nam Kim Steel had other cash product i.e. bonds with below details:

Bonds	Interest Rate	Bank	Period
[]	[]	[]	[]
[]	[]	[]	[]
[]	[]	[]	[]

2. Do you provide credit to any Australian customers in relation to sales of the goods (i.e. payment terms that are not on a cash or pre-payment basis)? If yes:
- (a) Do you provide a rolling credit facility to your Australian customers (i.e. no specific payment terms agreed at the time of sale)? If yes:
 - i. Calculate the accounts receivable turnover for each domestic customer (credit sales divided by the average accounts receivable).
 - ii. Calculate the average credit term for each domestic customer by dividing 365 by the accounts receivable turnover
 - (b) If your Australian customers pay you into a foreign currency denominated account (question B-1.2(a) refers):
 - i. Do you have short term borrowings or an overdraft facility denominated in the same foreign currency? If yes, what is the interest rate, or average of interest rates?
 - ii. What is the interest rate, or average of interest rates, applying to term deposits or other cash product (e.g. bonds) denominated in the same foreign currency? If yes, what is the interest rate, or average of interest rates?

Response:

Not applicable. There is no credit adjustment need to take into account; because all Australian sales have been paid by []. Both of these modes are said that all Australian sales having a payment term at sight condition.

E-2 Packaging

1. What is the packaging used for your domestic sales of like goods?

Response:

The package materials used for domestic sales of like goods is as below:

1	[]
2	[]
3	[]
4	[]
5	[]
6	[]
7	[]
8	[]

9	[]
10	[]

This cost has been allocated to cost of production in the POI shown in **Appendix G-3_CONF_Domestic CTM**.

2. What is the packaging used for your export sales of the goods to Australia?

Response:

The package materials used for export sales of the goods to Australia is as below:

1	[]
2	[]
3	[]
4	[]
5	[]
6	[]
7	[]
8	[]
9	[]
10	[]

This cost has been allocated to cost of production in the POI shown in **Appendix G-5 Australian_CONF_CTM**.

In addition, for export sales, there will be []. This cost is allocated and shown in **Appendix B-2_CONF_Australian Sales**.

3. If there are distinct differences in packaging between your domestic and export sales:
- (a) Provide details of the differences
 - (b) Calculate the weighted average packaging cost for each model sold on the domestic market
 - (c) Calculate the weighted average packaging cost for each model exported to Australia

Response:

Not applicable. The package is the same between domestic and export sales.

E-3 Delivery

1. Are any domestic sales of like goods delivered to the customer? If yes, how were the transportation costs calculated in the domestic sales listing in D-2?

Response:

The transportation cost (trucking) listing in D-2 is calculated according to [] incurred:

[]

2. What are the delivery terms of the export sales of the goods to Australia?

Response:

The delivery terms of the export sales of the goods to Australia are [] .

3. If the delivery terms of the Australian sales includes delivery to the port, how were the inland transport and port charges calculated in the Australian sales listing in B-2?

Response:

- Based on [] incurred for each shipment for export sales to Australia which are gathered from the [cost file]:

[]

- Cost at the port is calculated and allocated the same as [] , it is included:

[] .

4. If the delivery terms of the Australian sales includes ocean freight, how was the ocean freight cost calculated in the Australian sales listing in B-2?

Response:

Based on [] incurred for each shipment for export sales to Australia which are gathered from the []:

[]

5. If the delivery terms of the Australian sales includes marine insurance, how was the marine insurance calculated in the Australian sales listing in B-2?

Response:

Based on [] incurred for each shipment for export sales to Australia which are gathered from the []:

[]

6. If the delivery terms of the Australian sales includes delivered duty paid, how were the Australian importation and delivery costs calculated in the Australian sales listing in B-2?

Response:

Not applicable. Nam Kim Steel does not offer delivery terms of the Australian sales includes delivered duty paid.

E-4 Other direct selling expenses

1. Do you provide sales commissions for domestic sales of like goods and/or export sales of the goods? If yes, provide details.

Response:

During the POI, Nam Kim Steel provided sales commissions for [] of the like goods, however, Nam Kim Steel did not provide sales commissions for [] of the goods.

The [] commission is calculated from [] of each shipment. It will be allocated as below:

[]

Please refer to **Appendix B-2_CONF_Australian Sales** and **Appendix D-2_CONF_Domestic Sales** for the detailed commission of each transaction.

2. Are there any differences in tax liability between domestic and export sales? If yes, provide details, for example:
- What is the rate of value-added tax (VAT) on sales of the goods and like goods?
 - How is VAT accounted for in your records in relation to sales of the goods and like goods?
 - Do you receive a VAT refund in relation to sales of the goods and/or like goods?
 - Do you receive a remission or drawback of import duties on inputs consumed in the productions of the goods or like goods?

Response:

Yes, there are differences in tax liability between domestic and export sales.

- The rate of value-added tax (VAT) on sales of the goods and like goods sold on domestic market is 10% while on export market is 0%.
- VAT accounted into our records in relation to sales of the goods and like goods when we buy input material for production (we pay 10% VAT) and when we sell the output GUC (we collect 10% VAT from customers and then repay to Government).
- For export sales, VAT is rated zero so there is nothing to refund and no calculation.

Under the Vietnamese VAT like Australia's HST the periodic returns determine whether VAT collected on outputs is greater or less than taxes paid on inputs.

- If the tax collected is less than the tax paid there will be a refund to the taxpayer.
- If the tax collected is greater than the tax paid the taxpayer must pay the difference.

The formula will be as below:

$$\text{Payable VAT amount} = \text{Output VAT amount} - \text{Creditable input VAT amount}$$

- Nam Kim Steel does not receive any remission or drawback of import duties on inputs consumed in the productions of the goods or like goods.

3. Are there any other direct selling expenses incurred by your company in relation to domestic sales of like goods?
- These direct selling expenses must be included in the reconciliation of direct selling expenses in B-5

Response:

Not applicable. Nam Kim Steel has reported the total direct selling expense over the period in Appendix B-5. Please refer to **Appendix_CONF_B-5 Upward selling expenses** for Nam Kim Steel's response to this question.

4. Are there any other direct selling expenses incurred by your company in relation to export sales of the goods to Australia?
- These direct selling expenses must be included in the reconciliation of direct selling expenses in B-5

Response:

Not applicable. Nam Kim Steel has reported the total direct selling expense over the period in Appendix B-5. Please refer to **Appendix_CONF_B-5 Upward selling expenses** for Nam Kim Steel's response to this question.

E-5 Other adjustment claims

1. Are there any other adjustments required to ensure a fair comparison between the export price and the normal value (based on domestic sales, costs and/or third country sales)? If yes, provide details.
 - An adjustment will only be made where there is evidence that the difference affects price comparability.
 - Refer to Chapter 15 of the *Dumping and Subsidy Manual (November 2018)* for more information.

Response:

Nam Kim Steel would like to claim on below points to ensure a fair comparison because it does not affect the pricing level:

- []: Nam Kim Steel does not distinguish []. In fact, the pricing will be the same between [].
- []: Nam Kim Steel does not distinguish between customers if they are [].

SECTION F THIRD COUNTRY SALES

F-1 Third country sales process

1. Are your sales processes to any third country (i.e. exports to countries other than Australia) different to the sales process described in B-1.1? If yes, provide details of the differences.

Response:

The sales processes to third countries are the same as the sales process described in the question B-1.1.

2. Are there any third country customers related to your company? If yes, please provide a list of each related customer and provide details on how the selling price is set.

Response:

Not applicable. Nam Kim Steel does not have any related customer in other countries.

3. The invoice date will normally be taken to be the date of sale. If you are making a claim that a different date should be taken as the date of sale:
 - (a) What date are you claiming as the date of sale?
 - (b) Why does this date best reflects the material terms of sale?

Response:

Correct. The invoice date will normally be taken to be the date of sale.

F-2 Third country sales listing

1. Complete the worksheet named "F-2 Third country sales"
 - This worksheet lists all export sales, summarised by country and customer, to third countries of like goods invoiced within the period.
 - If you have claimed in F-1.3 that the date of sale is one other than the invoice date, then add sales with your claimed date of sale.
 - You must provide this list in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Please refer to [Appendix F-2_CONF_Third country sales](#) for Nam Kim Steel's response to this question.

2. Provide a table listing the source of the data for each column in the export sales listing (F-2.1).

Response:

Please refer to [Exhibit F-2.2_CONF_Source of the data in Appendix F-2 Third country sales](#) for Nam Kim Steel's response to this question.

F-3 Differences in sales to third countries

1. Are there any differences in sales to third countries which may affect their comparison to export sales to Australia? If yes, provide details.

Response:

Not applicable. There is no difference in sales to third countries in comparison to export sales to Australia.

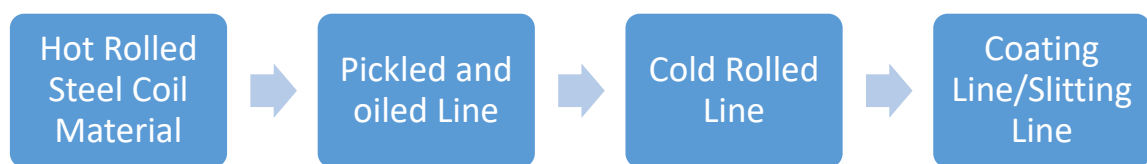
SECTION G COST TO MAKE AND SELL

G-1. Production process

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

Response:

Nam Kim Steel's business model is typical for a flat rolled coated steel coil manufacturer. The manufacturing operation for the GUC exported to Australia is exactly the same as the one sold domestically and exported to other third countries.



Production process of the GUC is carried out in three or four stages:

Stage 1: Produce Pickled and Oiled (PO)

The input raw material is Hot rolled steel coil (HRC), is running through a picking line to remove all dust, make a clean surface by hot water and light acid liquid chemical. The oiling is sprayed to protect a coil during a short timing of warehousing period. The output product is called as PO.

Stage 2: Produce Cold rolled steel coil (CRC)

The (PO) is input material to cold rolling mills, **1** to be rolled down to the base metal of order thickness and increasing a smoothly of material surface. The output product is called as CRC.

Stage 3: Produce Hot-dip Aluminium/Zinc-Coated Steel Coil (GL)

CR Coil is input material on hot-dipped metal coating line as below diagram. The CR coil will be welded to maintain a continuously production, be cleaned again, then going through annealing furnace **1** to adjust the mechanical property of material match with ordered specification. The sheet continues to be dipped in hot aluminium-zinc bath to allow the aluminium-zinc coated on the metal base sheet, going out on cooling tower, and be treated in chemical coater for surface treatment. In the end of production line, the coil is re-coiled in coil shape, be checked quality and packed to be a master coil of GL.

Stage 4 : Produce Slitted Hot-dip Aluminium/Zinc-Coated Steel Coil (GUC)

The master coil of GL is input material to Slitting Line. Based on the specific slitted width requirement from customer order, a master width will be slitted into specific slit width. The output product is called as GL Slit.

Please refer to **Exhibit G-1.1_CONF_Major manufacturing process to subject goods** for the detailed diagram to this question.

2. Are any of your suppliers related to your company (regardless of whether it is relevant to the manufacture of the goods)? If yes, please provide details including the product or services supplied by the related company.

Response:

Not applicable. Nam Kim Steel does not have any related company supplying materials to us (regardless of whether it is relevant to the manufacture of the goods).

G-2. Cost accounting practices

1. Is your company's cost accounting system based on actual or standard costs (budgeted)?

Response:

During the POI, Nam Kim Steel did not use standard cost but used only actual costs to record into the accounting system.

2. If your company uses standard costs:
 - (a) Were standard costs used as the basis of actual costs in your responses G-3.1 and G-5.1?
 - (b) Have all variances (i.e. differences between standard and actual production costs) been allocated to the goods?
 - (c) How were those variances allocated?
 - (d) Provide details of any significant or unusual cost variances that occurred during the period.

Response:

Not applicable. Nam Kim Steel did not use standard cost during the POI.

3. Do you have different cost centres in your company's cost accounting system? If yes, list the cost centres, provide a description of each cost centre and the allocation method used in your accounting system.

Response:

Not applicable. Nam Kim Steel does not have different cost centres in our company's cost accounting system.

4. To what level of product specificity (models, grades etc.) does your company's cost accounting system normally record production costs?

Response:

Our company's cost accounting system normally record production costs with product specificity of [1]. For [1], we record on the production statement.

5. Are there any costs for management accounting purposes valued differently to financial accounting purposes? If yes, provide details of the differences.

Response:

Not applicable. Our management accounting purposes will value the same as financial accounting purposes.

6. Has your company engaged in any start-up operations in relation to the goods? If yes:
 - (a) Describe in detail the start-up operation giving dates (actual or projected) of each stage of the start-up operation.
 - (b) State the total cost of the start-up operation and the way that your company has treated the costs of the start-up operation in its accounting records.

Response:

Not applicable. During the POI, Nam Kim Steel did not engage in any start-up operations in relation to the

goods.

7. What is the method of valuation for raw material, work-in-process, and finished goods inventories (e.g. last in first out –LIFO, first in first out- FIFO, weighted average)?

Response:

Nam Kim evaluates raw material, work-in-process and finished goods inventory by using the weighted average method.

8. What are the valuation methods for damaged or sub-standard goods generated at the various stages of production?

Response:

The damaged or sub-standard products are generated at various stages of production, and be absorbed into manufacturing cost as standard product.

9. What are the valuation methods for scrap, by products, or joint products?

Response:

Scraps and sub-standard goods if any are collected at the end of the production process. The company sell the scraps and record to revenue account. [1].

10. Are any management fees/corporate allocations charged to your company by your parent or related company? If yes, provide details

Response:

Not applicable. Nam Kim Steel does not have any parent company, and it does not incur any management fees/corporate allocations charged by the related companies.

G-3 Cost to make on domestic market

1. Complete the worksheet named "G-3 Domestic CTM".
 - This worksheet lists the quarterly cost to make the domestic models of like goods by MCC manufactured within the period, even if they are models not exported to Australia.
 - The costs must be based on actual cost of production (i.e. not standard costs or cost of goods sold) for each MCC.
 - If any imputation tax (e.g. value-added tax) is payable on the purchase of goods or services to manufacture like goods, report the costs excluding the imputation tax. All other taxes payable (e.g. import duty) must be included as 'other costs' if not already included, for example, under material costs.
 - You must provide this list in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.
 - If you have claimed in B-1.8 and/or D-1.7 that the date of sale is one other than the invoice date, then provide the cost for the quarters that all domestic sales are made within your claimed date of sale, even if doing so means that such cost data predates the commencement of the period.

Response:

Please refer to **Appendix G-3_CONF_Domestic CTM** for Nam Kim Steel's response to this question.

2. Provide a table listing the source of the data for each column of the "G-3 Domestic CTM" listing.

Response:

Please refer to [Exhibit G-3.2_CONF_Data source of Appendix G-3 Domestic CTM](#) for Nam Kim Steel's response to this question.

G-4 Selling, General & Administration expenses

1. Complete the worksheet named "G-4.1 SG&A listing".
 - This worksheet lists all selling, general and administration expenses by account code for the most recent accounting period and the period.
 - You must provide this list in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Please refer to [Appendix G-4.1_CONF_SG&A Listing](#) for Nam Kim Steel's response to this question.

2. Complete the worksheet named "G-4.2 Domestic SG&A calculation".
 - This worksheet calculates the unit domestic SG&A for each MCC.
 - You must provide this list in electronic format using the template provided.
 - Please use the formulas provided.

Response:

Please refer to [Appendix G-4.2_CONF_Domestic SG&A calculation](#) for Nam Kim Steel's response to this question.

G-5 Cost to make the goods exported to Australia

1. Complete the worksheet named "G-5 Australian CTM".
 - This worksheet lists the quarterly cost to make the Australian models of the goods under consideration by MCC manufactured within the period.
 - The costs must be based on actual cost of production (i.e. not standard costs or cost of goods sold) for each MCC.
 - If any imputation tax (e.g. value-added tax) is payable on the purchase of goods or services to manufacture the goods, report the costs excluding the imputation tax. All other taxes payable (e.g. import duty) must be included as 'other costs' if not already included, for example, under material costs.
 - You must provide this list in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.
 - If you have claimed in B-1.8 that the date of sale is one other than the invoice date, then provide the cost for the quarters that all Australian sales are made within your claimed date of sale, even if doing so means that such cost data predates the commencement of the period.

Response:

Please refer to [Appendix G-5_CONF_Australian CTM](#) for Nam Kim Steel's response to this question.

2. Provide a table listing the source of the data for each column of the "G-5 Australian CTM" listing.

Response:

Please refer to [Exhibit G-5.2_CONF_Data source of Appendix G-5 Australian CTM](#) for Nam Kim Steel's response to this question.

G-6 Cost allocation method

1. What is the allocation method used to complete in G-3 domestic CTM and G-5 Australian CTM for:
 - (a) Raw materials
 - (b) Labour
 - (c) Manufacturing overheads

Response:

- (a) Nam Kim Steel evaluates raw materials by using the weighted average method.
 - (b) Nam Kim Steel evaluates labour by using the weighted average method.
 - (c) Nam Kim Steel evaluates manufacturing overheads by using the weighted average method.
2. Select the domestic model (export model if you have no domestic production of like goods) with the largest production volume over the period and provide worksheets demonstrating the allocation method described in G-6.1 from your normal cost accounting system to the cost for that model reported in G-3.1.

Response:

This response uses [] in Appendix G-3 Domestic CTM as an example.

❖ **Cost of Raw Material:**

Everyday warehouse department will send to accounting department:

- ✓ If it is main direct material, []”
- ✓ If it is main auxiliary material, []”

Based on these documents accounting staff will import data into the accounting system at module []. The account used is 621.

According to [], the main direct material used to produce finished product code [].

Please refer to **Exhibit G-6.2_CONF_Cost Allocation Method** for Nam Kim Steel’s []” documents for this example.

❖ **Cost of Labor:**

Wages are [], and []. From there, []. The account used for direct labor is []. The finished product [] is produced from Slitting Line [].

Please refer to **Exhibit G-6.2_CONF_Cost Allocation Method** for Nam Kim Steel’s documents of [] for more detailed information.

❖ **Cost of Overhead:**

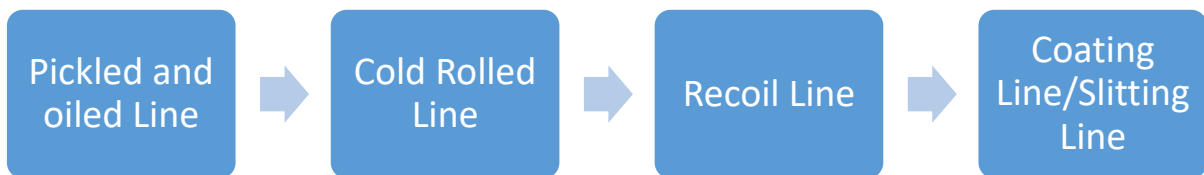
All overhead costs will be accounted for []. Cost of overhead is []. The costs that recorded for whole factory will be accounted for account of whole factory: for example, costs incurred for factory []. This cost will be automatically allocated when calculating the cost on the principle of distribution for each line [].

When the goods are produced, the production team of each line will send a []. From that, the accounting department will import data into accounting system at module []. The finished product will correspond to the [].

Please refer to file named [] from **Exhibit G-6.2 - Cost Allocation Method** for more detailed information.

At the end of the month, the accounting department will gather and check data to calculate the [] from the accounting system. Based on the principle that: the cost of []. Other costs will be allocated according to the method of [].

In order to calculate [], the accountant selects []. Because production process of Nam Kim Steel is [], the accountant has to calculate cost step by step on below process:



For each process, the accountant will have to calculate by three steps.

After finishing the cost calculation, there will be [] as the report Nam Kim Steel has submitted.

G-7 Major raw material costs

1. What are the major raw materials used in the manufacture of the goods?

Response:

As per explanation of production process in the question G-1.1, Nam Kim Steel would identify the raw material used in production of the GUC is Hot rolled steel coil - HRC.

During the production, the HRC will be processed to PO and then produce to CRC before producing the GUC (GL). After that, the GL master width coil will be slitted into ordered widths of the customer.

Therefore, the major direct material used in the manufacture of the goods can be [].

2. Are any raw materials sourced as part of an integrated production process or from a subsidiary company which your company exercise control? If yes, complete the worksheet named "G-7.2 Raw material CTM" for these raw materials.
- This worksheet lists the quarterly cost to make the raw material manufactured within the period.
 - The costs must be based on actual cost of production (i.e. not standard costs or cost of goods sold).
 - If any imputation tax (e.g. value-added tax) is payable on the purchase of goods or services to manufacture the raw material, report the costs excluding the imputation tax. All other taxes payable (e.g. import duty) must be included as 'other costs' if not already included, for example, under material costs.
 - You must provide this list in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Not applicable. Nam Kim Steel does not have any raw materials (HRC) sourced as part of an integrated production process or from a subsidiary company. As a result, the worksheet named "G-7.2 Raw material CTM" will be blank.

- Using the domestic cost data in "G-3 Domestic CTM" (use "G-5 Australian CTM" if you have no domestic production of like goods), calculate the weighted average percentage of each raw material cost (listed in G-7.1) as a proportion of total cost to make.

Response:

Not applicable. Nam Kim Steel does not produce raw material i.e. Hot rolled steel coil (HRC). Instead, we purchase HRC from unrelated HRC suppliers.

- For each raw material identified in G-7.3 which individually account for 10% or more of the total cost to make, complete the worksheet named "G-7.4 Raw material purchases"
 - This worksheet lists all raw material purchases (i.e. transaction by transaction) purchased by your company within the period.
 - You must provide this list in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

As per above explanation, Nam Kim Steel does not produce raw material (HRC) but purchases the HRC from unrelated suppliers.

Please refer to **Appendix G-7.4_CONF_Raw material purchases** for Nam Kim Steel's detailed purchasing of HRC during the POI.

- Provide a table listing the source of the data for each column of the "G-7.4 Raw material purchases" listing.

Response:

Please refer to **Exhibit G-7.5_CONF_Data source of Appendix G-7.4 Raw Material purchases** for Nam Kim Steel's response to this question.

- For each raw material:
 - Select the two largest invoices by value and provide the commercial invoice and proof of payment.
 - Reconcile the total value listed of the purchases listed in "G-7.4 Raw material purchases" to relevant purchase ledgers or trial balances in your accounting system. Provide copies of all documents used to demonstrate the reconciliation.

Response:

Please refer to **Exhibit G-7.6_CONF_Invoices and Proof of Payment for raw material** for Nam Kim Steel's response to this question.

- Are any of the suppliers in "G-7.4 Raw material purchases" listing related to your company? If yes, please provide details on how the price is set.

Response:

Not applicable. Nam Kim Steel does not have any related company who supplies raw materials (HRC) to our company.

G-8 Reconciliation of cost to make to audited financial statements

- Please complete the worksheet named "G-8 Upwards costs" to demonstrate that the cost listings in G-3 and G-5 are complete.

- You must provide this list in electronic format using the template provided.
- Please use the currency that your accounts are kept in.
- If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Please refer to **Appendix G-8_CONF_Upwards costs** for Nam Kim Steel's response to this question.

2. Please provide any documents, other than those in A-4, G-3 and G-5, required to complete the "G-8 Upwards costs" worksheet.

Response:

Please refer to **Appendix G-8_CONF_Upwards costs** for Nam Kim Steel's response to this question.

3. For any amount that is hard coded (i.e. not a formula), please cross-reference by providing:
 - the name of the source document, including the relevant page number, in column D of the worksheet; and
 - highlight or annotate the amount shown in the source document.

Response:

Please refer to **Appendix G-8_CONF_Upwards costs** for Nam Kim Steel's response to this question.

G-9 Capacity Utilisation

4. Please complete the worksheet named "G-9 Capacity Utilisation".
 - You must provide this list in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Please refer to **Appendix G-9_CONF_Capacity Utilisation** for Nam Kim Steel's response to this question.

SECTION H PARTICULAR MARKET SITUATION

The applicant has claimed that the situation in the market of the country of export is such that sales in that market are not suitable for use in determining normal value. The information provided in sections H, I J and K will assist the Commission to better understand the Vietnamese and Australian markets and to assess whether sales in the Vietnamese market are suitable for determining a normal value.

H-1 Reporting requirements

1. Describe generally all interaction that your business has with the Government of Vietnam at all levels, including (but not limited to):
 - (a) reporting requirements;

Response:

As all other companies who are operating their business in Vietnam, Nam Kim Steel has to submit compulsory reports to related district authorities or provincial authorities where the headquarter of Nam Kim Steel locates as follows:

Field of management	Legal basic	Content of reports	Submit to
Labour	Clause 2, Article 10 and Appendix II of Circular 07/2016/TT-BLDTBXH	<i>Annual Report On Work Safety And Hygiene:</i> General labour information about the company such as ratio of female/male employee, ratio of ages,...; labour accident, labour safety training activities, etc.	Binh Duong Province Department of Labor - Invalids and Social Affair.
	Clause 2, Article 6 of Circular 23/2014/TT-BLDTBXH	<i>Semi-Annual Report on Changes on Labour:</i> Number statistic and explanation on type of labour, qualifications of labour in the reported period.	Thu Dau Mot City Office of Labor - Invalids and Social Affair.
Health	Point a, Clause 1 Article 10 and Appendix 8 of Circular 19/2010/TT-BYT	<i>Semi-Annual Report on Labour Health of the Workplace:</i> Medical Department of company, classifications of health's labour, working conditions, etc.	Health center (prophylaxis) district/city of the province.
Environment	Clause 4, Article 21 of Circular 43/2015/TT-BTNMT	<i>Annual Report Environmental Monitoring Data:</i> environmental impact assessment, certification of environmental protection plan.	Binh Duong Province Department of Natural Resources and Environment.
	Point a, Clause 6, Article 7 and Appendix 4(A) of Circular 36/2015/TT-BTNMT	<i>Annual Report on Hazardous Waste Management:</i> quantity of hazardous waste and treatment method.	Binh Duong Province Department of Natural Resources and Environment.

- (b) payment of taxes;

Response:

For Corporate Income Tax and Value Added Tax: Payment of these taxes based on Declaration of Provisional Tax monthly, quarterly and on Tax Finalisation.

Personal Income Tax: Nam Kim Steel pay personal income tax on behalf of its labour monthly as doing calculation on their salary sheet.

Any other issue such as request for tax refund, late payment penalty shall be conducted by written documents under the law.

(c) senior management representation within your business;

Response:

Not applicable. Nam Kim Steel does not have any senior management representation of the Government of Vietnam (GOV) within our business.

(d) approval/negotiation of business decisions (e.g. investment decisions, management decisions, pricing decisions, production decisions, sales decisions);

Response:

Not applicable. There is no interaction between Nam Kim Steel and the GOV at any level of approval/negotiation of business decisions as Nam Kim Steel is an independent company and have its own rights to make business decisions.

(e) licensing;

Response:

Nam Kim Steel conducts its business activities within the extent permitted in:

- The Certificate of Business Registration issued by Business Registration Office of Binh Duong Province Department of Planning and Investment.
- The Certificate of Investment issued by Binh Duong Province People's Committee.

(f) restrictions on land use;

Response:

Land use rights of Nam Kim Steel has been recognized in the **Certificate of Land Use Rights** for Nam Kim 1, Nam Kim 2 and Nam Kim 3 issued by Binh Duong Province People's Committee. The kind of this land use rights is leasing land and pay the rental for the Government. Therefore, Nam Kim Steel is the subject for the rights and obligations of **re-leasing, mortgaging, donating, capital investing** under the procedure in accordance with **Article 174, 175 Law on Land 2013**.

Please refer to **Exhibit H-1.1_CONF_Certificate of land use rights** for detailed information.

(g) provision of loans; or

Response:

Not applicable. Nam Kim Steel is not a subject for any provision of loans issued by the GOV.

(h) provision of grants, awards or other funds.

Response:

Not applicable. Nam Kim Steel is not a subject for any provisions of grants, awards or other funds issued by the GOV.

H-2 Business structure, ownership and management

1. Indicate whether your company is a state-owned or state-invested enterprise (SIE)
 - A state owned enterprise refers to any company or enterprise that is wholly or partially owned by the Government of Vietnam (either through direct ownership or through association).

Response:

Not applicable. Nam Kim Steel is not a state-owned or state-invested enterprise.

2. List the Board of Directors and Board of Shareholders of your business and all other entities/businesses your business is related to.

Response:

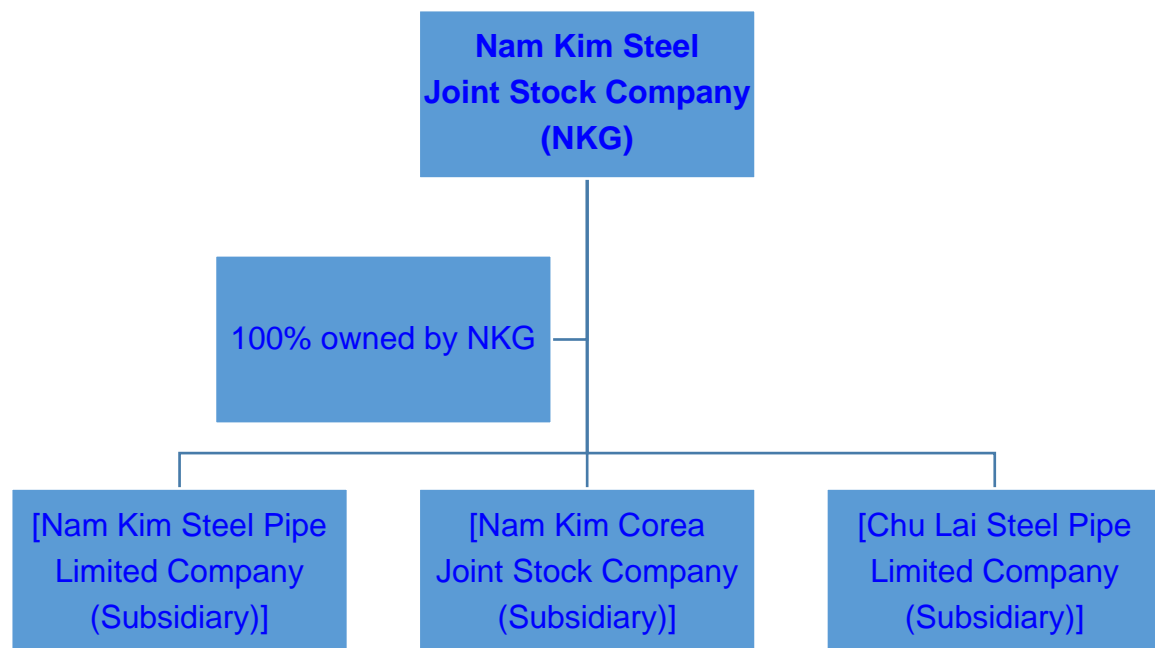
Members of Nam Kim Steel's Board of Directors in the POI were as below:

No	Name	Position	Terms of working
1	[]	[]	
2	[]	[]	
3	[]	[]	[]
4	[]	[]	[]

Please refer to **Exhibit H-2.2_PUBLIC_Shareholding** -The list of names of Nam Kim Steel's principal shareholders whose shares are over 5% on the overall.

Nam Kim Steel has [].

The ownership of Nam Kim Steel in these companies is indicated in below diagram:



3. Indicate the names of common directors and officers between your business and related businesses, where applicable.

Response:

Nam Kim Steel shared board members with [redacted] in the Period of investigation. Mr. Pham Manh Hung, who was CEO in Nam Kim Steel was also Chairman of [redacted]. However, under the most recent [redacted], Mr. Nguyen Vinh An who is a member of the Board of Directors, replaced of Mr. Pham Manh Hung (since 01/8/2019) as the new Chairman of [redacted]. Please refer to the **Exhibit H-2.3_PUBLIC_Resolution on changing the legal representative of [redacted]** for further details.

Nam Kim Steel shared board members with [redacted]. Mr. Ho Minh Quang, who is the Chairman of Nam Kim Steel also being the Director of [redacted]. However, [redacted] was sold to [redacted], which is headquartered in Hong Kong (China). [redacted] is issued by Hong Kong's Department of Business Registration. Please refer to **Exhibit H-2.3_PUBLIC Resolution on [redacted]** for further details.

Nam Kim Steel shares board members [redacted]. Mr. Vo Hoang Vu, who is General Director of Nam Kim Steel also being the Chairman of [redacted]. Please refer to **Exhibit H-2.3_CONF_[redacted]** for further details

4. 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 Vietnam (at any level, from any agency, party, or otherwise associated entity)? If yes, identify the individuals, their role on that Board and their affiliation with the Government of Vietnam.

Response:

Not applicable. There is no member of the Board of Directors or Board of Shareholders representatives, employees, or otherwise in Nam Kim Steel affiliated with the GOV.

5. Does your business' (and/or all other entities your business is related to) Board of Directors or Board of Shareholders have a representative from the Government of Vietnam? If yes, identify their name and title and indicate their position at the board level.

Response:

Not applicable. Nam Kim Steel's Board of Directors or Board of Shareholders do not have any representative from the Government of Vietnam.

6. 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 Vietnam? If yes, identify any relevant government department(s) they are affiliated with.

Response:

Not applicable. Nam Kim Steel's Board of Directors or Board of Shareholders are not appointed, managed or recommended by the Government of Vietnam.

7. 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 Vietnam;
 - employees of your business;
 - foreign investors; or
 - other (please specify).

Response:

Please refer to **Exhibit H-2.2_PUBLIC_Shareholding** -The list of names of Nam Kim Steel's principal shareholders whose shares are over 5% on the overall of [redacted]. As the number of shareholders and the owing percentage is changing every day, we just provide the list of major shareholders which is listed in Ho Chi Minh Stock Exchange (HOSE) website.

In the principle of company operation, there are only Mr. Ho Minh Quang (Chairman of Nam Kim Steel's Board of Management) and Mr. Vo Hoang Vu (General Director of Nam Kim Steel's Board of Director) who are the major shareholders of Nam Kim Steel. However, they are not an affiliate, representative, agency or otherwise representative of the Government of Vietnam.

Other major shareholders invest into Nam Kim Steel with a purpose of financing investment for their prospective benefits and none of them is an affiliate, representative, agency or otherwise representative of the Government of Vietnam.

8. Provide the details of any significant changes in the ownership structure of your business during the period.

Response:

In the POI, there were two significant changes in the ownership structure of Nam Kim Steel:

- [].
- [].

9. Identify any positions within your business that are appointments or designated to act on behalf of Government of Vietnam authorities.

Response:

Not applicable. There is no one in Nam Kim Steel that appointed or designated to act on behalf of Government of Vietnam authorities.

10. Explain whether there are requirements in law and in practice to have government representation at any level of your business. If there is such a requirement, explain the role of government representatives appointed to any level of your business.

Response:

Not applicable. There is none of requirement in law and in practice to have government representation in such a private owned joint stock company as Nam Kim Steel.

11. If your business is a publicly-traded company, what are the rules regarding the issuance of shares by your business? Identify any stock exchanges on which your business is listed.

Response:

During the POI, Nam Kim Steel conduct its issuance of shares under the Law on Securities **No: 70/2006/QH11** dated on 29 June 2006 and the Amended Supplement **No. 62/2010/QH12** dated 24 November 2010.

Since 2011, Nam Kim Steel has officially listed on Ho Chi Minh City Stock Exchange (HOSE) with the stock code "NKG".

12. Provide the monthly trading volume and average monthly trading price of your listed security over the period.

Response:

Please refer to **Exhibit H-2.12_PUBLIC_Monthly trading of listed security in the period** for our response to this question.

13. Who has the ability to reward, fire or discipline your business' senior managers?

Response:

The person who has the ability to reward, fire or discipline the senior managers is the Legal Representative of Nam Kim Steel. However, under **Vietnam Labor Code 2012** and **Section 2 – Part IV – Circular no. 19/2003/TT-BLĐTBXH**, before signing the official Decision to fire or discipline a senior manager, Nam Kim Steel has to establish a council of discipline for the employee, which includes the Legal Representative, a person from the Labor Union, witness, the employee, etc. in order to protect the legal rights of the employee.

14. Do any of your company's senior managers hold positions in any Government of Vietnam departments or organisations, associations or Chambers of Commerce? If yes, describe the nature of these positions.

Response:

Not applicable. There is no one from Nam Kim Steel's senior managers hold position in any Government of Vietnam departments or organisations, associations or Chambers of Commerce

15. Provide the names and positions of your company's pricing committee.

Response:

Not applicable. There is no pricing committee in our company.

H-3 Licensing

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

Response:

Please refer to **Exhibit H-3.1_CONF_Nam Kim Steel Business License** for our response to this question.

2. Identify the Government of Vietnam departments or offices responsible for issuing the license(s).

Response:

The Government office responsible for issuing the business license is the Business Registration Office - Binh Duong Province Department of Planning and Investing.

3. Describe the procedures involved in applying for the license(s).

Response:

Under Vietnam **Decree no. 78/2015/ND-CP** about business registration, the procedures involved in applying for Nam Kim Steel business will follow below steps:

- Step 1: Prepare all necessary documents for applying business license.
- Step 2: Submit the application form together with all required documents to the Business Registration Division under the Department of Planning and Investment of Binh Duong Province, Vietnam.
- Step 3: Receiving the business license if all documents have been approved by authorized government officer.

The Office shall respond to the Company within 3 days from the date it received the legal application forms.

4. Describe any requirements or conditions that must be met in order to obtain the license(s).

Response:

As registering in Joint Stock Company type, Nam Kim Steel is only required to have at least 3 shareholders at the time registration for business. The business license can be approved based on the following conditionals requirement:

- Lines of business registration are non- abandoned sectors.
- The name of the business complies with the provisions in **Articles 38, 39, 40 and 41 of the Enterprise Law** No. 68/2014 / QH13 November 26, 2014.
- Headquartered in accordance with **Clause 1 of Article 43 of the Enterprise Law** No. 68/2014 / QH13 November 26, 2014;
- It records a valid business registration as prescribed by law;
- Full payment of business registration fee equal as 200.000 VND.

Please refer to **Exhibit H-3.4_PUBLIC_Enterprise Law** for further details about this procedure.

5. Describe and explain any restrictions imposed on your business by the business license(s).

Response:

The Certificate of Business Registration only has the meaning of confirming that the business has been established legally, and Nam Kim Steel shall only operate in some registered business fields stipulated in business license.

6. Describe any sanctions imposed on your business if you act outside the scope of your business license(s).

Response:

Under the **Decree no 183/2013/ND-CP** about Providing The Penalties On Administrative Violations In Commercial Activities, Production Of, Trading In Counterfeit Or Banned Goods And Protection Of Consumer Rights, the regulations in the situation that the business act outside the scope of business license are described as follows:

Article 6. Acts of violation in business activities according to the business registration certificates

- 1. A fine of between VND 1,000,000 and 5,000,000 shall be imposed on business acts which do not comply with branches, categories of products, and locations of business as stated in the business registration certificate.*
- 2. A fine of between VND 5,000,000 and 10,000,000 shall be imposed on acts of business operation without business registration certificate in accordance with regulations.*
- 3. A fine of between VND 10,000,000 and 15,000,000 shall be imposed on acts of continuing business activities after business activities have been suspended or the business registration certificate has been withdrawn by competent state agencies.*
- 4. A fine doubling the fine level specified in between clause 1 and clause 3 of this Article shall be imposed in cases of trading in goods or services under the list of goods or services being limited or subject to conditional business.*

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

Response:

Not applicable. The Business under the license does not create any entitlement for Nam Kim Steel.

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

Response:

The business license would be revoked only in five (05) following compulsory situations under **Vietnam Enterprise Law 2014**, including:

Table 2.N(iv) – The actual situations business license could be revoked

#	Situations	By whom
1.	The content declared in the business registration dossier is fake;	The Department of Planning and Investment
2.	Enterprises are prohibited of establishment under Clause 2, Article 18 of Vietnam Enterprise Law 2014;	The Department of Planning and Investment
3.	Enterprises has stopped operating business for 01 year without notifying the business registration agency and tax authorities;	The Department of Planning and Investment
4.	Enterprises shall not send financial reports as provided for at Point c, Clause 1, Article 209 of Vietnam Enterprise Law to the business registration agency within 6 months after the expiry date of the report or request in writing;	The Department of Planning and Investment
5.	The company will be bankrupted under Court decision/judgment.	Vietnam People’s Court

H-4 Decision-making, planning and reporting

- Provide a description of your business’ decision-making structure in general and in respect of the goods. This should identify the persons or bodies primarily responsible for deciding:
 - a. what goods are produced;
 - b. how the goods are produced;
 - c. how levels of inputs such as raw materials, labour and energy are set and secured;
 - d. how the use of your outputs, such as product mix, is determined; and
 - e. how your business’ profit is distributed.

Response:

Nam Kim Steel is the independent business entity, thus all decision making process in general and in respect of steel product will be made based on the consistent agreement and approval of [], in relation to:

- i. The type of goods are produced based on current actual market situation, which Nam Kim Steel can receive the booked orders from its customer appropriate with capability of itself production facility.
 - ii. The goods is produced based on several facts such as the available raw material which could be ready appropriate use for required good production, the operating schedule for each production unit, either the readiness of receiving goods from customer side to minimize the storage time of finished goods.
 - iii. The level using of input factors such as energy and labour based on the output for booked orders. The production manager relies on production schedule to allocate the reasonable time of working and operating for each production unit. [].
 - iv. The finished products or outputs mainly used for the booked orders. [].
 - v. Nam Kim Steel business’ profit is distributed by [].
- Provide a description of any Government of Vietnam input into the decision-making process respecting your manufacture, marketing and sale of the goods.

Response:

Not applicable. There is no GOV input into the decision-making process respecting our manufacture, marketing and sale of the goods.

- Provide a list of all government departments/offices that are involved, either directly or indirectly, in your manufacture, sale or purchase of the goods.

Response:

Not applicable. As providing above, Nam Kim Steel is the independent business entity, thus all decision making regardless to the manufacture, sale or purchasing process by itself, which bases on the production capacity, market demand, etc. Nam Kim Steel has obligation to conduct these activities under the law without any direct or indirect involvement from GOV at all levels.

- List and describe all reports that must be submitted to the Government of Vietnam periodically by your company, and identify the government department/office where each report is filed.

Response:

Not applicable. There is no report that Nam Kim Steel must submit to the Government of Vietnam periodically.

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

Response:

Please refer to **Exhibit H-4.5_PUBLIC_Minutes of Board of Directors and Board of Shareholders Meeting** for Nam Kim Steel's response to this question.

- Provide copies of the notes to company meetings where pricing decisions on the goods under consideration have been made over the period.

Response:

Not applicable. Nam Kim Steel does not have company meetings where pricing decisions on steel products including GUC have been made during the period. []

H-5 Financial and investment activities

1. Is your business debt funded? If yes, provide a list of all major lenders.

Response:

In order to secure the necessary financial resources on financial market, Nam Kim Steel borrows from credit institutions and bear the market interest rates. Nam Kim Steel does not receive any benefit from low interest rate (subsidy) of the Government.

The credit institutions that funded to Nam Kim Steel are as below table:

CREDIT INSTITUTIONS	
[]	
[]	
[]	
[]	

2. What is the rate of interest paid by your business on all debt instruments over the last 5 years?

Response:

The rate of interest paid by our business on all debt instruments over the last 5 years is as below:

Year	Loan in VND (%/ year)	Loan in USD (%/year)

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

Response:

Nam Kim simply sourced its funds from commercial banks and the interest rates are subject to the lending market and negotiation with the lenders. Nam Kim Steel has not received any special incentives compared to other companies from concessional interest rates for its loans in the last 5 years.

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

Response:

To partially fund its investment projects in the last 5 years, Nam Kim Steel issued common shares to certain strategic shareholders, existing shareholders and to the company's employees. There was no security provider involved in those Nam Kim's fundraisings.

Please refer to below table for Nam Kim Steel's instruments used in the last 5 years:

No.	Date	Object	Instrument	Amount (VND)	Note
1					
2					

3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

5. Does your business have policies on how cash reserves are to be invested? If yes, provide details.

Response:

Not applicable. Nam Kim Steel does not have policies on cash reserves are to be invested.

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

Response:

Not applicable. Nam Kim Steel has not invested in either government or non-government debt securities yet.

H-6 Government policy on the industry

1. Are there any Government of Vietnam opinions, directives, decrees, promulgations, measures, etc. concerning the industry of the goods that were put in place or operating during the period? If yes, please provide:

- (a) copy of the documentation and a translation in English;
- (b) documentation concerning the Government of Vietnam or any association of the Government of Vietnam's notification of the measures concerning the goods to your company during the period.

Response:

Not applicable. There is none of Government of Vietnam opinions, directives, decrees, promulgations, measures, etc. concerning the industry of the goods that were put in place or operating during the period.

2. Provide information concerning the name of any Government of Vietnam departments, bureaus or agencies responsible for the administration of all Government of Vietnam measures concerning the industry of the goods in the regions, provinces or special economic zones where your company is located, including contact information regarding the following areas:

- industrial policy and guidance on the industry;
- market entry criteria for the industry;
- environmental enforcement for the industry;
- management of land utilisation;

- investigation and inspection of expansion facilities;
- import licensing for raw materials relating to the goods under consideration.

Response:

Government of Vietnam measures for these areas have been set up for the whole country. For some areas, the Government of Vietnam department/bureau/agency at the central level is responsible for the administration the measures. In other areas, the measures shall be implemented compatible with the local conditions. Therefore, the GOV at the province level where Nam Kim Steel is located is responsible for the administration of the measures.

Please refer to the **Exhibit H-6.2 PUBLIC Information of GOV departments, bureaus, agencies** for our response to this question.

3. Describe any role your company plays in the development of government's industrial plans and/or policies at all levels of government. For example, does your company provide information for, or request inclusion in, any plans, policies, or measures?

Response:

Not applicable. Nam Kim Steel's business activities in steel industry relied on the market forces of supply and demand and the production capacity of the company at each specific time. Nam Kim Steel does not play any role to serve for the development of government's industrial plans and/or policies at all levels of government.

4. Does your company provide information relating to assessments of the implementation of the plan, policy or measure?

Response:

Not applicable. Nam Kim Steel does not involve any information relating to assessments of the implementation of the plan, policy or measure.

5. Has the Government of Vietnam recognised your company and/or industry as one of priority (for example, designated as a "pillar," "encouraged," or "honourable" company and/or industry?). If yes, please answer the following questions.
 - (a) Explain the purpose of these designations, the criteria for receiving any such designation, and the benefits or obligations that arise from each such designation.
 - (b) Is there any connection between these designations and five-year plans or other industrial and/or economic policies or administrative measures?
 - (c) Describe any instances in which your company cited Government of Vietnam plans, policies, or measures as support for receiving the financing that you report.

Response:

Not applicable. Nam Kim Steel or the industry has not been recognised by the Government of Vietnam as one of priority until now.

6. How has the Government of Vietnam's *Steel Master Plan* or *Industrial Development Strategy* impacted on your business and how do you ensure compliance with this policy?

Response:

As the Steel Master Plan and Industrial Development Strategy is for the macro- steel industrial orientation in the whole country, Nam Kim Steel's business has not been impacted by them. Moreover, both the Steel Master Plan and Industrial Development Strategy did not have any compulsory requirement for enterprises to meet a target. Thus there is no mechanism by the GOV to assess Nam Kim Steel's compliance with the Steel Master Plan and the Industrial Development Strategy.

H-7 Taxation

1. Were there any export taxes on the exports of the goods during the period?

Response:

There was no export tax on the exports of the goods during the period.

2. What was the value-added tax rebate applicable to exports of the goods during the period?

Response:

In practical business, Nam Kim Steel often uses the **[]** to pay VAT tax is specified as follows:

Payable VAT amount = Output VAT amount amount – Input VAT amount

There is only output VAT (Value Added Tax) upon the goods sold on domestic sale and paid by the consumer. According to Article 2 Circular 219/2013/TT-BTC regarding guidance on VAT, exports of goods are subjected to 0% VAT:

*“Goods and services subject to VAT (hereinafter referred to as taxable goods and services) are those used for production, trading, and consumption **in Vietnam...**”*

The output VAT amount is the total amount of VAT on sold goods and services as indicated in the VAT invoices. The input VAT amount is the total VAT amount on goods or services purchased domestically and on imported goods as indicated in VAT invoices and other relevant documents proving VAT payment. Payment and declaration of VAT is made on a monthly basic, normally at the beginning of month in calculating for previous month. The enterprise does not take any benefit on this domestic sold VAT tax; they are just acting as the representative to collect the tax from the consumer for the government budget.

Meanwhile, the export sale might claim refund from the input VAT amount for what exactly amount they paid while purchasing from domestically or imported material to produce exporting goods; if they can do shipment out of Vietnam territory completely and obtain fulfill needed documents proving . Certainly, the enterprise does not take any benefit on this VAT refunded for exporting goods.

3. Have there been any changes to the value-added tax rebate applicable to exports of the goods in the last 5 years? If yes, provide:
- (a) a detailed chronological history of the value-added tax rebate rates;
 - (b) products affected;
 - (c) the effective dates of the rate changes;
 - (d) fully translated copies of any Government of Vietnam notices regarding these changes, including the relevant appendices.

Response:

Not applicable. There have not been any change to the value-added tax applicable to exports of the goods in the last 5 years.

4. Are you aware of any tax changes being planned that would impact the industry?

Response:

Not applicable. We do not aware of any tax changes being planned that would impact the industry.

The domestics goods of Nam Kim Steel are the subject to 10% of VAT and the rate keeps remaining for the long time. For export goods, the import tax on the exported products of

Nam Kim Steel is various from country to country and based on the commercial relationship between Vietnam and the import country, which is shown in the multilateral or bilateral agreements.

H-8 Sales Terms

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

Response:

In Nam Kim Steel, [] is the person who authorizes the sales terms, prices and other contract provisions for the sale of goods by our business.

2. Explain how the selling prices of the goods under consideration by your business are determined, including any Government of Vietnam involvement in your business' pricing decisions, and indicate if the goods are subject to Government of Vietnam direct or indirect pricing or government guidance pricing.

Response:

There is none of Government of Vietnam involvement in our business's pricing decision and Nam Kim Steel has not been subjected to any direct or indirect price guidance or controls by the GOV during the period, or since then, with respect to domestic and export steel prices.

The selling prices of Nam Kim Steel's steel products are determined not only on the cost of input materials and cost of production, but also on the market forces of supply and demand, as well as fluctuations in the prices and availability of production materials such as HRC, CRC, etc. For both export and domestic goods, the sale staff will negotiate the price with its customer on detail specification of products, quantity, term of delivery. The final price shall be approved by the General Director for domestic and foreign markets.

3. Does your business coordinate the selling prices or supply of the goods with other domestic producers or any Government of Vietnam departments? If yes, provide details.

Response:

Not applicable. Nam Kim Steel does not coordinate the selling prices or supply of the goods with other domestic producers or any Government of Vietnam department.

4. Explain whether your business provides information or data to the Government of Vietnam, other government officials or commercial/industry organisations, including those outside of Vietnam, which report on the industry.

Response:

Not applicable. Nam Kim Steel does not provide any information or data to the Government of Vietnam, other government officials or commercial/industry organisations, including those outside of Vietnam, which report on the industry.

5. Explain whether your business provides price data to any other person at any level of government.

Response:

Not applicable. Nam Kim Steel does not provide price data to any other person at any level of government.

H-9 Industry associations

1. Is your business a member of any business or industry associations? If yes, explain your business' relationship with the association and the involvement of the Government of Vietnam with the associations.

Response:

Nam Kim Steel is a member of the Vietnam Steel Association and the Chamber of Commerce. The Vietnam Steel Association (VSA) and Chamber of Commerce are not the GOV agencies since VSA and VCCI were established under form "non-government organization" and "non-profit".

Please refer to **Exhibit H-9.1_PUBLIC_Charter of VCCI 2017** for general information of VCCI.

Please refer to **Exhibit H-9.1_PUBLIC_Decision no 89 2005 Approval on the Charter of VSA** for general information of VSA.

2. If your business is a member of an industry association, indicate whether this membership is voluntary or compulsory. Explain the functions that the association provides for your business. Explain in detail the role of the association with respect to the directives as provided by the Government of Vietnam concerning the industry.

Response:

Nam Kim Steel is a voluntary member of the Vietnam Steel Association. Since the Vietnam Steel Association was established, it has provided the following functions for Nam Kim Steel and other members:

Table H-9.2 – VSA's functions provided for Nam Kim Steel and other members.

No.	Functions of the Vietnam Steel Association
1.	Perform as bridge between enterprises and State management agencies and the Government: The Association has promptly reflected the difficulties in production and business and proposed the Government to solve;
2.	Consult and criticize domestic and foreign steel industry development investment projects: participate in steel industry development planning;
3.	Technical and legal assistance for Association members. Organizing seminars and symposiums: Producing high-quality steel through continuous improvement of stages of steel refining and rolling; Improve productivity, improve business performance of steel enterprises and minimize environmental pollution; The Association organizes industry-specific conferences to reconcile between businesses when there is inconsistency between manufacturers;
4.	Propagating and promoting information about the steel industry;
5.	The publication of the "Internal News" monthly provides information on the situation of production, sales and steel price fluctuations of the member companies of the Association;
6.	Hosted many International Steel Conferences in Vietnam (in collaboration with SEAISI) and achieved many good results. Organizing business delegations of steel industry to promote trade in markets of Brazil, Australia, Malaysia and USA.

H-10 Statistics submission/recording

1. Indicate if your business makes submissions to the General Statistics Office of Vietnam and/or any other government organisation. If yes, explain the purpose of these submissions and the type of information submitted.

Response:

Not applicable. Nam Kim Steel does not have to make any submissions to the Bureau of Statistics relating to sales, production or costs.

2. Provide a recent example of a submission that has been made to the General Statistics Office of Vietnam and/or any other government organisation. For example, monthly data relating to sales, production and costs.

Response:

Not applicable. Nam Kim Steel does not have to make any submissions to the Bureau of Statistics relating to sales, production or costs.

3. Do the organisations approve or assess your submission? If yes, provide a detailed explanation.

Response:

Not applicable. Nam Kim Steel does not have to make any submissions to the Bureau of Statistics relating to sales, production or costs.

4. Do the organisations provide feedback on your submission? If yes, provide a detailed explanation.

Response:


Not applicable. Nam Kim Steel does not have to make any submissions to the Bureau of Statistics relating to sales, production or costs.

H-11 Production/output

1. Is any part of your production subject to any national/regional industrial policy or guidance? If yes, provide details including a background of the policy/guidance and explain any restriction imposed by the policy/guidance. To what extent are any of the policies/guidelines applicable to your business?

Response:

Not applicable. Nam Kim Steel's production is not a part subject to any national/regional industrial policy or guidance.

However, in order to satisfy customer's requirements, Nam Kim Steel will guarantee to follow requirements of Product Standard of each region. In reality, our products are guaranteed to achieve the most stricted qualified standards in the world such as .

Please refer to **Exhibit H-11.1_CONF_AS1397 STANDARD** for the standard of the goods exported to Australia that Nam Kim Steel guarantees its customers to achieve.

2. Where applicable, how did your business respond to the policies/guidelines?

Response:

Not applicable. Nam Kim Steel's production is not subject to any national/regional industrial policy or guidance.

3. Provide details regarding any other restrictions (e.g., geographic/regional, downstream, use, etc.) to the sale of the goods and/or like goods that may be imposed by the Government of Vietnam.

Response:

Not applicable. There is none of any other restriction (e.g., geographic/regional, downstream, use, etc.) to the sale of the goods and/or like goods that may be imposed by the Government of Vietnam.

4. Provide a list of all your domestic customers of the like goods, include the location (city and province) of the customer and indicate whether each customer is an SIE.

Response:

Not applicable. Nam Kim Steel's domestic customers are individuals and/or private-owned enterprise, none of them is an SIE.

Please refer to **Exhibit H-11.4_CONF_Domestic Customers** for our response to this question.

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

Response:

As our explanation above, there is none of any restrictions and/or conditions in relation to the quality or quantity of the production of the goods placed upon our business.

6. Does your business require an export licence? If yes, provide details.

Response:

Not applicable. Nam Kim Steel is not require to have an export license. For an export shipment, our admin-sales will prepare export documents such as Commercial Invoice, Packing List, Certificate of Origin, etc. for export declaration and gain a Bill of Lading for delivery the exported goods to our customers.

7. Are the goods sold by your business subject to any export restrictions and/or limits during the previous 5 years? If yes, provide details.

Response:

Not applicable. The goods sold by our business are not a subject to any export restrictions and/or limits during the previous 5 years by Vietnamese government.

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

Response:

Not applicable. There are no other restrictions placed upon our business on the sale of the goods.

9. Have there been any changes to your production capacity over the last 5 years? If yes, provide details.

Response:

There have been changes to our production capacity of the goods (all products) over the last 5 years. Detail of changes is demonstrated in below tabulated.

No.	Content	Previous financial year (2016)	Previous financial year (2017)	Previous financial year (2018)	Most recent financial year (2019)	Period of investigation (1/4/2019 - 31/3/2020)
1	Production capacity					
2	Actual production					
3	Capacity utilisation (%)					

10. Does your business benefit from any concession on the purchase of any utility services (e.g. electricity, gas, etc.)? If yes explain the nature and the amount of the concession?

Response:

Not applicable. Nam Kim Steel does not benefit from any concession on the purchase of any utility services (e.g. electricity, gas, etc.). We have to pay the services the same as other companies.

H-12 Sales price

1. Explain whether your business has been subjected to any direct or indirect price guidance or controls by the Government of Vietnam during the period.

Response:

Not applicable. Our business has not been subjected to any direct or indirect price guidance or controls by the Government of Vietnam.

2. Explain whether your business has been subjected to any direct or indirect price guidance or controls by the Government of Vietnam during the period, with respect to raw material inputs.

Response:

Not applicable. Our business has not been subjected to any direct or indirect price guidance or controls by the Government of Vietnam during the period, with respect to raw material inputs.

3. Explain whether your business has encountered any price guidance or controls established by regional or provincial officials and/or organisations.

Response:

Not applicable. Our business has not encountered any price guidance or controls established by regional or provincial officials and/or organisations.

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

Response:

The selling prices of Nam Kim Steel's steel products are determined not only on the cost of input materials and cost of production, but also on the market forces of supply and demand, as well as fluctuations in the prices and availability of production materials such as HRC, CRC, etc. For both export and domestic goods, the sale staff will negotiate the price with its customer on detail specification of products, quantity, term of delivery. []

5. Which organisation/business entity do you consider as the price leader of the goods?

Response:

Nam Kim does not consider any organisation/business entity as the price leader of the goods. []

6. Does your business have a pricing committee in respect of the goods? If yes, provide the names and positions of all members of the committee.

Response:

Not applicable. Our company does not have a pricing committee in respect of the goods.

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

Response:

Not applicable. Our company does not have a pricing committee in respect of the goods.

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

Response:

In Nam Kim Steel, [] is the person who authorizes the sales terms, prices and other contract provisions for the sale of the goods.

9. If you have production facilities of the goods in more than one region and/or province, are the laws and regulations in each region the same with respect to pricing of the goods? If no, provide details on the differences.

Response:

Nam Kim Steel has [] production facilities of the goods in Binh Duong Province. There is no Law and/or Regulation from the Government that impact to our pricing policy of the goods.

H-13 Adding capacity and/or joint ventures

1. Provide a detailed explanation with respect to the government approval process on adding capacity and/or joint ventures in relation to your business.

Response:

If Nam Kim Steel wants to raise its production capacity or add new steel production by investing in machinery/equipment and expanding production facilities, a supplemental Certification of Investment Registration will be submitted to the Department of Planning and Investment. Within [] from the day on which a satisfactory application is received, the registry office will adjust the Certificate of Investment Registration for new established facility and Supplemental Certificate of Investment Registration for upgrade/expand the production capacity in its current facilities.

Please refer to **Exhibit H-13.1_PUBLIC_Detailed process of GOV approval** on additional steel production capacity for Nam Kim Steel.

In case Nam Kim Steel wants add in a joint venture, the Company must obtain approval for the Certification of Business Registration for changing the model of enterprise. Therefore, Nam Kim Steel must ensure that it takes the necessary steps to keep its certificates up to date with their business activities for the requirement of doing the business under the its Certification of Business Registration.

2. Does the government have the right to request modifications in the terms of adding capacity and/or joint ventures? If yes, provide a detailed explanation.

Response:

Not applicable. The government does not have the right to request modifications in the terms of adding capacity and/or joint ventures.

H-14 Raw materials

1. Are any of the suppliers related or affiliated with you? If yes, provide details.

Response:

Not applicable. None of Nam Kim Steel's supplier is related or affiliated with our company.

2. Do you purchase from State Invested Enterprises? If yes, provide a details.

Response:

Not applicable. None of Nam Kim Steel's supplier is State Invested Enterprise.

3. If your supplier is based outside Vietnam, what import duty rate is applied on the raw materials?

Response:

Nam Kim Steel does pay import duty on its imported purchasing raw material. The duty rate is upon whether or not Nam Kim Steel join in partnership with its export country for any multilateral/bilateral agreement for specific duty rate. Please refer to **Appendix G-7.4_CONF_Purchasing of raw materials** for further detail of Nam Kim Steel's purchasing transactions in the POI.

4. Is there a price difference in purchase price for raw materials between your suppliers? If yes, provide a detailed explanation.

Response:

In Vietnam, there is only one domestic supplier of Hot Rolled Coils - Formosa Ha Tinh and Formosa is a 100% foreign-owned enterprise. The remaining part of HRC input was imported from overseas. There is no price policy difference in purchase price for raw materials (i.e. Hot Rolled Coils and Cold Rolled Coils) among Nam Kim Steel's suppliers. In fact, the purchase price will be determined based on mutual agreement between Nam Kim Steel and its suppliers case by case.

5. Describe in detail your business' purchase procedures of the raw materials, the considerations in selecting a supplier and how the price of the raw materials is determined between you and your suppliers. If it is by tenders, provide details of the criterions/conditions.

Response:

The purchase of HRC is very important task in our actual business practicing. It should be made in fully consideration of several factors relating to the stocked HRC volume, on way HRC volume, the various offer from the available listed of HRC suppliers, also take into account of current selling performance indicator and the prediction about a shorter term selling plan or strategy... etc; to determine the target HRC price. After having the target, Nam Kim Steel will be in market position to deal and select the most appropriate offer from the available HRC suppliers. Nam Kim Steel does take more consideration in selecting a supplier whom has supplied successful HRC suitable for rerolling and tolling process in our own production facility. The supplier service and payment mode are also in preferable points of considerations. Nam Kim Steel does not purchase HRC from the tenders. After selecting the supplier and offer, negotiating to conclude the deal, a purchase contract will be released and signed by both sides. Next, it is Nam Kim Steel responsibility to make a payment guarantee persuade to the payment term said in contract, keep chasing the readiness of the cargo, completing a fulfil payment and receiving the HRC lot. The final step

of procedure is to check the quantity and quality of purchased HRC, making a response or claim to the supplier (if any).

6. If any of your raw materials for the goods and/or like goods are imported by your business, or related businesses:
 - a. Provide details including a description of the raw material imported, the supplier and country of origin.
 - b. Explain the process required to import the raw materials (e.g. obtaining an import licence, import declarations).
 - c. Provide details of any conditions to importing the raw materials (e.g. customs and/or quarantine).
 - d. Are you eligible for a duty drawback? If yes, provide details.

Response:

We imported HRC flat product for rerolling to the thinner thickness or smaller width in coating, tolling in scope of our production. Currently, we might have the options to imported HRC from []. The process required to import HRC is quite simple that we just need to make the commercial order with our supplier, when the goods has been arrived in port of discharging, we make the import declaration, fulfil all responsibility to pay for related tax with authorised government department or agencies. There are no conditions to importing the HRC.

Nam Kim Steel business eligible for a duty drawback (VAT tax) on imported HRC if these HRC are used for production of finished product; then exporting that finished product to oversea countries. However, there is no any benefit obtained for Nam Kim Steel, because this duty (VAT tax) drawback amount is equal with the VAT tax amount which has been paid while making import clearance for HRC. The time of duty drawback can be received after the exporter submits the exporting documents set to the authorized government department or agencies.

7. Do you, or a business associated with you, sell any of the raw materials used to manufacture the goods and/or like goods, or sell the semi-processed goods?
 - a. Please provide a description of the raw material or semi-processed goods which are sold, including whether they are domestic or export transactions, to related or unrelated parties, and how the selling price is determined.
 - b. If there is a difference in selling prices between related and unrelated parties, please provide reasons as to why.

Response:

Not applicable. Nam Kim Steel and its affiliated companies do not sell any of raw materials. We only purchase raw material to serve our manufacturing of high quality coating steel products and sell the finished products to markets.

SECTION I

VIETNAMESE MARKET

I-1 Prevailing conditions of competition in the Vietnamese market

1. Describe the Vietnamese market for the goods and the prevailing conditions of competition within the market, including:
 - (a) Provide an overall description of the market in Vietnam which explains its main characteristics and trends over the past five years;

Response:

Although the capacity production of metal coating steel in the past few years has increased, the manufacturing and consuming of the goods did not show a good result. This may come from many reasons such as low demand in construction, downtrend of price level in raw material HRC, difficulty in dealing with trade remedy investigation from foreign countries, etc.

Regarding to main characteristics of the goods, the thickness demand is normally from [] , while Aluminium-Zinc coating is required with [] . The width is various from [] .

- (b) Provide the sources of demand for the goods in Vietnam, including the categories of customers, users or consumers of the product;

Response:

The sources of demand for the goods in Vietnam include:

- Residential construction.
- Commercial and industrial construction.
- Project customers

The categories of customers, users or consumers of the goods might be service centers with slitting process, cut into sheet, etc. or end-user (cladding, roofing, walling, framing, etc.).

- (c) Provide an estimated proportion (%) of sales revenue from each of those sources of demand listed in (b);

Response:

We estimate the proportion (%) of sales revenue from each of those sources of demand listed in (b) as follows:

- Residential construction (50%).
- Commercial and industrial construction (30%).
- Other purpose of end-user in housing furniture, structural framing, steel cable, other equipments (20%)

- (d) Describe the factors that influence consumption/demand variability in Vietnam, such as seasonal fluctuations, factors contributing to overall market growth or decline, government regulation, and developments in technology affecting either demand or production;

Response:

A variety of factors influence demand variability for aluminium zinc coated steel products in Vietnam, including:

Seasonal fluctuations

- The high time for constructions normally begin in August and last until November leads to the high demand of goods.

Factors contributing to overall market growth or decline

- Market trend of real estate.
- Availability of capital for infrastructure spending of government and private.
- General macro-economic factors such as bank interest rates directly impact on investment decisions by home buyers, investors and developers.
- Global and domestic economic conditions (GDP, unemployment, inflation, interest rates).
- Global and domestic business and consumer confidence.

Government regulation

- Policy - major government spending on infrastructure.
- New home rebates which can pull forward demand.
- Approval of Government on the operation of construction, investment project.

Developments in technology affecting either demand or production

Not significant.

- (e) Describe any market segmentations in Vietnam; such as geographic or product segmentations;

Response:

The Vietnamese market for aluminium zinc steel products is made up of two key market segments:

- Residential and industrial/commercial construction for building project segment.
- The smaller manufacturing used for individual purpose segment.

- (f) Provide an estimated proportion of sales revenue from each of the market segments listed in (e);

Response:

We estimate the proportion of sales revenue from each of the market segments listed in (e) as follows:

- Residential and industrial/commercial construction used for building project segment (70%)
- The smaller manufacturing used for individual purpose segment (30%)

- (g) Describe the way in which Vietnamese and imported goods compete in the Vietnamese market;

Response:

The competition of Vietnamese and imported goods in the Vietnamese market is relied on the quality and selling price of goods.

- (h) Describe the ways that the goods are marketed and distributed in the Vietnamese market; and

Response:

The ways that the goods are marketed and distributed in the Vietnamese market:

- Direct from the local mill.
- From the local service centers.
- From trading companies.
- From international trading companies.

- (i) Describe any other factors that are relevant to characteristics or influences on the Vietnamese market for the goods.

Response:

Not significant.

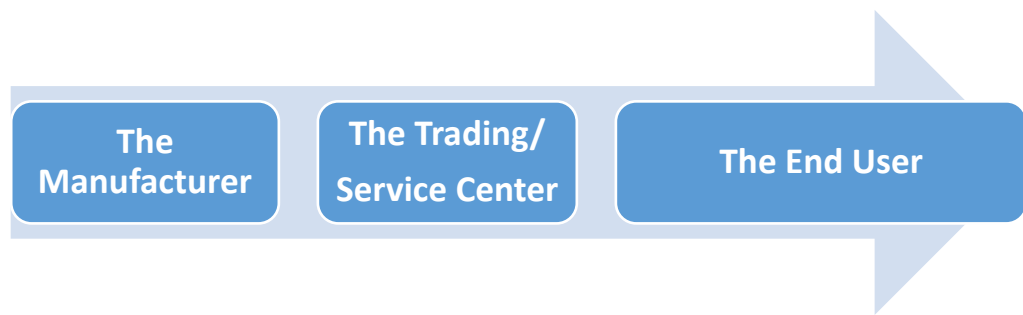
Provide documentary evidence to support the responses made to questions 1(a) to (i).

Response:

Not applicable. The above responses to questions 1(a) to (i) are mostly theoretical and based on our understanding and estimation on the market.

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

Response:



The manufacturers' role is the parties whom produce and sell/distribute products to serve demand of the domestic buyers, taking responsibility to deliver the goods at the factory gate or at the customers' warehouse.

In the domestic market, the major customers are acting as end user role, some of our customers whom are acting as both trading/end user role, which is really difficult to distinguish by transaction on transaction. Trading business is the activity of the customer to purchase and re-sell the material to other buyer; meanwhile the end user purchases the material for their forming production. Nam Kim Steel does report the level of trade of our domestic customers based on our best understanding.

3. Describe the commercially significant market participants in the Vietnamese market for the goods at each level of trade over the investigation period. Include in your description:
- names of the participants;
 - the level of trade for each market participant (e.g., manufacturer, reseller, original equipment manufacturer (EOM), retailer, corporate stationer, importer, etc.);
 - a description of the degree of integration (either vertical or horizontal) for each market participant; and
 - an estimation of the market share of each participant.

Response:

Please refer to our response in the above question I-1.2 for the definition of each participant.

4. Identify the names of commercially significant importers in the Vietnamese 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 Vietnamese market, if known.

Response:

As explained in the question I-1.2 and I-1.3, the importers in the Vietnamese market for the goods may be [1]. As Nam Kim Steel can produce the goods itself and do not apply import policy for the goods, we do not have best understanding about these importers.

5. Describe the regulatory framework of the Vietnamese 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.

Response:

In Vietnam, there is no individual regulatory framework for the goods, it will be applied the same as other coated steel coil products.

The activities of manufacturing and selling the goods is operated in accordance with the Vietnamese Law on Commerce and Law on Competition.

The Value added tax rate applies on the goods is 10% under Clause 3, Article 8 Law on Value added tax 2008.

Please refer to **Exhibit I-1.5_PUBLIC_Vietnamese Regulatory Framework** for detail information.

There is no Vietnamese regulation framework on product standard but it has some international specification used to evaluate quality of the goods which are popular on over the world such as AS Standard from Australia, JIS Standard from Japan, etc. The most popular standard used in Vietnam is JIS Standard.

Please refer to **Exhibit I-1.5_CONF_International Standard** for detail information.

For imported goods, it depends on the relationship between Vietnam and its importers to have a bilateral/multilateral agreements which delivers extensive tariff reduction and greater certainty for services suppliers and investors.

6. Describe any entry restrictions for new participants into the Vietnamese 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.

Response:

Not applicable. There is no any entry restriction for new participants into the Vietnamese market for the goods at the moment.

I-2 Goods in the Vietnamese market

1. Generally describe the range of goods offered for sale in the Vietnamese market. The description should include all like goods, 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.

Response:

The Nam Kim Steel's product range for sale in the Vietnamese market is as follows:

- quality differences: prime, secondary and scrap quality.
- price differences: applied for different thickness, width, coating mass.
- supply/availability differences: not applicable.
- technical support differences: not applicable.
- the prevalence of private labels/customer brands: not applicable.
- the prevalence of generic or plain labels: not applicable.
- the prevalence of premium labels: not applicable.
- product segmentation: not applicable.

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

Response:

The end uses of the goods in the Vietnamese market are roofing, floor decking, sandwich panels, etc.

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

Response:

Not applicable. The purchasing decision of customers is based on their demand of the goods, the delivery time and their acceptance on pricing level. It is not depended on the product attributes.

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

Response:

The commercially significant market substitutes in the Vietnamese market for the goods include:

- Zinc coated (galvanised) steel coil (in some product applications).
- Painted aluminium zinc coated steel coil.
- Painted galvanised steel coil.

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

Response:

The commercially significant market complements in the Vietnamese market for the goods are Aluminium zinc coated steel (of a width less than 600 millimeters).

6. Have there been any changes in market or consumer preferences in the Vietnamese 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.

Response:

We do not recognize any changes of the product characteristics or consumer preferences in the Vietnamese market in the last five years.

I-3 Relationship between price and cost

1. Describe the importance of the Vietnamese 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 Vietnam; and

Response:

The proportion of Nam Kim Steel's sales revenue derived from sales of the goods in Vietnam is about **10%** of the company's total sales revenue.

Please refer to **Exhibit I-3.1_CONF_Proportion of Sales Revenue and Profit** for the detail calculation.

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

In responding to question 1 please provide evidence to support the calculations.

Response:

The proportion of Nam Kim Steel's profit derived from sales of the goods in Vietnam is about **10%** of the company's total profit after tax.

Please refer to **Exhibit I-3.1_CONF_Proportion of Sales Revenue and Profit** for the detail calculation.

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

Response:

Not applicable. Nam Kim Steel is not the price leader of the goods in the Vietnamese market. In fact, the price of Nam Kim Steel shall depend on the price of raw material, cost of production and the law on supply and demand of the market. It does not have any organization/business entity the price leader for the goods in Vietnamese market.

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 Vietnam. 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.

Response:

As our previous explanation in the question I-3.3, our pricing level will depend on the costs i.e. input raw material, production cost, etc. The most influenced factors are input raw material i.e. Hot Rolled Coil (HRC) price and the market forces of supply and demand.

Nam Kim Steel itself manages and establishes the selling price on each specific time by time.

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

Response:

The selling prices of Nam Kim Steel's steel products are determined not only on the cost of input materials and cost of production, but also on the market forces of supply and demand, as well as fluctuations in the prices and availability of production materials such as HRC, CRC, etc. For both export and domestic goods, the sale staff will negotiate the price with its customer on detail specification of products, quantity, term of delivery. [1].

5. How frequently are your Vietnamese 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.

Response:

The selling price is reviewed on [1]. Each time customer sends inquiry, the sales staff will send the offer with price, lead time, etc. and negotiate with the customer for a final price, based on an approval from [1].

6. Rank the following factors in terms of their influence on your pricing decisions in the Vietnamese 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]

Response:

Below is the ranking of factors with the most important factor ranked first and the least important factor ranked last:

- Cost to make and sell the goods
- Purchase price of raw materials
- Desired profit
- Volume of the order
- Value of the order
- Competitors' prices

For other factors, they are not applied in Nam Kim Steel.

7. Describe the relationship between selling price and costs to make and sell in the Vietnamese market. Does your company maintain a desired profit margin for the goods?

Response:

As per our previous explanation, the selling prices of Nam Kim Steel's steel products are determined not only on the cost of input materials and cost of production, but also on the market forces of supply and demand, as well as fluctuations in the prices and availability of production materials such as HRC, CRC, etc.

We do not apply a fixed profit margin for the goods or other products but the profit margin will be flexible based on above factors.

8. Do you offer price reductions (e.g., commissions, discounts, rebates, allowances or credit notes) in the Vietnamese 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.

Response:

Not applicable. We do not offer price reductions for individual customers in the Vietnamese market.

9. Do you offer bundled pricing in the Vietnamese 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.

Response:

Not applicable. Nam Kim Steel does not offer bundled pricing in the Vietnamese market.

10. Does the volume of sales to a customer or the size of an order influence your selling price in Vietnam? 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.

Response:

In general, the volume may impact selling price, [1]. In fact, the selling price will depend not only on the cost of input materials and cost of production, but also on the market forces of supply and demand, as well as fluctuations in the prices and availability of production materials such as HRC, CRC, etc. [1].

11. Does your organisation/business entity use sales contracts in the Vietnamese market? If yes:

Response:

Yes, Nam Kim Steel uses Sales Contracts in the Vietnamese market.

- (a) What proportion of your sales revenue would come from contracted sales versus uncontracted sales?

Response:

[1] of our sales revenue comes from contracted sales.

- (b) Do you offer exclusivity contracts? If yes, what proportion of your sales revenue would come from exclusivity contracts?

Response:

Not applicable. We do not offer exclusivity contract to any domestic customer. Every contract will be discussed and agreed case by case between Nam Kim Steel and its customer.

- (c) How frequently are sales contracts renegotiated?

Response:

In some cases, the sale contracts of Nam Kim Steel play a role of principal contract for general information, for any new order it will need to be negotiated on pricing case by case.

(d) How frequently are price reviews conducted between contracts?

Response:

Our offer price will be updated on a new inquiry from customers. Therefore, a new contract/order will be reviewed and discussed individually. Nam Kim Steel does not offer long-term contract to its customers.

(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.

Response:

Not applicable. The contract/order is only signed after final agreements between Nam Kim Steel and its customer. Therefore, they are not allowed to modified within the contract/order

(f) Do changes in your costs to make and sell enable you to review prices for customers within contracts?

Response:

Not applicable. The contract/order is only signed after final agreements between Nam Kim Steel and its customer. Therefore, they are not allowed to modified within the contract/order

(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. Provide a complete translation of the documents.

Response:

Please refer to **Exhibit D-3.1_CONF_Sample Domestic Sales Documents** for Nam Kim Steel's response to this question.

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

Response:

Not applicable. Nam Kim Steel does not provide price lists for the goods used in the Vietnamese market during the investigation period.

The selling prices of Nam Kim Steel's steel products are determined not only on the cost of input materials and cost of production, but also on the market forces of supply and demand, as well as fluctuations in the prices and availability of production materials such as HRC, CRC, etc. The sales staff will negotiate the price with its customer on detail specification of products, quantity, term of delivery. [1].

13. How do you differentiate pricing for different products/models of the goods in the Vietnamese market? Describe how your products are grouped for price differentiation and the method 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.

Response:

The pricing difference will depend on different [redacted]. Nam Kim Steel does not group different products for price differentiation. In fact, each different size will have different pricing level because it will have different production cost, input raw material cost, etc.

14. Do you tier or segment your Vietnamese customers for the goods in terms of pricing? If yes, provide:
- a general description of how this is done;
 - list the factors that influence pricing differentiation in different tiers or segments; and
 - 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.

Response:

Not applicable. Nam Kim Steel does not tier or segment its domestic customers for the goods in terms of pricing.

15. Do you sell the goods to related entities in Vietnam? 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 a copy of any internal document relevant to establishing pricing to related parties.

Response:

Not applicable. Nam Kim Steel does not sell the goods to the related entities in Vietnam.

I-4 Marketing and sales support in the Vietnamese market

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

Response:

The domestic sales staff will find a way to contact stores, factory works and project works. He will introduce the potential customers with [redacted].

When receiving the inquiry, the staff can send offer via [redacted].

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

Response:

Not applicable. Nam Kim Steel does not conduct brand segmentation in the Vietnamese market for the goods.

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

Response:

Nam Kim Steel has not advertised individually the goods over the past five years but made for all products and its brand. [redacted].

4. How many people are in your Vietnamese market 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.

Response:

There are [] of Nam Kim Steel's Domestic Sale Department. The department is locating at the headquarter of the company, which is located at:

Lot A1, D2 Street, Dong An 2 Industrial Park, Hoa Phu Ward, Thu Dau Mot City, Binh Duong Province, Vietnam.

Each sale staff will be responsible for specific customers and some staffs will be grouped into a team to take care an area. [].

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.

Response:

The sales staff will negotiate the price with its customer on detail specification of products, quantity, term of delivery. [].

SECTION J PRODUCTION AND PRODUCTION COSTS

J-1 Production of the goods

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

Response:

There are some determined factors in volume of production for the goods, product mix of production as follows:

- The appropriate shut-down timing for maintenance under normal working condition of each production line.
- The production capacity of each production line for every detail specification of products.
- The minimum quantity of products required to operate the production line.
- The production orders from Sales Departments for the goods which have been negotiated with the customers.

In general, the production plan for volume determination of the goods and other products will be scheduled in [] with below process:

- The Domestic and Export Departments send production orders to the Production Department, [] before the production plan.
- After receiving the production orders, the Production Department will review, arrange and allocate production plan for each production line so that an order will be finished production [] [] .

Please refer to **Exhibit J-1.1_CONF_Production Plan for March 2020** for our response to this question.

2. What lead times are typically needed to adjust volumes of production for the goods? Provide copies of internal documents which support your claims in response to this question.

Response:

The lead time is typically needed to adjust volumes of production for the goods and other products is []. However, in some special cases, the lead time may be shorter.

Please refer to Exhibit J-1.1 - Production Plan for March 2020 (**page 04 & page 08**) for Nam Kim Steel's response to this question.

3. Do you have warehousing facilities for the goods? If no, what do you do with excess inventory? If yes:
 - (a) What is the volume capacity of these facilities?

Response:

Nam Kim Steel does use warehousing facilities for all coated steel products and other materials such as Hot Rolled Steel Coils, Cold Rolled Steel Coils, etc. Nam Kim Steel does not arrange warehousing facilities for the goods only. The volume capacity of these facilities is as below:

- Factory Nam Kim 2's warehousing facility: []
- Factory Nam Kim 3's warehousing facility: []

- (b) What was the monthly amount of inventory maintained during the investigation period?

Response:

Please refer to **Exhibit J-1.3_CONF_Monthly Inventory** for Nam Kim Steel's response to this question.

- (c) What is the average period of time that inventory is retained (describe how this is calculated)?

Response:

The average period of time that inventory is retained around [].

4. Have there been any changes to the type of capital or technology utilised by your company in the manufacturing of the goods in the last five years? If yes, provide details.

Response:

Not applicable. Nam Kim Steel has been used [] technology in the manufacturing of the goods in the last five years. However, we have installed new production lines from new suppliers to improve product quality and increase more production capacity.

5. For each plant capable of producing inputs that could be utilised to make the goods, provide the date that production facility came into operation and the production capacity of the plant over the past five years. The production capacity should be based on an actual production capacity, not a budgeted production capacity. Provide copies of internal documents which support your claims in response to this question.

Response:

Please refer to **Exhibit J-1.5_CONF_Capacity Utilisation for each plant** for Nam Kim Steel's response to this question of plant capacity of producing inputs [].

6. List any significant investments in the past five years to either upgrade, refurbish or build any of the plants used in the production of the goods.

Response:

Please refer to **Exhibit J-1.6_CONF_Investment in new manufacturing line** for Nam Kim Steel's response to this question.

7. Confirm whether management reports are prepared on production costs. If yes:
- (a) specify how often these cost reports are prepared;
 - (b) describe the level of detail in those reports and whether they enable the establishment of costs of producing the goods; and
 - (c) specify to whom within the company these reports are provided; and
 - (d) provide copies of these reports for each month of the investigation period.

Response:

Not applicable. There is no management report that prepared on production costs.

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;

Response:

Following the general trend of other countries in the world, the price level of the goods in Australia has fallen over the past 5 years. This may come from many reasons such as low demand, decreased price of input raw material , etc.

The production and distribution of the goods are mainly located in Queensland, New South Wales and Victoria, corresponding with the high population concentration.

Regarding to main characteristics of the goods, the thickness demand is normally from [1], while Aluminium-Zinc coating is required with [1]. The width is various from [1].

- (b) Provide the sources of demand for the goods in Australia, including the categories of customers, users or consumers of the product;

Response:

The sources of demand for the goods in Australia include:

- Residential construction.
- Commercial and industrial construction.
- Substitution into markets previously dominated by other materials, including replacing timber for residential framing and replacing zinc coated steel products for structural framing in the commercial/industrial internal partitioning and walling.

The categories of customers, users or consumers of the goods might be service centers with slitting process, cut into sheet, etc. or end-buyer (cladding, roofing, walling, framing, etc.).

- (c) Provide an estimated proportion (%) of sales revenue from each of those sources of demand listed in (b);

Response:

We estimate the proportion (%) of sales revenue from each of those sources of demand listed in (b) as follows:

- Residential construction (70%).
- Commercial and industrial construction (10%).
- Substitution into markets previously dominated by other materials, including replacing timber for residential framing and replacing zinc coated steel products for structural framing in the commercial/industrial internal partitioning and walling (20%).

- (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;

Response:

A variety of factors influence demand variability for aluminium zinc coated steel products within the Australian market, including:

Seasonal fluctuations

- Building industry Christmas and New Year shutdown directly impacts construction.
- Rain season in tropical climates impact construction.

Factors contributing to overall market growth or decline

- Market trend of real estate.
- Availability of capital for infrastructure spending of government and private.
- General macro-economic factors such as bank interest rates directly impact on investment decisions by home buyers, investors and developers.
- Global and domestic economic conditions (GDP, unemployment, inflation, interest rates).
- Global and domestic business and consumer confidence.

Government regulation

- Policy - major government spending on infrastructure.
- New home rebates which can pull forward demand.

Developments in technology affecting either demand or production

- Not significant.

- (e) Describe any market segmentations in Australia; such as geographic or product segmentations;

Response:

The Australian market for aluminium zinc steel products is made up of two key market segments:

- Residential construction and industrial/commercial segment.
- The smaller manufacturing industry segment.

- (f) Provide an estimated proportion of sales revenue from each of the market segments listed in (e);

Response:

We estimates proportion of sales revenue from each of the market segments listed in (e) as follows:

- Residential construction and industrial/commercial segment (80%).
- The smaller manufacturing industry segment (20%).

- (g) Describe the way in which Australian manufactured, Vietnamese and other imported goods compete in the Australian market;

Response:

The way in which Australian manufactured, Vietnamese and other imported goods compete in the Australian market as follows:

- Direct from the local mill.
- From the local service centers.
- From the local stockists.
- Direct from overseas mills.

- From international trading companies.
- (h) Describe the ways that the goods are marketed and distributed in the Australian market; and

Response:

- The ways that the goods are marketed and distributed in the Australian market:
- Direct from the local mill.
 - From the local service centers.
 - From the local stockists.
 - From international trading companies.
- (i) Describe any other factors that are relevant to characteristics or influences on the market for the goods in Australia.

Response:

Not significant.

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

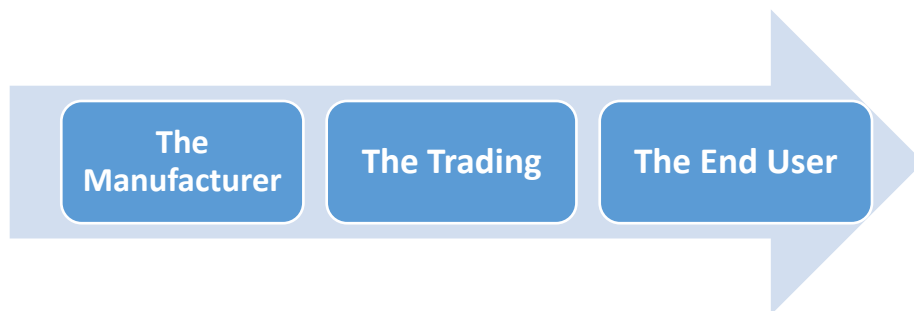
Response:

Not applicable. The above responses to questions 1(a) to (i) are mostly theoretical and based on our understanding and estimation on the market.

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.

Response:

In our business customize, our Australian customer could be listed as the Trading/Stockist (or may be called as the Wholesaler) and the end user type.



The seller/manufacture role is the party whom product and sell/distribute the specified product to serve the demand of the buyer, taking responsibility to deliver the goods as correct required specification and quality at appointed place, as said in sale contract.

The trading role is the party whom import the product then supply them to other buyer in Australia, taking the responsibility to make a payment on time and receive the goods as correct required specification and quality, at appointed place, as said in sale contract. However, Nam Kim Steel does not have any control on the trading role, the corporation is seen in simple selling – buying relationship only.

The end user role is the party whom might import directly or purchase our material from other Australian supplier.

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;
 - the level of trade for each market participant (e.g., manufacturer, reseller, original equipment manufacturer (EOM), retailer, corporate stationer, importer, etc.);
 - a description of the degree of integration (either vertical or horizontal) for each market participant; and
 - an estimation of the market share of each participant.

Response:

Please refer to our response in the above question K-1.2 for the definition of each participant. On Australian market, the Trading /Stockist will occupy larger percentage because mostly end-users will need them to support on financial credit line.

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.

Response:

As explained in the question K-1.2 and K-1.3, the importers in the Australian market for the goods may be Trading houses or End-users. They can import the goods from many countries such as China, Taiwan, Korea, Vietnam, etc.

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.

Response:

At the moment, the regulatory framework of the Australian market for the goods is the Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area (AANZFTA): it is an agreement between ASEAN Member States (Brunei Darussalam, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam), Australia and New Zealand. It delivers extensive tariff reduction and greater certainty for services suppliers and investors. The Agreement remains the highest quality of ASEAN's FTAs with its partners. AANZFTA entered into force in January 2010 for 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.

Response:

Not applicable. We do not recognize any entry restriction for new participants into the Australian market for the goods at the moment.

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.

Response:

The Nam Kim Steel's product range for sale in the Australia market is as follows:

- quality differences: Nam Kim Steel only offers prime quality.
 - price differences: Nam Kim Steel offers different price for different thickness, width, coating mass.
 - supply/availability differences: not applicable.
 - technical support differences: not applicable.
 - the prevalence of private labels/customer brands: not applicable.
 - the prevalence of generic or plain labels: not applicable.
 - the prevalence of premium labels: not applicable.
 - product segmentation: not applicable.
2. Describe the end uses of the goods in the Australian market from all sources.

Response:

The end uses of the goods in the Australian market are for cladding, roofing, walling, truss, etc.

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.

Response:

Not applicable. The purchasing decision of customers is based on their demand of the goods and their acceptance on pricing level. It is not depended on the product attributes.

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

Response:

The commercially significant market substitutes in the Australian market for the goods include:

- Zinc coated (galvanised) steel coil (in some product applications).
- Painted aluminium zinc coated steel coil.
- Painted galvanised steel coil.

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

Response:

The commercially significant market complements in the Australian market for the goods are Aluminium zinc coated steel (of a width equal or greater than 600 millimeters).

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.

Response:

We do not recognize any changes of the product characteristics or consumer preferences in the Australian market 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

Response:

The proportion of Nam Kim Steel's sales revenue derived from sales of the goods in Australia is about of the company's total sales revenue.

Please refer to **Exhibit K-3.1_CONF_Proportion of Sales Revenue and Profit** for the detail calculation.

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

In responding to question 1 please provide evidence to support the calculations.

Response:

The proportion of Nam Kim Steel's profit derived from sales of the goods in Australia is about of the company's total profit after tax.

Please refer to **Exhibit K-3.1_CONF_Proportion of Sales Revenue and Profit** for the detail calculation.

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.

Response:

Not applicable. Nam Kim Steel is not the price leader of the goods in the Australian market. In fact, the quantity we sell to Australia is not big and the pricing level we offer the customers mostly base on our costs (i.e. input raw material, ocean freight, production cost, etc).

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.

Response:

As per our previous explanation in the question K-3.3, our pricing level will depend on the costs i.e. input raw material, ocean freight, production cost, etc. The most influenced factors are . Because they are not stable so our offer validity is for short time with . This pricing policy is applied for all markets, including Australian market.

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.

Response:

Please refer to our response to the question K-3.3 for our reply to this question. We do not have price lists or any internal documents which support how pricing is determined.

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.

Response:

After our offer validity of [], we will update the offer based on real market situation, normally with the increase/decrease of [].

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]

Response:

Below is the ranking of factors with the most important factor ranked first and the least important factor ranked last:

- Cost to make and sell the goods
- Purchase price of raw materials
- Desired profit
- Volume of the order
- Value of the order
- Competitors' prices

For other factors, they are not applied in Nam Kim Steel.

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.

Response:

Nam Kim Steel does not maintain a desired profit margin for the goods.

The selling prices of Nam Kim Steel's steel products are determined not only on the cost of input materials and cost of production, but also on the market forces of supply and demand, as well as fluctuations in the prices and availability of production materials such as HRC, CRC, etc. The

sales staff will negotiate the price with its customer on detail specification of products, quantity, term of delivery. [1].

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.

Response:

Not applicable. We do not offer price reductions in the Australian market.

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.

Response:

Not applicable. Nam Kim Steel does not offer bundled pricing in the Australian market.

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.

Response:

Not applicable. Nam Kim Steel does not specify any standard of volume or the size of an order that is used to determine selling price.

11. Does your organisation/business entity use sales contracts in the Australian market? If yes:

Response:

Yes, Nam Kim Steel uses Sales Contracts in the Australian market and this is also applied for all other export markets.

- (a) What proportion of your sales revenue would come from contracted sales versus uncontracted sales?

Response:

[1] of our sales revenue comes from contracted sales.

- (b) Do you offer exclusivity contracts? If yes, what proportion of your sales revenue would come from exclusivity contracts?

Response:

Not applicable. We do not offer exclusivity contract to any export customer. Every contract will be discussed and agreed case by case between Nam Kim Steel and its customer.

- (c) How frequently are sales contracts renegotiated?

Response:

Any new order will need to be renegotiated case by case.

(d) How frequently are price reviews conducted between contracts?

Response:

Our offer price will be updated on a new inquiry from customers. Therefore, a new contract will be reviewed and discussed individually. Nam Kim Steel does not offer long-term contract to its customers.

(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.

Response:

Not applicable. The contracts are only signed after final agreements between Nam Kim Steel and its customers. Therefore, they are not allowed to modified within the contracts.

(f) Do changes in your costs to make and sell enable you to review prices for customers within contracts?

Response:

Not applicable. The contracts are only signed after final agreements between Nam Kim Steel and its customers. Therefore, they are not allowed to modified within the 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.

Response:

Please refer to **Exhibit B-3.1_CONF_Sample Export Documents** for Nam Kim Steel's response to this question.

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.

Response:

Not applicable. Nam Kim Steel does not offer price lists for export market. For any new inquiry, it will need to be updated case by case.

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 method 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.

Response:

The pricing difference will depend on **[]**. Nam Kim Steel does not group different products for price differentiation. In fact, each different size will have different pricing level because it will have different production cost, input raw material cost, etc.

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.

Response:

Not applicable. Nam Kim Steel does not tier or segment its Australian customers for the goods in terms of pricing.

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.

Response:

Not applicable. Nam Kim Steel does not have related entities in overseas countries, including Australia.

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.).

Response:

On the Australian market, Nam Kim Steel sells to [] of customers:

- []
- []

Sometimes, customers contact to Nam Kim Steel for quotation, or, our salesmen contact customer via email or phone call which might collect from websites.

Normally, in the beginning, the customers will make a trial order with small quantity to check quality and documents. After that, if the process is fluent and the quality is qualified, they will keep buying with bigger quantity.

For each inquiry, we always offer quotation with pricing, leading time, offer validity, standard, etc. based on actual market situation, as below:

- Pricing: []
- Offer validity: []
- Quality: []
- Lead time: [] after signing contract and completing payment method
- Standard: []

The sales contract is only signed after the customer confirms above conditions.

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.

Response:

Not applicable. Nam Kim Steel does not conduct brand segmentation in the Australian market for the goods.

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.

Response:

Not applicable. Nam Kim Steel has not conducted any promotion campaigns over the investigation period for export sales activities.

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.

Response:

[1]. They will need to find a way by themselves to contact to the Australian customers (email or phone call), make a deal and prepare the Sales Contract. Therefore, the monthly salary will be paid based on the salesman's performance (volume of sales) on all markets of the month, not only on singular market.

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.

Response:

The sales staff will negotiate the price with its customer on detail specification of products, quantity, term of delivery. [1].

SECTION L COUNTERVAILING

The following programs are being investigated:

Category	Program number	Program name
Less than adequate remuneration (LTAR)	22	Acquisition of State Assets at Less Than Fair Market Value
Grant	2	Support for the Implementation of Projects Manufacturing Priority Industrial Products (Updating Programme III of 2003-2004)
	3	Investment Incentives Contingent upon Export Performance For Domestic Businesses (Updating Programme IV of 2003-2004)
	4	Other Investment Incentives for Domestic Businesses (Updating Program V of Period 2003-2004)
	5	Investment Incentives Contingent upon Export Performance for Foreign Invested Enterprises (Updating Programme VI of the Period 2003-2004)
	6	Other Investment Incentives for Foreign Invested Enterprises (Updating Programme VII for Period 2003-2004)
	7	Preferential Investment Credit for Development Contingent upon Export Criteria (Updating Programme VIII of Period 2003-2004)
	8	Preferential Development Credit for Investment Contingent Upon Localisation Ratios (Updating Programme IX of Period 2003-2004)
	9	Other Preferential Investment Credit for Development (Updating Program X of Period 2003-2004)
	10	Export Promotion
	11	Trade Promotion (Updating of Programme XIII of Period 2003-2004)
	12	Support for Mechanical Products (Updating Program XV of Period 2003-2004)
	13	Support for Shipbuilding Industry (Updating of Programme XV of Period 2003-2004)
	14	Assistance for Commercial Development in Mountainous, Island and Ethnic Minority Areas (Updating Programme XVI of Period 2003-2004)
	15	Assistance to Enterprises Facing Difficulties due to objective reasons
	16	Incentives for Investment Projects in Science and Technology (Updating Programme XVIII of Period 2003-2004)
20	Grants to Firms that Employ More than 50 Employees	
21	Investment Support (consisting of two separate programs)	
Preferential Loan	23	Export & Import Support in the Form of Preferential Loans, Guarantees, and Factoring (consisting of five separate programs)
	24	Export Support Loans at Preferential Rates
	25	Interest Rate Support Program under the State Bank of Vietnam
	26	Preferential Lending under the Viet Bank Export Loan Program
Tax	18	Incentives on corporate income tax for enterprises operating in regions or sectors entitled to incentives
	19	Incentives on non-agricultural land use
	27	Accelerated Depreciation of Fixed Assets
	28	Additional Income Tax Preferences for Exporters
	29	Enterprise Income Tax Exemption/Reduction for Business

Category	Program number	Program name
		Expansion and Intensive Investment Projects
	30	Enterprise Income Tax Preferences, Exemptions, and Reductions (consisting of seven separate programs)
	31	Establishments Dealing with Exported Goods
	32	Exemption of Import Tax on Equipment and Machinery Imported to Create Fixed Assets
	33	Exemptions/reductions of Land Rent, Tax, and Levies (consisting of five separate programs)
	34	Land-Use Levy Exemptions/Reductions
	35	Preferential Income Tax Rates for Enterprises within Economic Zones or Industrial Parks
	36	Preferential Provisions for Carry-forward of Losses
	37	Tax Exemptions and Reductions for Encouraged Sectors
	38	Tax Exemptions and Reductions for Foreign-Invested Enterprises
	39	Tax Exemptions and Reductions for Investment in Disadvantaged Regions
	40	Tax Exemptions and Reductions for Investments in Economic Zones or High-Tech Industrial Parks
	41	Tax Preferences for Investors Producing and/or Dealing in Export Goods
Tariff Policy	1	Preferential Import Tariff Rates contingent upon Localisation Ratios with respect to products and Parts of Mechanical-Electric-Electronic Industries (updating Programme II of Notification of Subsidies period 2003-2004)
	17	Preferential Import Tariff Rates for enterprises investing in regions or sectors entitled to investment incentives
	42	Excessive Duty Exemptions for Imported Raw Materials for Exported Goods
	43	Exemptions of Import Duty (consisting of seven separate programs)
	44	Refund of Import Duties

L-1 General

- Complete the worksheet named "L-1 Company turnover"
 - This worksheet is a table of the total company revenue over the period and split into:
 - Total revenue for Australian sales, domestic sales and third country sales
 - Revenue of the goods for Australian sales, domestic sales and third country sales
 - You must provide this table in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Please refer to [Appendix L-1_CONF_Company turnover](#) for Nam Kim Steel's response to this question.

L-2 Provision of goods

The Commission understands that the Government of Vietnam has supported a program entitled Acquisition of State Assets at Less Than Fair Market Value.

- Complete the worksheet named "L-2 Provision of goods"

- This worksheet is a table of the assets (land, equipment, etc.) purchased by the company over the period, plus the **TWO** preceding years.
- You must provide this table in electronic format using the template provided.
- If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Not applicable. Nam Kim Steel is not granted any entitlement from this Program.

2. For the assets identified in L-2.1:
 - a. Indicate which goods you produced that benefited from the purchase of the assets.
 - b. Provide a copy of the contract and application form, or any other documentation, relevant to the purchase of the assets.
 - c. Provide evidence of the purchase of the asset.
 - d. Provide evidence of the valuation of the market value of the assets.

Response:

Not applicable. Nam Kim Steel is not granted any entitlement from this Program.

L-3 Preferential tax programs

1. Complete the worksheet named "L-3 Income Tax"
 - This worksheet is a table of your company's income tax liability over the last three financial years.
 - You must provide this table in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Please refer to **Appendix L-3_CONF_Income Tax** for Nam Kim Steel's response to this question.

2. Provide a copy of your company's annual tax return for the last three financial years. If the documents are not in English, please provide a translation of the documents.

Response:

Please refer to **Exhibit L-3.2_CONF_Declarations of Tax Finalisation** for our response to this question.

3. Provide proof of your company's tax payments to your tax authority over the last three financial years, including any progress payments made and related forms submitted to reconcile the annual tax return.

Response:

Please refer to **Exhibit L-3.3_CONF_Tax Payment in 2017, 2018, 2019** for Nam Kim Steel's response to this question.

4. What is the general tax rate for enterprises (also referred to as the company or corporate tax rate) during the previous two financial years?

Response:

Under Clause 1, Article 11 of Circular 78/2014/TT-BTC, the general tax rate for enterprise in 2018 and 2019 is 20% (As it has decreased from 22% to 20% since 01/01/2016).

5. Did your company pay less than the general tax rate for enterprises referred to in question I-3.4?
If yes:
- What tax rate did your company pay?
 - What is the name of the program?
 - What is the name of the authority granting your company the reduced tax rate?
 - What is the eligibility criteria to benefit from the reduced tax rate?
 - Provide details of the application process
 - Provide a copy of the blank application form. If the documents are not in English, please provide a translation of the documents.
 - Provide a copy of your company's completed application form, including all attachments to the application form. If the documents are not in English, please provide a translation of the documents.
 - Provide a copy of any confirmation or other correspondence from the authority approving your company for the reduction in tax rate. If the documents are not in English, please provide a translation of the documents.
 - Outline the fees charged to, or expenses incurred by your business for purposes of receiving the program.

Response:

Not applicable. Nam Kim Steel has to pay the corporate income tax with the tax rate the same as the general tax rate applied for the whole country.

L-4 Financial grants

1. Complete the worksheet named "L-4 Grants"
- This worksheet is a table of the grants received by company over the period plus the two preceding years.
 - You must provide this table in electronic format using the template provided.
 - If you have used formulas to complete this worksheet, these formulas must be retained.

Response:

Not applicable. Nam Kim Steel is neither the subject to any grants provided by the Government nor any subsidy program listed in the exporter questionnaire.

2. Provide a copy of your company's non-operating income and/or other business income ledgers, extracted directly from your accounting system, for the period covering the period plus the 2 preceding years.

Response:

Please refer to **Exhibit L-4.2_CONF_Book Account 711** for the period 01.04.2017 - 31.03.2020 for Nam Kim Steel's response to this question.

3. Did your company receive any grants (or any other financial contribution) from any level of government during the period plus the two preceding years?
If yes:
- Were any of the grants related to any program listed in the table at the top of Section I above? If yes, identify the program.
 - Were any of the grants related to programs not listed in the table at the top of Section I above? If yes, provide the names of the programs.

Response:

Not applicable. Nam Kim Steel did not receive any grants (or any other financial contribution) from any level of government during the period plus the two preceding years.

4. For each of the grants listed in L-4.3:
- What is the name of the grant?

- b. What is the name of the authority providing the grant?
- c. What is the eligibility criteria to receive the grant?
- d. Is the grant directly related to the goods under consideration, export sales to Australia and/or export sales generally?
- e. Provide details of the application process.
- f. Provide a copy of the blank application form. If the documents are not in English, please provide a translation of the documents.
- g. Provide a copy of your company's completed application form, including all attachments to the application form. If the documents are not in English, please provide a translation of the documents.
- h. Provide a copy of any confirmation or other correspondence from the authority approving the grant. If the documents are not in English, please provide a translation of the documents.
- i. Provide proof of payment of your company receiving the grant (e.g. bank statements).
- j. Provide a copy of the accounting journal entries relating to the grant.
- k. Outline the fees charged to, or expenses incurred by your business for purposes of receiving the grant.

Response:

Not applicable. Nam Kim Steel did not receive any grants (or any other financial contribution) from any level of government during the period plus the two preceding years.

L-5 Tariff and VAT exemptions on imported materials and equipment

If your business or any company/entity related to your business received benefits under any program that provided an exemption from the payment of import duty and import VAT during the review period, please answer the following questions.

1. Please complete worksheet "L-5 VAT and tariff transactions".

Response:

Please refer to the **Appendix L-5_CONF_VAT and Tariff transactions** for Nam Kim Steel's response to this question.

2. Provide complete details involving the amount of the VAT refund received, including whether the refund was received in a lump sum or multiple instalments.

Response:

Nam Kim does not receive the amount of the VAT refund under any Subsidy Program of Government of Vietnam. The subject to the VAT is the consumers in Vietnam, who exploit the use-value of the goods, therefore, the manufacture and/or the trading sectors do only pay tax for the purpose of calculation of value added of the product until it belongs to the consumers.

Thus, the VAT is calculated based on the difference between the VAT output and the VAT input, called the Value added tax. Export products from Nam Kim is definitely not a subject to the VAT as the consumers are outside of Vietnam territory, so the VAT output of export products is zero. Each month, our accounting department calculate the difference between the VAT input (purchase the raw material, etc.) and the VAT output (goods sold domestically and 0 for goods exported) for the VAT refund. This amount of VAT refund is based on the natural meaning of VAT and is applied on over the country.

Please refer to **Exhibit L-5.2_CONF_VAT refund in June 2019** for our randomly selected month to provide further detail in this response.

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

Response:

Nam Kim Steel received the tariff exemption on imported equipment, machinery for forming the company's fixed asset. This is applied for all companies in Vietnam who import equipments, machineries for forming the company's fixed asset.

Our company does not have to proceed any application and/or approval procedure for obtaining a benefit under the program. This preferential tax is shown on the Certificate of Investment for []. Under Article 15, 16 Law on Investment 2014, Nam Kim Steel's project investments are in Preferential Investment Location as these facilities located in Industrial Zone, Nam Kim Steel received the benefit of that Program in accordance with Import, Export Tariff Law 2005.

Please refer to **Exhibit L-5.3_CONF_Certificate of Investment** of [] for further detail to this response.

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

Response:

Not applicable. Nam Kim Steel does not proceed any application and/or approval procedure for obtaining a benefit under the program.

5. Outline the fees charged to or expenses incurred by your business in receiving the program.

Response:

Not applicable. Nam Kim Steel is not charged with any fee or expense in receiving the program.

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

Response:

This preferential tax is shown on the Certificate of Investment for the investment project of Nam Kim Steel Joint Stock Company for []. Under Article 15, 16 Law on Investment 2014, Nam Kim Steel's project investments are in Preferential Investment Location as these facilities are in Industrial Zone, Nam Kim Steel received the benefit of that Program in accordance with Import, Export Tariff Law 2005.

7. State whether your eligibility for the program was conditional on one or more of the following criteria:
 - (a) whether or not your business exports internationally, or has increased its exports;
 - (b) the use of domestic rather than imported inputs;
 - (c) the industry to which your business belongs; or
 - (d) the region in which your business is located.

Response:

Nam Kim Steel meets the criteria: the region in which Nam Kim Steel's investment project is located in Preferential Investment Location, as follows:

- []
- []

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

Response:

Not applicable. There was not any activity or project required to do to receive the benefit.

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

Response:

Not applicable. Nam Kim Steel did not keep any records regarding each of the benefit received under this program.

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

Response:

Not applicable. Nam Kim Steel did only purchase the machinery and/or equipment for forming fixed asset with the preferential amount of imported tax and recorded into accounting system normally as any other purchasing products. We do not separate the product under this program.

11. Were the materials and/or equipment that were entitled to a refund of VAT used in the production of the goods during the investigation period? If yes, provide the following information:
- (a) type of inputs;
 - (b) cost of inputs;
 - (c) quantity of inputs; and
 - (d) amount of VAT refunded.

Response:

Nam Kim Steel received the amount of refund based on the calculation of the difference between VAT input and VAT output as explained above. There is none of subsidy program for this amount of refund.

12. Has your company received exemption from payment of or refunds of import duty and import VAT for imported material inputs (e.g. hot rolled coil, coking coal and coke) at any time that were used in the production of the goods during the investigation period? If yes, provide the following information:
- (a) description of imported product;
 - (b) country of origin;
 - (c) quantity of imported product;
 - (d) purchase price;
 - (e) terms of purchase (e.g. FOB, CIF);
 - (f) ocean freight;
 - (g) value for duty of imported product;
 - (h) regular rate of taxes and duties;
 - (i) concessionary rate of taxes and duties;
 - (j) amount of duties and taxes normally applicable;
 - (k) amount of duties and taxes paid;
 - (l) amount of duties and taxes exempt;
 - (m) date of importation;
 - (n) tariff classification number;
 - (o) customs entry number; and
 - (p) application fee.

Response:

Nam Kim Steel has not received exemption of import duty for these goods.

About the refund of VAT import, Nam Kim Steel received the amount of refund based on the calculation of the difference between VAT input and VAT output as explained above. There is none of subsidy program for this amount of refund.

13. Explain if (and how) the Government of Vietnam determines which imported inputs are consumed by your business in the production of the subject goods and in what amounts, and the amount of duty paid or payable on the inputs (including any allowance for waste).

Response:

Not applicable. The Government of Vietnam does not involve in determination of imported inputs used for produce the subject of goods.

14. Explain how the Government of Vietnam determined the percentage rate of duty exemption.

Please note that goods consumed in the production of exported goods (inputs) include:

- (a) goods incorporated into the exported goods; and
- (b) energy, fuel, oil and catalysts that are used or consumed in the production of the exported goods.

Response:

Not applicable. The Government of Vietnam does not involve in determination of imported inputs used for produce the subject of goods.

15. Provide a representative sample of copies of import entry documents (for example: bill of entry, invoice from supplier, etc.) for each type of importation covering duty-exempt inputs and duty-paid inputs imported for use in the manufacturing of the subject goods.

Response:

Not applicable. The Government of Vietnam does not involve in determination of imported inputs used for produce the subject of goods.

16. In addition to the import entry documents, you must also provide copies, if applicable, of any applications submitted to and/or approval document received from the Government of Vietnam relating to the exemption from the payment of import duty and import VAT on imported inputs and in relation to the VAT that is refunded on the exportation of the subject goods.

Response:

Not applicable.

As Nam Kim Steel received the amount of refund based on the calculation of the difference between VAT input and VAT output as explained above, it is not subsidy program for this amount of refund. Therefore, there is any application submitted to and/or approval document received from the Government of Vietnam relating to the exemption from the payment of import duty and import VAT on imported inputs and in relation to the VAT that is refunded on the exportation of the subject goods.

17. Provide copies of reports and audits by the Government of Vietnam authority responsible for administering the duty rebate or duty drawback scheme with respect to the verification of the importation and use of inputs and the remittance or drawback of the related duty paid or payable.

Response:

Not applicable. There is no audit by the Government of Vietnam authority responsible for administering the duty rebate or duty drawback scheme with respect to the verification of the

importation and use of inputs and the remittance or drawback of the related duty paid or payable.

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

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

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

Response:

Except the program that Nam Kim Steel receives the tariff exemption on imported equipment, machinery for forming the company's fixed asset; Nam Kim Steel does not receive any other programs of Tariff and VAT exemptions on imported materials and equipment from Government of Vietnam.

The program of tariff exemption on imported equipment, machinery for forming the company's fixed asset is still operating since at current, there was none of any change from law or Government policy about this Program.

L-6 Preferential Loans/Financial Assistance

It is the Commission's understanding that certain enterprises in Vietnam benefit from low (subsidised) interest rates or credit facilities from state owned commercial banks and government banks.

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

Provide answers to the following questions in the worksheet "L-6 Preferential Loans".

Response:

In order to secure the necessary financial resources on financial market, Nam Kim Steel borrows from credit institutions and bear the market interest rates, Nam Kim Steel does not receive any benefit from low interest rate (subsidy) of the Government.

Therefore, the Appendix L-6 Preferential Loans will be blank.

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

Response:

Please refer to **Exhibit L-6.2_CONF_List of all the loans** for Nam Kim Steel's response to this question.

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

Response:

Please refer to **Exhibit L-6.2_CONF_List of all the loans** for Nam Kim Steel's response to this question.

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

Response:

Among the banks from which Nam Kim Steel had loans, there are [] which are partially owned by the GOV with the percentage of the GOV's ownership interest indicated in the table below.

No.	Bank	Percentage of ownership until 26 Aug 2020
1.	[]	[]
2.	[]	[]
3.	[]	[]

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

Response:

Not applicable. Nam Kim Steel does not receive any preferential loan from these banks than other commercial banks and the GOV does not impact into our loans with these banks. The loans are all based on market interest rates.

The reason that Nam Kim Steel choose these banks is because they are ones of the largest and most prestigious banks in Vietnam.

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

Response:

The loans from Nam Kim Steel is as normal as other borrowers, based on the discussion between Nam Kim Steel and its banks.

In general, the process to apply for the loan is the same between banks, as follows:

Step 1: The customer prepares a credit file and sends it to the bank, legal documents include:

- Establishment license or business registration certificate or investment certificate.
- Company charter.
- Decision to appoint a director and a chief accountant (if any).
- ID card or Passport, Household registration book of the representative of the company who takes out the loan (Photo).
- Tax registration certificate.
- Financial statements of the enterprise (at least 02 latest years).
- Loan plan.
- Effective production and business plan to ensure ability to repay the bank.
- Bank repayment plan.
- Loan security assets as prescribed:
 - + Real estate: Certificate of house and land ownership.
 - + Cars, machines, equipment, vehicles, goods: Invoices, sales contracts.
 - + Valuable vouchers: certificate of capital contribution, stocks, bonds ...

Step 2: The bank evaluates the credit file:

- The bank reviews, verifies and evaluates information of the entire file provided by the customer.
- The bank checks if the file is compliance with the conditions of the bank.

Step 3: The bank makes decision to lend:

After the banking staff finishes appraising; a credit proposal will be prepared and approved by competent authorities. Based on records and information, the authorities will approve the loan. In some cases (usually large loans), there will be another independent department to re-evaluate customer records again to ensure objectivity and transparency. In case of a loan, customers and the bank will negotiate the terms of Credit Contract and sign the Credit Contract.

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

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

Response:

Please refer to **Exhibit L-6.7_CONF_Documents of the loans** for Nam Kim Steel's response to this question.

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

Response:

Not applicable. There is no link between the purpose of the loan and the goal specified in any government plan or development program. All loans made during this period were based on nature of commercial type.

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

Response:

Not applicable. There were no involvement of third parties such as government departments, local councils, party committees in the whole process since the application for the loan was up to the decision of Nam Kim Steel itself regarding to their business operation.

10. In the "L-6 Preferential Loans" spreadsheet, provide the information requested on guarantees for the loans provided to your company.

Response:

As stated above, Nam Kim Steel does not receive any Preferential Loans from banks but we have to bear the market interest rates. In order to get the loans, Nam Kim Steel has to submit guarantees for the loans as below table:

BANK	GUARANTEES
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

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

Response:

Not applicable. There was no loan application from Nam Kim Steel during the investigation period which were refused by any bank.

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

Response:

Nam Kim Steel is not a subject of any subsidisation of producers/exporters for the loans granted. For all of our loans in the period of investigation, the previous time of POI and expected time in the future, we do only apply the loans for our financial reasons in our business operation, not for a subsidy program from the Government. Thus, the cooperative banks treat Nam Kim Steel as an objective of non-preferential customer, it means all interest rates of loans were in compliance with their normal market interest rate widely.

L-7 Other Programs

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

Response:

During the POI, Nam Kim Steel had six [6] business operations as the table below:

Name	Location
[REDACTED]	Road N1, An Thanh Production Area, An Thanh Ward, Thuan An District, Binh Duong Province, Vietnam.
[REDACTED]	No. 2 VSIP II-A, Bach Dang Street, Vietnam - Singapore Industrial Park, Vinh Tan Ward, Tan Uyen District, Binh Duong Province, Vietnam.

	Lot B2.2 - B2.3, D3 Street, Dong An 2 Industrial Park, Hoa Phu Ward, Thu Dau Mot Town, Binh Duong Province, Vietnam.
	Lot A1, D2 Street, Dong An 2 Industrial Park, Hoa Phu Ward, Thu Dau Mot City, Binh Duong Province, Vietnam.
	Lot C2 - C16 to C2-20, VL1 Street, Vinh Loc 2 Production Zone, Long Hiep Ward, Ben Luc District, Long An Province, Vietnam.
	Road 01, Tam Hiep port Logistics Industrial Zone, Tam Hiep Ward, Nui Thanh District, Quang Nam Province, Vietnam.
	Room 8.02, 8 th Floor, Ha Do Airport Building, 02 Hong Ha Street, Ward 2, Tan Binh District, Ho Chi Minh city, Vietnam <i>Room 908, 9th Floor, Centre Point building, 106 Nguyen Van Troi, ward 8, Phu Nhuan district, Ho Chi Minh city, Vietnam (former)</i>

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

Response:

Until now, Nam Kim Steel is not aware of any other program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods.

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

Response:

Not applicable. Until now, Nam Kim Steel is not aware of any other program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods.

5. Indicate the type of program, for example:
- the provision of grants, awards or prizes;
 - the provision of goods or services at a reduced price (e.g. electricity, gas, transport);
 - the reduction of tax payable including income tax and VAT;
 - reduction in land use fees;
 - loans at below-market rates; or
 - any other form of assistance.

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

Response:

Not applicable. Until now, Nam Kim Steel is not aware of any other program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods.

6. Indicate whether your company benefited from any of the listed programs during the period.

Response:

Not applicable. Until now, Nam Kim Steel is not aware of any other program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods. Nam Kim Steel has reported all of benefits that we can receive during the POI previously.

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

Response:

Not applicable. There is no goods we produce that benefited from any program from the GOV.

Nam Kim Steel only gets benefit from the preferential tax duty for machinery, equipments used to form fixed assets. They are bought to produce the goods and other coating products i.e. Galvanized Steel Coils and Prepainted Steel Coils.

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

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

9. Where applicable, provide copies of the application form or other documentation used to apply for the program, all attachments, all contractual agreements entered into between your business and the Government of Vietnam and any other official governing documentation in relation to the program³ (including a translation in English).

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

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

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

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

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

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

- (a) whether or not your business exports or has increased its exports;
- (b) the use of domestic rather than imported inputs;

³ A link to an active website setting out the relevant official governing documentation is also acceptable.

- (c) the industry to which your business belongs; or
- (d) the region in which your business is located.

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

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

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

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

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

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

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

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

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

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

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

Response:

Not applicable. Until now, Nam Kim Steel has not received any program of the Government of Vietnam, any of its agencies or any other authorised body that benefits manufacturers of the goods and other coating products.

EXPORTER'S DECLARATION

I hereby declare that NAM KIM STEEL JOINT STOCK COMPANY have completed the attached questionnaire and, having made due inquiry, certify that the information contained in this submission is complete and correct to the best of my knowledge and belief.

Name : NGUYEN THI NGOC LIEN

Signature :

Position in

Company : DEPUTY GENERAL DIRECTOR

Date : 30/08/2020

APPENDIX

GLOSSARY OF TERMS

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

Adjustments

To enable a fair comparison between the export price and the normal value Australian legislation provides for the adjustment of the domestic price paid for like goods. Adjustments are made to account for sales occurring at different times, specification differences, and differences in the terms or circumstances of the sales. The adjustment to the normal value may be upward or downward. Areas where you believe an adjustment is necessary should be identified. Section E of the questionnaire refers.

Examples of adjustments that may be made include: *sales occurring at different times*

(it is sometimes necessary to compare domestic and export sales made at different times - in these circumstances an adjustment may be made to reflect price movements during that time); *specification differences; packaging; taxes; level of trade; advertising; servicing/warranty; inland freight; warehousing; export charges; credit terms; duty drawback; commissions.*

Adjustments may also be required where the normal value is based on costs to make and sell.

Arms length

Sales are not considered to be at “arms length” on your domestic market if there is any consideration payable for the goods other than their price, or there is an association between the buyer and the seller which affects the price, or there will be a reimbursement, compensation or benefit for, or in respect of, the price.

Constructed value

In cases where prices paid for like goods sold in the country of export cannot be used for the determination of normal value, i.e. when there are no or insufficient sales or where such sales were not made in the ordinary course of trade, normal value may be based on a constructed value. Constructed value is calculated on the basis of the cost of production of the goods under consideration plus a reasonable amount for selling, general and administration costs, and for profits, that are associated with sales on the domestic market of the country of export.

Cost of production/manufacturing

The cost of production or manufacture consists of all manufacturing costs associated with the goods. It is the sum of direct materials, direct labour and factory overheads.

Cost to make and sell

The cost to make and sell is the sum of the cost of production or manufacture, and the selling, general and administration costs associated with the sale of those goods.

Country of origin

The country in which the last significant process in the manufacture or production of the goods was performed.

Date of sale

The Commission will normally use the invoice date as recorded in the exporter or producer's records. Another date may be used if this better reflects the material terms of sale. The questionnaire directs attention to matching data sets of domestic and export sales where some other date is used, as well as matching cost information.

Direct labour cost

Direct labour is categorised as a variable cost, i.e. the value varies with the level of production.

Dumping

Dumping occurs when the products of one country are exported to another country at a price less than their normal value.

Dumping margin

Where the export price is less than the normal value the dumping margin is the amount of the difference. It can be expressed as a value or as a percentage of the export price.

Export price

The export price of the goods is usually the price paid or payable to the exporter in arms length transactions, in most instances calculated at the Free on Board (FOB) level.

Exporting country

The country of export is normally the country of origin from which the goods are shipped. The country of export may be an intermediate country, except where the products are merely transhipped through that country, or the products concerned are not produced in that country, and there is no comparable price in that country.

Factory overheads

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

Goods under consideration (the goods)

The goods to which the application for anti-dumping action relates. That is, the goods that you have exported to Australia allegedly at dumped prices.

Incoterms

The following abbreviations are commonly used (comment is provided concerning costs that are normally borne by the seller):

EXW	ex works (the seller's minimum obligation as costs relate to goods being made available at the sellers premises)
FCA	free carrier (main carriage not paid by seller. Pay costs until such time that the goods have been delivered at the named point into custody of a carrier named by the seller. Customs formalities, taxes etc. paid if required)
FAS	free alongside ship (main carriage not paid by seller. Deliver the goods alongside the ship)
FOB	free on board (main carriage not paid by seller. Deliver the goods on board, provide export clearance if required, pay loading costs to the point the goods have passed the ship's rail, pay customs formalities, taxes etc. payable upon exportation)
CFR	cost and freight (main carriage paid by seller. Pay all costs until delivered as well as freight, loading and unloading, pay customs formalities, taxes etc. payable upon exportation)
CIF	cost, insurance and freight (main carriage paid by seller. Pay all costs as under CFR as well as marine insurance)
CPT	the terms CFR and CIF are only used where goods are carried by sea or waterway transport
CIP	carriage paid to carriage and insurance paid to the terms CPT and CIP are used as alternatives to CFR and CIF where the goods are carried by air, road, rail etc.
DAF	delivered at frontier (goods carried by rail or road and cleared for export at the named place at the frontier. Pay costs until delivered at the frontier plus any discharge costs incurred to place the goods at the customer's disposal)

DES	delivered ex ship (goods made available to the buyer on board the ship uncleared for import at the named port of destination. Pay all costs incurred in placed at the disposal of the buyer, pay customs formalities, taxes etc. payable upon exportation, and where necessary for transit through another country)
DDU	delivered duty unpaid (Pay all costs for carriage to the agreed point, pay customs formalities, taxes etc. payable upon exportation, and where necessary for transit through another country)
DDP	delivered duty paid (goods made available at the named place in the country of importation – all risks and costs being incurred by the seller including duties, taxes etc. incurred upon importation)

The period

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

Like goods

Like goods are goods sold on the domestic market of the country of export (or to a third country) that are identical in all respects to the goods or that, although not alike in all respects have characteristics closely resembling those of the goods. The term 'like goods' also refers to the goods produced by the Australian industry allegedly being injured by dumped imports.

Normal value

Australian legislation sets out several ways to assess "normal value".

The preferred method is to use the price paid for like goods sold for domestic consumption in the country of export. Usually, these sales are made by you, but there may be circumstances where it is appropriate to use sales made by other sellers on the domestic market.

Sale prices must be at arms length and in the ordinary course of trade. In the absence of relevant or suitable domestic sales, the normal value may be determined by constructing a price based on all costs to make and sell the goods, and an amount for profit. Alternatively the normal value may be ascertained using the price paid for like goods sold in the ordinary course of trade at arms length to customers in a country other than Australia, however this option is rarely used.

Finally, when a normal value cannot be ascertained by any of the above methods, or if no information is provided, the Commission will determine the normal value by considering all the relevant information, including the applicant's information. This allows the applicant's information to be used where sufficient information has not been furnished or is not available.

Where domestic price generally, and the trade of the exporting country are determined or substantially influenced by the government of the exporting country, an alternative/surrogate market economy is selected by the Commission and the normal value is determined as if the surrogate country were the export source.

Ordinary course of trade

Testing for "ordinary course of trade" includes a comparison of the selling price and the unit cost to make and sell for the same period. If sales in respect of a substantial quantity of goods over an extended period of time, usually 12 months, do not recover all costs and these losses are not likely to be recovered within a reasonable period of time, (again usually 12 months) then the sales are regarded as being not in the ordinary course of trade.

There may be circumstances where it is appropriate to use a period other than 12 months in assessing whether sales are in the ordinary course of trade.

Unprofitable sales are to be taken to have occurred in substantial quantities during an extended period where the unprofitable sales amount to 20% or more of the total volume of sales of the goods by the exporter over the period. An extended period of time is usually taken to be a period not less than 12 months. Where unprofitable sales are rejected, normal value is based upon remaining profitable sales provided they occur in

sufficient number. Where all sales have been made at a loss, or profitable sales are insufficient, the normal value may be constructed from costs to make and sell.

Selling, general and administration expenses (SG&A)

The selling, general and administration expenses includes all selling, distribution, general and administration expenses including finance costs that would be incurred if the goods were sold for domestic consumption in the country of export. The amounts are determined in each case using all the available information and may include expenses incurred in:

- . domestic sales of like goods;
- . sale of goods of the same general category by the exporter; or
- . sales in the industry in the country of export.

The expenses must, however, reflect the selling, general and administration costs of the goods. Administrative and selling expenses include: director's fees, management salaries and benefits, office salaries and benefits, office supplies, insurance, promotion, entertainment, depreciation and corporate overheads.