

MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE
NEW DELHI

QUESTIONNAIRE
FOR
GOVERNMENT
(Anti Subsidy Investigation)

DIRECTORATE GENERAL OF
ANTI DUMPING & ALLIED DUTIES

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SECTION A

GENERAL INSTRUCTIONS FOR COMPLETING THE QUESTIONNAIRE

1. The Sections 9, 9B and 9C of the Customs Tariff Act and the Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules, 1995 framed thereunder form the legal basis for anti-subsidy investigations and for the levy of countervailing duties. These laws are based on the Agreement on Subsidies & Countervailing Measures and Article VI and XVII of GATT 1994.
2. Once a prima facie case of subsidy, injury and causal link has been established, the Designated Authority initiates investigation after holding consultation with the Government of exporting country. The case is investigated before recording preliminary and/ or final findings. The investigation process includes eliciting of information on various parameters through a questionnaire from known interested parties, notably exporters/producers, Government of the exporting country, importers and the applicants, and verification thereof, if deemed necessary.
3. The purpose of this questionnaire is to permit the Designated Authority to obtain the information deems necessary for the present investigations. Before attempting to complete the following questionnaire you are requested to refer to the covering letter carefully.
4. The Questionnaire requests information on subsidies alleged to be available to producers and/or exporters of the subject goods in your country. The Authority will also investigate any other subsidy program that may confer a benefit on producers and/or exporters of the product concerned in your country.
5. Your attention is drawn to the fact that it is necessary to reply as accurately and completely as possible to all questions and to attach all relevant supporting documents, including documents not specifically requested in this questionnaire. Do not leave any question or section blank. If the answer to a question is "none", write "none". Some questions require narrative or explanatory answers. Clearly refer to the specific question which is being answered. Answer questions in the order presented in the questionnaire.
6. If all information requested is not received by the Authority within the time limit specified in the cover letter, preliminary or final decisions may be made on the basis of facts available in accordance with the Rules supra. Failure to answer all applicable questions accurately may, because of strict statutory time constraints, compel us to use, without providing you with a supplementary questionnaire, the best information available from other sources. If the Designated Authority finds

that any interested party has supplied false or misleading information, it shall disregard any such information and may make use of facts available.

7. If you are unable to respond completely to every question in the attached questionnaire by the established deadline, or are unable to provide all requested supporting documentation by the same date, you must notify the Designated Authority and also submit a request for an extension of the deadline for all or part of the questionnaire response. If you require an extension for only part of your response, such a request should be submitted separately from the portion of your response filed under the current deadline. Statements included within a questionnaire response regarding a respondent's ongoing efforts to collect part of the requested information, and promises to supply such missing information when available in the future, do not substitute for a written extension request.
8. An extension request submitted without a proper certification for any factual information contained therein will be considered improperly filed and, as with any other improperly filed document, will not be accepted. Any extension granted in response to your request will be in writing; otherwise the original deadline will apply. Extensions for your government and for the respondent companies identified above must be requested separately; any extension granted will apply only to the party identified in the written extension issued by the Designated Authority.
9. The amount of subsidy will be determined on the basis of an investigation period specified in the initiation notification.
10. Information and supporting evidence may be given on a confidential basis, where appropriate, as explained in the covering letter. Parties requesting that information be treated as confidential should clearly identify the information for which confidential treatment is requested and provide justification for the request for confidential treatment. Do provide a non-confidential version or non-confidential summary of the information for which confidential treatment is requested within the time limit specified. If it is claimed that the information is not susceptible to such a summary, a statement of the reasons why such a summary is not possible. A non-confidential version should reproduce the original but have information considered to be confidential either omitted or summarized. It should be noted that if any further submissions are made, non-confidential versions of this submission should be also be submitted.
11. The confidential and non-confidential version so supplied should be properly documented/ indexed. Every page containing confidential information must be marked as 'Confidential' in the right hand corner of the top of the page.
12. Please provide two copies of confidential and five copies of non-confidential version of the response/submissions made. Also provide all write ups/ explanations etc. preferably in MS Word file and all formats/ appendices in MS

Excel format in two virus cleared floppies/ CD's as well as hard copies (at the time of initial response as well as during subsequent response/ written submissions following hearing/ rejoinder).

13. If you have any difficulties in filling in all or part of the questionnaire, or require clarification on any questions asked, contact should be made within 15 days of receipt of the questionnaire with the Designated Authority, stating the difficulties experienced or clarification required.
14. In each of your answers, please list your source(s) of information. Please also provide copies of any source materials. This includes, but is not limited to, any laws, decrees, regulations, statements of policy, or other administrative guidelines. In each case, please include any applicable legislative history as well as other descriptive materials and explanations of the criteria underlying the decisions relating to each of the programmes mentioned in their questionnaire. A sample of each of the applications that a company must complete to participate in each of the programmes should also be included. Please translate into English all documents relevant to this investigation. Any submissions not accompanied with a English translation will be disregarded.
15. The Designated Authority may carry out verification visits to examine relevant records and to verify the information provided in this questionnaire. All data in the response to this questionnaire are subject to verification. At the verification, you should be prepared to substantiate all information submitted here. Original source material for all documents submitted should be available at the time any verification visit is made. Additional documentation in support of your response may be requested during the investigation. All worksheets used in answering the questionnaire must be retained for verification purposes.
16. This questionnaire requests information about programs available to the producers or exporters of the product under consideration subject to this investigation in your country. The Directorate is also required to investigate any programs discovered during the course of this investigation which may confer countervailable subsidies on the manufacture, production or exportation of the subject merchandise.
17. All amounts should be shown in the currency in which they are originally denominated.
18. If you intend to have another party acting on your behalf e.g. a law firm, please ensure that the Designated Authority receives an original of the power of attorney or authorization letter.

SECTION B

GENERAL QUESTIONS

1. Provide the names and addresses of all producers, manufacturers or exporters (including export trading companies and similar organizations) of the subject goods in your country. These are the "companies under investigations".
2. If the Government or any public or private entity under the control of the Government holds, direct or indirect, ownership interest in any of the companies under investigation, list such companies, with percentage of government interest and any relevant details regarding the nature of such interest.
3. Provide a description of the tax system in your country during the investigation period, as applied to companies, in respect of both direct and indirect taxes. Give details on the nature, operation and the rate(s) of each type of tax to which companies in your country were subject to during the investigation period. Provide an English translation of the relevant portion of any laws or other regulations in respect of the above.
4. Provide the names and addresses of all Government institutions, including any public or private entity under the control of the Government which provides any financial contribution to companies in this sector in your country. Please give a description of the functioning and objectives of these entities
5. Please provide the tariff schedule numbers which correspond to the ITC (HS) classification for the subject country. Provide the official description applicable to the product covered by these numbers.
6. Please provide the last three years Annual Reports of the Central Bank of subject country or, if not available the most recently published annual Reports.
7. You are kindly requested to provide statistics of exports (quantity/value) of the product under consideration from China to India for the years 2014, 2015, 2016 2017 and the POI. Please provide a breakdown of the figures between product under consideration produced in China and product under investigation not produced in China. .

SECTION –C

SUBSIDIES

I. SUBSIDIES : GENERAL

1. The applicant has alleged that producers of the subject goods in your country have benefited from a number of subsidies and that these subsidies fall within the definition of countervailability set out under the relevant Act.
2. Please provide all the information requested and also other relevant information available, in respect of all subsidies listed in this questionnaire as well as mentioned in the initiation notification.

II. PROGRAM SPECIFIC QUESTIONS

3. For each of the following program, even if no enterprise(s) under investigation applied for, used, or benefited from that program during the period of investigation, the Government of subject country must so state and provide a detailed explanation of the program and a detailed description of the records kept on that program. In addition, the Government of the subject country must indicate whether certain enterprises are excluded from having access to the program and the grounds, conditions and criteria for such exclusion. Otherwise, please answer the questions listed.
4. The Designated Authority may allocate benefits received from certain types of subsidies over time. Although the period of investigation is a recent period, the Authority is investigating alleged subsidies received over a time period corresponding to the average useful life of renewable physical assets (“AUL”). In investigation, the Designated Authority intends to use a 10- year AUL, unless an interested party establishes that a longer or shorter period must be considered. Thus the Authority is investigating alleged subsidies received during the period of investigation and preceding 9 years.
5. The government is responsible for providing the information requested below even if the alleged subsidy was received by enterprises, or their former parent enterprises, which may have since been merged with, purchased by, or have transferred a substantial portion of their assets to, other enterprises. If former parent enterprises received assistance under any of the programs listed below, please indicate and provide separate answers.
6. For any program, which had multiple funding sources or was administered by different governmental levels, please provide information as to the roles played by each administering authority.
7. If a question requires information from other authorities, e.g. local governments, please forward questions to the correct source. However, it is the responsibility of the Government of subject country to ensure that full and complete responses to

questions on regional programs are obtained from the appropriate regional authority.

III. PROGRAMS FOR WHICH GOVT. OF SUBJECT COUNTRY MUST PROVIDE THE INFORMATION

8. Please provide information, for each of the program mentioned below, as follows
- a response to “Standard Questions” listed in this questionnaire
 - b *wherever applicable, response to the followings*
 - (i) *Grant Annexure*
 - (ii) *Short-term Loans Annexure*
 - (iii) *Long-term Loans Annexure*
 - (iv) *Loan Guarantees Annexure*
 - (v) *Tax Programs Annexure*
 - (vi) *Equity Annexure*
 - (vii) *Provision of Goods/Services Annexure*

PROGRAM SPECIFIC QUESTIONS

9. The Govt. of subject country must provide separate information for each of the following program. A brief explanation of each of these program, as alleged by the petitioner is given below. If a program has been withdrawn before the current investigation period, please state so and provide a detailed explanation of the program and a detailed description of the records kept on that program. If a program has been withdrawn during or after the current investigation period, you must still respond to the question.
10. For each program, even if no enterprise applied for, used or benefited from that program during the POI, please provide details of the program. Otherwise, please answer the questions listed. To determine the information which must be reported under each program, please see the instructions for each program in this section of the questionnaire and in the referenced annexures.
11. For each program, even if some of them are not listed by the applicant, you should respond fully to the questions, even if Government of subject country believes that the program is not countervailable.
12. If any assistance under the program(s) was received by an enterprise which have since been merged with or purchased by another enterprise, please answer the questions with respect to such assistance to the merged or purchased enterprise.
13. In the absence of a complete response, a decision will be based on the best information available.

14. For each program, please reply to all the questions in Standard Question Annexure and all other annexure given in this questionnaire, as applicable, to the respective program.
15. For each program, the Government of the subject country must indicate whether certain enterprises are excluded from having access to the program and the grounds, conditions and criteria for such exclusion.
16. The Department is also required to investigate any program discovered during the course of this investigation which may confer countervailable subsidies on the manufacture, production or exportation of the subject goods. You are therefore required to identify each program, whether or not any benefit under the program has been availed by an enterprise.
17. The questions need to be answered even if Government of subject country entrusts or directs a private body to carry out one or more of the programs.
18. The applicant has alleged existence of following program. Please provide following information separately for each of the following program :

A. . Grant Programs

1. Program 1: Famous Brands Program
2. Program 2: Special Fund for Energy-Saving Technology Reform
3. Program 3: The Clean Production Technology Fund
4. Program 4: The State Key Technology Renovation Projects Fund
5. Program 5: Fixed Asset Investment Subsidies
6. Program 6: Venture Investment Fund of Hi-Tech Industry
7. Program 7: Grants for Encouraging the Establishment of Headquarters and Regional Headquarters with Foreign Investment
8. Program 8: Innovative Small and Medium Enterprise Grants
9. Program 9: Reimbursement of Anti-dumping and/or Countervailing Legal Expenses by the Local Governments
10. Program 10: Superstar Enterprise Grant
11. Program 11: Export Assistance Grant
12. Program 12: Research & Development (R&D) Assistance Grant
13. Program 13: Subsidies for Companies Located in the Hefei Economic and Technology Development Zone
14. Program 14: Anhui Province Subsidies for Foreign-Invested Enterprises
15. Program 15: Hefei Municipal Export Promotion Policies
16. Program 16: Subsidies for Companies Located in the Kunshan Economic and Technological Development Zone
17. Program 17: Weihai Municipality Subsidies for the Automobile and Tyre Industries
18. Program 18: Subsidies for Companies Located in the Rongcheng Economic Development Zone
19. Program 19: Export Interest Subsidy Funds for Enterprises Located in Guangdong and Zhejiang Provinces

- 20. Program 20: Funds for “Outward Expansion” of Industries in Guangdong Province
- 21. Program 21: Direct Government Grants to Aeolus
- 22. Program 22: Direct Government Grants to Double Coin
- 23. Program 23: Direct Government Grants to GITI
- 24. Program 24: Direct Government Grants to Guizhou Tyre
- 25. Program 25: Direct Government Grants to Qingdao Double Star
- 26. Program 26: Direct Government Grants to Sailun Group

B. Tax Incentives

- 27. Program 27: Tax Policies for the deduction of research and development (R&D) expenses
- 28. Program 28 - Preferential Tax Policies for the Research and Development of FIEs
- 29. Program 29: Tax Offsets for Research and Development by FIEs
- 30. Program 30: Income tax credit for the purchase of domestically Produced & manufactured production equipment
- 31. Program 31: Preferential tax policies/ Income Tax Reductions for companies that are recognized as high and new technology companies
- 32. Program 32: Income tax concessions for the enterprises engaged in comprehensive resource utilization (special raw materials')
- 33. Program 33: Tax credit concerning the purchase of special equipment
- 34. Program 34: Income Tax credits for domestically owned Companies Purchasing Chinese made Equipment
- 35. Program 35: Tariff and VAT exemptions for imported Technologies and equipment
- 36. Program 36: VAT Refunds for domestic Firms on Purchases of Chinese made Equipment
- 37. Program 37: VAT Exemptions and Deductions for Central Regions
- 38. Program 38: Reduced Tax Rate for Productive FIEs Scheduled to operate for a Period not Less Than 10 Years
- 39. Program 39- Preferential Tax Policies for Foreign Invested Export Enterprises
- 40. Program 40- Preferential Tax Policies for FIEs which are Technology Intensive and Knowledge Intensive
- 41. Program 41- Preferential Tax Policies for FIEs and Foreign Enterprises Which Have Establishments or Places in China and are engaged in Production or Business Operations Purchasing Domestically Produced Equipments
- 42. Program 42- Income Tax Refund for Re-investment of FIE Profits by Foreign Investors
- 43. Program 43 - Income Tax Reduction for Advanced Technology FIEs
- 44. Program 44: Preferential Tax Policies for Enterprises with Foreign Investment (FIEs) Established in Special Economic Zones (excluding Shanghai Pudong Area)

- 45. Program 45: Preferential Tax Policies for FIEs Established in the Coastal Economic Open Areas and in the Economic and Technological Development Zones
- 46. Program 46: Local Income Tax Exemption and/or Reduction in SEZs and Other Designated Areas
- 47. Program 47: Corporate Income Tax Exemption and/or Reduction in SEZs and Other Designated Areas
- 48. Program 48: Tariff and Value-added Tax (VAT) Exemptions on Imported Materials and Equipment in SEZs and Other Designated Areas
- 49. Program 49: Preferential income tax policy for the enterprises in the Northeast region
- 50. Program 50: Tax concessions for Central and Western Regions

C. Preferential Loans & Lending

- 51. Program 51: Government Policy Lending
- 52. Program 52: Preferential Loans to SOE
- 53. Program 53: Discounted Loans for Export-Oriented Enterprises and Export Loan Interest Subsidies
- 54. Program 54- Preferential loans and interest rates to the Tyre Industry

D. Export Financing and Export Credit

- 55. Program 55: Export Seller's Credit
- 56. Program 56: Export Buyer's Credit
- 57. Program 57: Other Export Financing from State-Owned Banks
- 58. Program 58: Export Credit Insurance Subsidies
- 59. Program 59: Export Credit Guarantees

E. Form of Equity

- 60. Program 60- Equity infusions
- 61. Program 61- Unpaid dividends
- 62. Program 62- Dividend exemption between qualified resident enterprises

F. Provision of Goods and Services

- 63. Program 63: Provision Electricity for Less Than Adequate Remuneration
- 64. Program 64: Provision of Water for Less Than Adequate Remuneration
- 65. Program 65: Land Use Rights in Industrial and Other Special Economic Zone
- 66. Program 66: Land use rights for SOE's
- 67. Program 67: Land use rights for FIE's
- 68. Program 68: Provision of Carbon Black for Less than adequate remuneration.

- 69. Program 69: Provision of Nylon Cord for Less than adequate remuneration
- 70. Program 70: Provision of Synthetic Rubber and Butadiene for Less than adequate remuneration
- 71. Program 71 : Provision of Natural Rubber for Less than Adequate remuneration
- 72. Program 72: Purchase of Goods by the Government for higher than adequate Remuneration

SECTION D

STANDARD QUESTIONS ANNEXURE

For each of the scheme under investigation, please provide the following information. The information must be provided for all those schemes which existed during any part of the investigation period, even if some scheme was withdrawn any time during the investigation period. Further, please answer each part of the question.

- (a) The name and address of the Government Agency (e.g., a federal, provincial, or other government agency, or any other institution) responsible for administering this program.
- (b) Describe the nature of the program, when it was established, and the administering authority's policy behind the program. How is the program administered and how does it operate?
- (c) Provide translated copies of the laws and regulations relating to the program and any internal or external reports pertaining to the program that were applicable during the POI.
- (d) Explain the types of records maintained by the relevant government agency or other administering authority (e.g., company-specific files, budget authorizations, etc.) regarding the program. Please provide sample copy of the documents maintained by the Government (preferably pertaining/of the companies under investigation.)
- (e) Describe the application process for the program and provide a blank copy of the application form. Please also describe the procedures by which an application is analyzed and eventually approved or disapproved.
- (f) A full description of the operation of this scheme during the investigation period. This should include, inter alia, the following information :
 - the eligibility criteria for this scheme and Please also describe the criteria for determining the amount of the assistance provided. Provide a copy of any law, regulation or other official document detailing these criteria.
 - is eligibility contingent upon export performance or on the use domestic goods ? Please explain. If eligibility for, or actual use of, this program is contingent upon export performance, or domestic over imported goods, whether solely or as one of several other conditions, you need not respond to the remaining questions under section L.
 - if not, is eligibility limited to certain sectors and/or region?

- is eligibility limited to any enterprise or group of enterprises, or to any industry or group of industries? If so, please explain, and specify the eligible enterprises or industries.
 - is eligibility in any way specific? If so, describe the criteria involved. Please describe the criteria governing the eligibility for, and receipt of, any benefit under this program and the size of the benefit provided.
 - can all firms, which meet the eligibility criteria, benefit from this scheme or does the administering authority exercise discretion? Provide evidence to show on what basis applications have been accepted and rejected during the investigation period.
 - are certain enterprises specifically excluded from having access to the program? If yes, provide the grounds, conditions and criteria for such exclusion.
 - Explain how the companies under investigation who have applied for, claimed, received, accrued or used assistance under this program have met the eligibility criteria.
- (g) If this scheme is not contingent upon export performance or on the use of domestic goods, please provide a breakdown of the amount of duty, taxes, or other financial benefits foregone by the Government during the investigation period.
- (h) Provide a copy of the relevant notification/regulation applicable to the operation of this program with all subsequent amendments, if any, and if any, and any published reports.
- (i) the following information in Tabular format with regard to the companies under investigation for the products concerned in the investigation period or other periods if so requested:
- i. name of the company
 - ii. amount of financial benefit for all exports claimed by the company and granted by the administering authority.
 - iii. amount of financial benefit for exports of the products concerned claimed by the company and granted by the administering authority.
 - iv. rate and amount of taxes/ duties actually paid/ payable on imports of inputs, which are used in the production of the products, concerned.
 - v. Rate and amount of taxes/ duties due on imports of inputs which are used in the production of the products concerned but which have been offset by credits already granted under some scheme.
 - vi. Rate and amount of taxes/ duties actually paid/ payable on other imports.

- vii. Rate and amount of taxes/ duties due on other imports but which have been offset by credits granted under a scheme.
 - viii. Details of any application fee paid in order to avail of the scheme.
- (j) Describe any anticipated changes in the program. If the program is being terminated, state the last date that a company could apply for or claim benefits under the program. When is the last date that a company could receive benefits under the program? If the program has been terminated before beginning the current investigation period, please provide relevant evidence

GRANT ANNEXURE

A. Please provide the following information in chart form. For each producer and/or exporter of the subject goods.

1. The amount of the grant authorized by the Government. Is the receipt of benefits predictable or is the program designed to provide one-time assistance to participants?
2. The date of Government authorization/approval;
3. The amount actually disbursed,
4. The purpose for which the grant was provided and;
5. The date(s) the grant was disbursed. Please indicate whether the grant was paid in a lump sum or in multiple disbursements
6. Is there application required for revival of benefit from the Government.

SHORT-TERM LOANS ANNEXURE

If short-term loans (one year or less) were provided under a program and principal or interest was repaid, accrued, and/or waived during the POI on those loans, answer the following questions. If the short-term financing being investigated is provided in foreign currency, or if the interest rate is based on or tied to a foreign currency rate, please provide the cost of commercial borrowing in that foreign currency and the charges associated with commercial borrowing in that currency, in response to questions B and C, below.

- (a) Please describe the types of institutions (e.g., banks, leasing firms, brokers, insurance companies) which provide short-term commercial credit in your country. In addition, please explain the role of the government in controlling/directing these institutions and their lending policies. For each type of institution, specify whether loans are provided in domestic currency, foreign exchange, or both.
- (b) Please provide the predominant national average short-term interest rate in your country (including copies of the source material) for the POI and the previous 12 months. If a predominant national average does not exist, please provide the interest rate in your country for the POI and the previous 12 months for each type of short-term financing and the weight each of these represents as a percentage of the total of outstanding short-term loans.
- (c) Specify other charges or practices that lenders use in normal commercial transactions, such as commitment fees, compensating balances, loan origination fees, taxes, commissions, loan discounting, adjusted payment schedules, or the requirement (direct or indirect) that all or a significant portion of a company's business be channeled through a particular lending institution. To what extent do these additional charges and practices add to the cost of normal commercial financing? Specify the amount of each additional charge.
- (d) Provide the date and amount of any forgiveness or assumption of any principal or interest payments during the POI.
- (e) In all cases, state whether the applicable rate is for loans provided by publicly-owned or controlled institutions, or by privately held institutions, and whether such rate is subject to any government-mandated ceiling or cap.

LONG-TERM LOANS ANNEXURE

If long-term loans (longer than one year) were provided under this program which had principal or interest outstanding during the POI, answer the following questions. If the long-term financing being investigated is provided in foreign currency, or if the rate is based on or tied to a foreign currency rate, please provide the cost of commercial borrowing in that foreign currency and the charges associated with commercial borrowing in that currency.

- (a) Please describe the types of institutions (e.g., banks, leasing firms, brokers, insurance companies) which provide long-term commercial credit in your country. For each type of institution, specify whether loans are provided in domestic currency, foreign exchange, or both.
- (b) Please provide the following information (including copies of the source material) for each year in which a long-term loan was approved under this program, which had principal or interest outstanding during the POI.
- (c) If the loan has a fixed interest rate, please provide the long-term fixed interest rate(s) available from private commercial lenders to most firms in the country in question at the time the government loan was approved. If such a figure(s) is (are) not available, please provide the long-term variable interest rate(s) available from private commercial lenders to most firms in the country in question during the same period. If this figure is not available, please provide all types of short-term financing available in your country at the time the loan was approved, the percentage each type represented of the total amount of short-term financing, and the corresponding monthly average interest rates for each type in the POI.
- (d) If the loan has a variable interest rate, please provide the long-term variable interest rate(s) available from private commercial lenders to most firms in the country in question at the time the government loan was approved. Also provide the interest rate(s) during the POI of long-term variable rate loans from private commercial lenders which were approved at the time the government loan was approved. If a long-term variable interest rate from commercial lenders is not available, please provide the long-term fixed interest rate(s) available from private commercial lenders to most firms in the country in question at the time the government loan was approved. If this figure is not available, please provide all types of short-term financing available in the country in question at the time the loan was approved, the percentage each type represented of the total amount of short-term financing, and the corresponding monthly average interest rates for each type in the POI.
- (e) In all cases, state whether the applicable rate is for loans provided by publicly-owned or controlled institutions or by privately held institutions,

and whether such rate is subject to any government-mandated ceiling or cap.

- (f) Please provide the yields on industrial bonds as documented by the Central Bank of your country.
- (g) Specify other charges or practices that lenders use in normal commercial transactions, such as commitment fees, loan guarantee fees, compensating balances, loan origination fees, taxes, commissions, loan discounting, adjusted payment schedules, or the requirement (direct or indirect) that all or a significant portion of a company's business be channeled through a particular lending institution. To what extent do these additional charges and practices add to the cost of normal commercial financing? Specify the amount of each additional charge and indicate whether such charges are included in the rates you have provided.
- (h) If principal or interest on any loan provided under this program was forgiven or assumed during the POI or during a prior period corresponding to the industry's average useful life of assets AUL, please provide the dates and amounts of each forgiveness or assumption.

LOAN GUARANTEES ANNEXURE

For any short-term loans with principal or interest outstanding during the POI that were guaranteed or insured, please provide the information requested in questions relating to short term loans listed above. For any long-term loans with principal or interest outstanding during the POI that were guaranteed or insured, please provide the information requested in questions relating to long term loans listed above.

TAX PROGRAMS ANNEXURE

If deductions from taxable income, credit toward taxes payable, exemptions from taxes owed, deferral of payment of taxes owed, carry-forward of losses, accelerated depreciation, or other tax benefits were provided under this program to the producers and/or exporters of the subject merchandise, please answer the following questions:

- (a) Is the benefit a deduction from taxable income, a credit toward taxes payable, an exemption from taxes owed, a deferral of taxes owed, a carry-forward of losses, a result of accelerated depreciation, or other type of tax benefit? Please explain.
- (b) How do companies using this program calculate the tax benefit they claim? Please be specific and provide a sample calculation using a blank tax form.
- (c) If a company is in a tax loss situation, how does this particular program affect it?
- (d) If tax losses are generated through the use of this program, can the company carry forward these losses? What are the normal tax provisions for loss carry-forward? Please provide the relevant portion of the tax laws.
- (e) If the program involves a deferral of taxes owed, please provide the following information:
 - i. Please provide the length of the deferral allowed under the program.
 - ii. If the length of the tax deferral is one year or less, please provide the national average short-term interest rate in your country for the POI.
 - iii. If the length of the tax deferral is more than one year, please provide the national average interest rate on long-term fixed-rate loans available from private commercial lenders to most firms in your country. This information should be provided for the year in which the multi-year tax deferral was *first approved or claimed*.

EQUITY ANNEXURE

Please provide the following information for each alleged equity investment or debt-to-equity conversion made during the POI and the previous number of years corresponding to the average useful life of assets for each company under investigation.

- (a) Name of the recipient of each investment/conversion.
- (b) The dates when the government approved the equity investment/conversion.
- (c) The national average long-term fixed interest rate in your country in the year in which the equity investment/conversion was approved.
- (d) The exact amount and date of the equity infusion and the name and address of the government agencies involved in the approval process and the distribution of funds.
- (e) If private investors did not invest concurrently with the government's investment it is critical to note the following: It is the Designated Authority's position that prior to making a significant equity infusion, it is the usual investment practice of a private investor to evaluate the potential risk versus the expected return. This includes an objective analysis of information sufficient to determine the expected risk-adjusted return and how such a return compares to that of alternative investment opportunities of similar risk. It is the Designated Authority's position that absent such an objective analysis – performed prior to the equity infusion – it is unlikely that the infusion in question was in accordance with the usual investment practice of a private investor.

Therefore, it is very important that the government respond fully to the following request:

- (i) If the Government has bought shares in a company under CVD investigation, please provide the price at which the shares were bought, number of shares bought and the normal market price for these shares.
- (ii) Provide all feasibility studies, market reports, economic forecasts, loan appraisals or similar documents (e.g., general industry market studies, industry-specific business publications), completed prior to the equity investment, relating to the future expected financial performance of the company. These studies need not only pertain directly to the equity investment in question, but may also be relevant to initial capital investments, capital to fund start-up operations, major expansion projects, repayment of loans, reorganizations, or any action which would affect the company's profitability:
- (iii) Clearly explain the assumptions and conclusions of these studies or reports;
- (iv) For each study, state clearly which private organization or government agency conducted the study. If a private organization conducted the study,

state whether it was commissioned by the government. Also state the purpose for which the study was undertaken;

- (v) For each study, state clearly whether it was available to the government and/or private investors prior to the government equity investment.
- (vi) Describe any attempts made by the government to obtain equity investment from private sources. If the government attempted to, or did, secure equity investment for the company from private sources, describe the circumstances surrounding the investment, any agreement entered into between the government and the private parties, and provide all relevant documentation (e.g., a copy of the agreement, discussion memoranda, etc.).

PROVISION OF GOODS/SERVICES ANNEXURES

Please provide the following information with respect to each of the goods/services alleged to be provided at less than adequate remuneration:

- (a) Provide a general description of the goods/services provided by the government and of the process by which the goods/services are provided. Identify the government entity or government-owned company responsible for providing the goods/services.
- (b) Provide the quantity and value of the good/service provided to each respondent during the POI and the price charged by the government. Provide copies of any price lists or rate sheets applicable to the good/service being provided.
- (c) Describe the market for the good/service being provided in your country. Specify the number of producers and distributors of the good/service and the nature of their relationship to the government, including government ownership, control, and regulation. What types of industries generally consume this good/service?
- (d) What percentage of total domestic consumption of the good/service is provided by the government? What percentage of consumption of the good/service by the industry producing the subject merchandise is provided by the government?
- (e) If there are commercial producers or distributors of the good/service in your country, provide any available information pertaining to the prices charged by such companies for goods/services comparable to that provided by the government during the POI.
- (f) Are there any restrictions on the importation of the good/service in question into your country? If yes, please explain the nature of the restrictions. Provide the volume and f.o.b. value of imports, by country, during the POI.
- (g) Explain the overall pricing policy of the government provider of the good/service in question. How does this differ with respect to sales to various industries, including the industry which produces the subject merchandise? Explain how this pricing policy compares with that of commercial producers or distributors of the good/service in your country.
- (h) Are there trade publications which specify the prices of the good/service within your country and on the world market? Provide a list of these publications, along with sample pages from these publications listing the

prices of the good/service within your country and in world markets during the POI.

- (i) Answer the following questions if there are no commercial suppliers of the good/service in question in your country:
 - a. Document whether and to what extent the price charged by the government covers the government's operating costs and ensures a reasonable return to the government.
 - b. Describe how the price charged by the government is determined.
 - c. Please explain in detail the pricing criteria that are used to reach this price.
 - d. Please describe the government's operating costs, investment costs, and returns.
- (j) Provide a breakdown of the prices charged by the government to the different categories of consumers of the good/service in question. Explain any differences in the prices charged to various industries.

III. **Other Subsidy Schemes**

Please provide full details of any subsidy schemes specific to the sector concerned not mentioned above which confer a benefit to producers/ exporters of the product concerned.

CERTIFICATION

The undersigned certifies that all information supplied herein in response to the questionnaire is complete and correct to the best of his/her knowledge and belief, and that nothing material has been suppressed. The undersigned understands that the information submitted is subject to verification by the Designated Authority.

Date

Signature of authorized official

Name of authorized official

Title of authorized official