



Republic of Mauritius

**INVESTIGATING AUTHORITY**  
**MINISTRY OF FOREIGN AFFAIRS, REGIONAL  
INTEGRATION AND INTERNATIONAL TRADE**

***ANTI-SUBSIDY QUESTIONNAIRE FOR IMPORTERS***

***ANTI-SUBSIDY PROCEEDING CONCERNING***

\_\_\_\_\_  
(product under investigation)

***ORIGINATING IN OR EXPORTED FROM***

\_\_\_\_\_  
(country/countries)

**IMPORTER:**

Period of Investigation: [dd/mm/yy to dd/mm/yy]  
Officers in charge: [.....]

**Investigating Authority**  
**International Trade Division**  
**Ministry of Foreign Affairs, Regional Integration and International Trade**  
3<sup>rd</sup> floor, Fooks House  
24, Bourbon Street  
Port Louis, Republic of Mauritius  
Telephone: +230-2138236  
Fax: +230-2126368  
Email: @mail.gov.mu  
Webpage: <http://www.gov.mu>

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## INTRODUCTION

Countervailing proceedings are conducted in terms of the Trade (Anti-Dumping and Countervailing Measures) Act 2010 (the Act or the Trade Act 2010). This document is available at <http://www.gov.mu/scourt/publegislation/showDocActReg.do?id=21312> Being a Member of the WTO, in applying the Act Mauritius must act consistently with Article VI of the General Agreement on Tariffs and Trade 1994 and the WTO SCM Agreement.

The Investigating Authority, a body within the International Trade Division (ITD) of the Ministry of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius (referred to as the IA), hereby forwards this questionnaire for importers. As an importer of the allegedly subsidised product, please furnish the information requested in sections **A** to **E** *infra*. However, before proceeding to reply to the questions, please read carefully the general comments contained in pages 3 to 9.

You are required to furnish the response within the deadline set forth below. Wherever required, you should annex copies of requisite documents to substantiate your statements and figures indicated. Upon analysis of your reply, the IA may get back to you if clarifications to the originally submitted information or additional information are required.

**You should be aware that your response to the questionnaire – and any subsequent additional requests formulated by the IA – will constitute the body of information on the basis of which preliminary and final findings will be made with regard to your company. In this respect, it is essential that your reply to the questionnaire, and any significant correction to it, is submitted within the time limits provided for this purpose as a considerable amount of preparatory work and analysis of replies have to be carried out.**

**It is required that you respond to all questions in the questionnaire. You should also be aware that the non-submission of all relevant information within the specified time limits, or the submission of incomplete, false or misleading information, can have unfavourable consequences for your company. First, the IA may disregard any late response, or any responses which are significantly incomplete, false or misleading. Second, section 75 of the Act provides that:**

- “(1) Any person who, for the purposes of this Act, furnishes to the Investigating Authority any information which is false or misleading in a material particular, shall commit an offence and shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.**
- (2) Any person who commits an offence under this Act or any regulations made under this Act shall, on conviction, be liable to a fine not exceeding 100,000 rupees and to imprisonment for a term not exceeding 2 years.”**

**Where the IA decides to disregard a reply to a questionnaire and/or to any subsequent additional requests formulated by the IA, the IA may establish preliminary or final findings on the basis of the facts available, which may include the information set out in the application.**

If you experience any problem in preparing the response to this questionnaire, please contact the officers in charge of the investigation promptly. The IA is willing to consider alternate methods of reporting if they provide the IA with adequate information in time to complete the investigation within the applicable statutory deadlines and do not deprive other parties of their rights of participation.

You will find all the public information relating to this proceeding in the webpage of the Investigating Authority, specifically at [\[insert link\]](#)

## **DEFINITION OF SUBSIDY**

Section 2 of the Trade Act 2010 defines subsidy as follows:

“(a) a financial contribution by a government of a country other than Mauritius that confers a benefit to persons engaged in the production, manufacture, growth, processing, purchase, distribution, transportation, sale, export or import of goods but does not include the amount of any duty or internal tax imposed on goods by the government of the country of origin or country of export from which the goods, because of their exportation, have been exempted or have been or will be relieved by means of a refund or drawback; or

(b) any form of income or price support within the meaning of Article XVI of the General Agreement on Tariffs and Trade, 1994, that confers a benefit.”

In turn, the same provision states that a specific subsidy:

“means a subsidy which is specific to an enterprise, group of enterprise, industry or group of industry ”

Where a subsidy causes or threatens to cause material injury to a domestic industry, remedial measures can be imposed. The imposition of duties is subject to the results of the investigation on the existence of subsidization, injury and causation, carried out in accordance with the Mauritian legislation.

## **PERIOD OF INVESTIGATION**

The period of investigation for determining the existence, extent and effect of any injury is [\[dd/mm/yy\]](#).

## **TIMEFRAME FOR THE SUBMISSION OF THE QUESTIONNAIRE RESPONSE AND EXTENSIONS**

Your response to this questionnaire (including a non-confidential version or summary) and any supporting evidence should be with the Investigating Authority no later than close of business on [\[add date\]](#). The Investigating Authority is subject to a strict statutory deadline for the completion of the anti-subsidy investigation; therefore it is important that responses from interested parties are received by the due dates given.

Should you require an extension, **please contact the officers in charge before the expiry of the deadline to request an extension.** Under no circumstances, the time limit set by the Investigating Authority for returning the questionnaire will be extended unless **extension requests are received before the expiry of the deadline** and that **you can show good cause for extension.**

**Please note that the Investigating Authority may reject a questionnaire response that is not submitted within the timeframes by the due dates given.**

## **DOCUMENTATION PROVIDED**

Your responses to questions asked **must be supported by evidence.** Additional documentation in support of

your response may be required during the investigation. Original source material for all documents submitted should be available at the time any verification is undertaken, including source documents used in preparing computerised summaries and calculations.

## LANGUAGE OF THE INVESTIGATION/TRANSLATIONS

This investigation is to be conducted in English. Please supply an English translation of all information supplied. **Only information for which an English version or translation is provided will be taken into account in the investigation.** Exceptionally, if you encounter substantial difficulties in supplying English translations of some documentation within the specified deadlines, please contact the investigating officer in charge prior to the deadline to discuss.

## SUBMISSION OF INFORMATION

The response to this questionnaire, as well as to any other additional request formulated by the Investigating Authority subsequently, is to be made **in hard copy and electronic form**, as indicated below:

- **Hard copies:** Any document – whether questionnaire response and subsequent documents requested – submitted to the IA must include the **original and three (3) copies of the original (in both confidential and non-confidential versions)**. The original document must be initialled in every page and the declaration of accurateness and completeness must be signed by the company's responsible officer.
- **Electronic submissions:** Confidential versions, and non-confidential summaries, of the questionnaire response and other documents for which the Investigating Authority expressly requires that should be submitted electronically must be provided in any of the following formats:

| Document Type   | Formats supported   | Latest Version Supported |
|-----------------|---------------------|--------------------------|
| Word Processing | Microsoft Word      | Word 2007                |
| Spreadsheet     | Microsoft Excel     | Excel 2007               |
| Database        | Microsoft Access    | Access 2007              |
| Other           | Adobe Acrobat (PDF) | 7.0                      |
|                 | PowerPoint          | 2007                     |

**Should you submit the questionnaire reply in PDF format, you will also have to submit a copy thereof in Word format.**

**If you feel that you cannot present the information as requested, please contact the officials in charge immediately.**

Electronic submissions must be made on CD-ROM, **free of viruses**. CD-ROMs must be labelled clearly indicating:

1. Party's name;
2. Product(s) concerned;
3. Type of information on the disc;
3. Software used; and
5. Whether the information is confidential.

**CD-ROMs must be write-protected.**

**Submission by email:** You may also submit your response (including all attachments and Annexures) **by email**. In this case, send the response to the Officer in charge at the following email address:

[XYZ@gov.mail.mu]. Include a scanned PDF version of the signed certification page. Type the following in the e-mail subject line: “Importer questionnaire: CVD proceeding on [insert product] from [insert country/ies]”. Note that **you must still fully comply with the requirement to submit hardcopies and electronic copies as specified above even if you submit documentation by email.**

Please also note that submitting your questionnaire by e-mail may subject your firm’s business proprietary information to transmission over an unsecure environment and to possible disclosure. If you choose this option, the IA warns you that any risk involving possible disclosure of such information is assumed by the submitter and not by the IA.

Any documents – whether hard copies or electronic submissions – **not complying with the above formalities may be returned to the party submitting them and not be used by the IA for the purpose of this investigation.**

A copy of this questionnaire is provided in electronic (Word) format. Tables and other Annexures are provided in Excel format.

## CONFIDENTIALITY OF INFORMATION

**According to section 36(1) of the Act, the IA will treat in confidence all information for which such treatment is requested. Access to confidential information will be restricted to the officers in charge of the investigation.<sup>1</sup> The IA has means in place to ensure that only authorised personnel can have access to all documentation submitted as confidential.**

However, the IA is required by law to ensure that all interested parties to an anti-subsidy investigation are given reasonable opportunity to have access to all **non-confidential** information relevant to the presentation of their case and that is used by the IA. For instance, the IA has the obligation to provide a copy of this response to other interested parties participating in this investigation.

Any information which is by nature confidential (e.g. business or trade secrets concerning the nature of a product, production processes, operations, production equipment, or machinery; information concerning the financial condition of a company which is not publicly available; information concerning the costs, identification of customers, sales, inventories, shipments, or amount or source of any income, profit, loss or expenditure related to the manufacture and sale of a product), or which if disclosed would be of significant competitive advantage to a competitor, or which if disclosed could have a significant adverse effect upon a person supplying the information or upon a person from whom the supplier acquired the information, or which is provided on a confidential basis by parties to an investigation will, **upon good cause being shown**, be treated as confidential by the IA.

Parties requesting that information be treated as confidential should:

- (a) **clearly** identify the information for which confidential treatment is requested;
- (b) provide **justification** for the request for confidential treatment; and
- (c) provide **a non-confidential version or non-confidential summary of the**

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<sup>1</sup> If any party appeals a determination of the Investigating Authority, according to relevant Mauritian legislation, Courts may need to review portions of the confidential register. By submitting information to the IA, parties expressly accept that confidential information submitted by them may have to be disclosed to Courts under appropriate procedures.

**information for which confidential treatment is requested**, or 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 summarised. Non-confidential versions should contain sufficient details to allow other interested parties a reasonable understanding of the information submitted on confidential basis. Annexure I to this questionnaire provides guidelines on how to prepare a non-confidential summary of the confidential information.

**Please Note** \*\* If the IA finds that the request for confidentiality is not warranted and the supplier of the information is either unwilling to make the information public or to authorise its disclosure in generalised or summary form, it **may disregard** such information unless it can be demonstrated to their satisfaction from appropriate sources that the information is correct.

\*\* Information for which confidential treatment is **not** requested will be treated as non-confidential and will be included in the IA's public file of the investigation. The public file is available for perusal or copying by any interested party or member of the public.

**You should indicate clearly in any submission, including your questionnaire response, what information you consider to be confidential.**

**It should be noted that if any further submissions are made, non-confidential versions are also required.**

## **LISTING OF EXHIBITS AND INFORMATION**

The listing of all exhibits and information submitted by all parties in the context of the investigation can be found in the page [[add link](#)].

## **PUBLIC FILE**

In accordance with section 38(3) of the Act, the IA is required to ensure that all interested parties are given reasonable opportunity to have access to all non-confidential information that is relevant to the presentation of their cases and that is used by the IA in the investigation. To meet this requirement the IA places all non-confidential documents relating to an investigation in a public file.

The public file is held in hard copy form at the offices of the IA. These documents are available for inspection by interested parties upon request. Please contact one of the officials in charge of the investigation. Contact details will be found in the next page below. Non-confidential documents can also be accessed through the website of the IA at [[add link to the page containing the listing of exhibits and information](#)]. To access a particular public document, click on the link next to the entry for the document you wish to access.

## **INVESTIGATION PROCESS AND TIMELINE**

A flow chart is enclosed as Annexure II to this questionnaire showing the major steps in a countervailing investigation and the indicative timelines by which they should be completed.

On the basis of the preliminary findings, the Director of the Investigating Authority may impose

provisional countervailing measures. Such provisional measures shall not exceed the amount of the subsidy found to exist, calculated in terms of subsidisation per unit. However, where the IA determines that a lesser duty shall be adequate to remove the injury, the amount of the duty imposed shall not exceed that lesser duty. No provisional measures may be applied before the expiry of 60 days from the date of the publication of the notice initiating the investigation. The earliest date from which provisional duties could be applied in this case is **[add date]**.

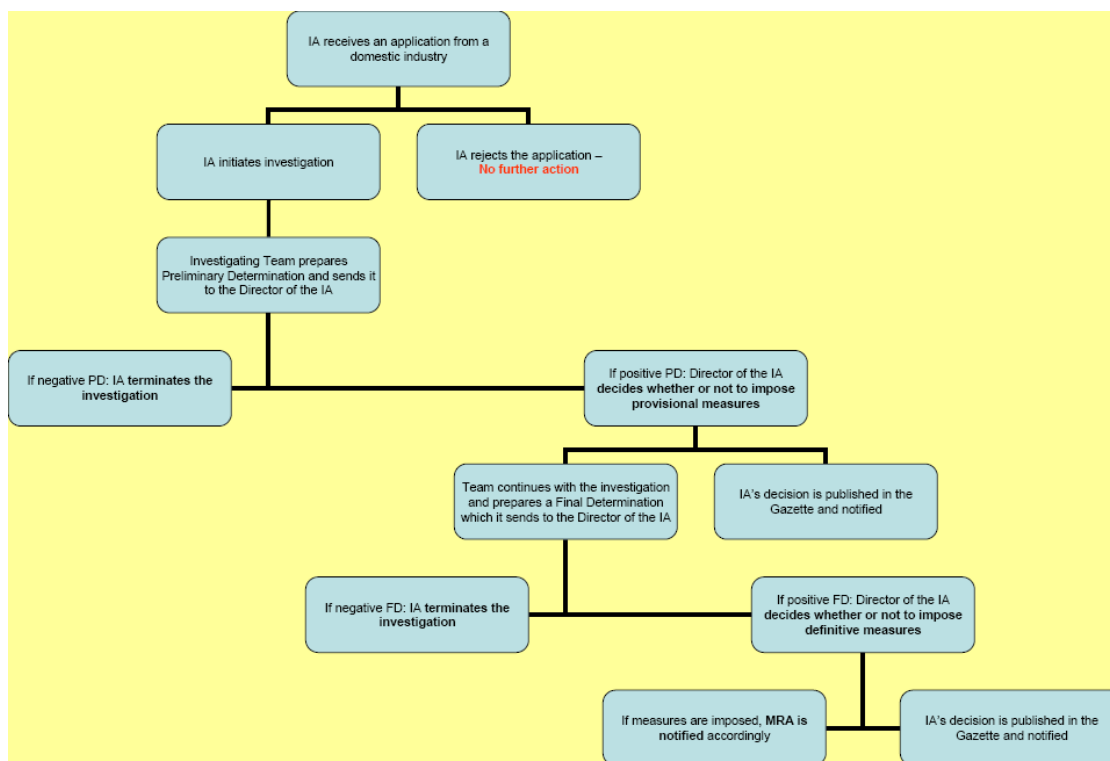
The IA must make a final determination within a year from the date on which the investigation was initiated, which in this case means no later than **[add date]**.

## VERIFICATION OF INFORMATION PROVIDED

IA officials may need to visit your business to verify any information you supply in response to this questionnaire or any subsequent information requests. Such a visit would normally only be undertaken once a completed questionnaire has been received and analysed. You may be contacted at a later date concerning such a visit.

## DECISION-MAKING PROCESS

The following graph summarises the decision-making process:



## CONTACT DETAILS AT THE INVESTIGATING AUTHORITY

If you have any difficulty in interpreting the information requested in this questionnaire, please contact the officers assigned to the case at the IA:



| Contact  | Telephone number | Email address       |
|--|------------------|---------------------|
| [INCLUDE OFFICER NAME AND RELATED INFORMATION] | +230-xxxxxxx     | [xxxxx@mail.gov.mu] |
| [INCLUDE OFFICER NAME AND RELATED INFORMATION] | +230-xxxxxxx     | [xxxxx@mail.gov.mu] |
| IA confidential facsimile                      | +230-2126368     |                     |

**VERY IMPORTANT:**

**PLEASE NOTE THAT THIS QUESTIONNAIRE MUST BE SUBMITTED IN BOTH A CONFIDENTIAL AND A NON-CONFIDENTIAL VERSION FOR INSPECTION BY INTERESTED PARTIES**

## SECTION A – GENERAL INFORMATION

### A-1 Identify your company

Name:  
Address:  
Telephone No:  
Fax No:  
Tax ID No:  
Webpage:  
E-mail address:

### A-2 Identify the authorised contact person of your company for this investigation

Name:  
Designation:  
Address:  
Telephone No:  
Fax No:  
E-mail address:

### A-3 Legal Representative

If you have appointed a legal representative to assist you in this proceeding, please provide following details about him/her:

Name:  
Address:  
Telephone No:  
Fax No:  
E-mail address:

Please submit an authorization (“Power of Attorney”) for the legal representative to act on your behalf. **A template is enclosed as Annexure A-3.**

### A-4 Corporate Information

A-4.1 State the legal form of your company. Provide a copy of the company’s inscription in the official registry showing the existence of the company at the time of filing the application. **If there is any chance during the investigation, please inform the IA immediately.**

A-4.2 State the nature of your business (retailer, wholesaler, agent, etc).

A-4.3 List each shareholder in your company who owned more than 5% of the shares during the POI and list their activities in the table in Annexure A-4.3.

A-4.4 Are you related to 1) any of the exporters of the investigated product (IP) in the investigated country or to 2) any of the Mauritian producers of the like product? If so, with whom? According to Article 2 of the Act, relationship exists where:

- (a) one of them directly or indirectly controls the other;
- (b) both of them are directly or indirectly controlled by a third person; or
- (c) together they directly or indirectly control a third person,

provided that there are grounds for believing or suspecting that the effect of the relationship is such as to cause the producer concerned to behave differently from non-related producers, and one shall be deemed to control another when the former is legally or operationally in a position to exercise restraint or direction over the latter.

A-4.5 Please supply a chart outlining the hierarchical and organisational structure of your company. The chart should include all units involved in the purchases, sales and distribution of the IP in Mauritius.

A-4.6 Where your company has, with respect to the IP, contractual links with another company concerning the purchases, sales or licensing, technical and patent agreements, please explain.

**A-5 Range of products**

Please indicate the products manufactured/imported/traded and sold by your company. If available, please include a brochure or catalogue of your company's range of the IP (preferably for the period of investigation).

**A-6 Accounting practices**

Please indicate the financial year of your company.

Attach audited accounts, i.e. balance sheet, profit and loss account, cash flow and notes to these documents for the years [insert years]. Include provisional accounts and/or management accounts for the period of investigation.

If your company is part of a group of companies, also supply the consolidated accounts of the group for the years in question.

Please indicate the address where the accounting records concerning the activities of the company are located. If they are maintained in different locations indicate which records are kept at which location.

**A-7 Total turnover of your company**

Please complete the table in Annexure A-7. Report amounts net of taxes.

## SECTION B – PRODUCT UNDER CONSIDERATION / LIKE PRODUCT

### B-1 Introduction

The product being investigated (hereinafter referred to as the “IP”) is [**insert detailed description of the product being investigated**] currently classified under Mauritian Customs Tariff Schedule (Integrated Tariffs) 2007 code(s) (hereinafter “Tariff Schedule”) No. [**insert code(s)**]. These Tariff Schedule code(s) are only given for information purposes.

The like product is a product **manufactured** by the Mauritian industry which is:

- Identical, i.e. alike in **all** respects to the IP, or
- A product which, although not alike in all respects, has **characteristics closely resembling** those of the IP. In order to determine whether the product manufactured by the Mauritian industry has characteristics closely resembling those of the IP, the IA will, among others, examine, information on the following factors:
  - the physical, technical and chemical characteristics and appearance of the product;
  - the end-use and function of the product;
  - the raw materials and other inputs used in producing the products;
  - the production process;
  - the substitutability of the product with the product under investigation;
  - tariff classification; and/or
  - any other factor proven to the satisfaction of the IA to be relevant.

No one or several of these factors can necessarily give decisive guidance.

### B-2 Specifications of the product under consideration

B-2.1 Explain in detail the types of the IP which are imported and re-sold by your company in Mauritius. Also provide different characteristics and final uses of the different types of the IP. Provide a set of catalogues issued by your company covering all types of the IP.

### B-3 Comparison of export and domestic products

B-3.1 Please comment on the comparability of the IP with the like product manufactured by the Mauritian industry, identifying any differences (e.g. technical or physical characteristics, prices, product mix, etc.). Please insert your comments in the table in Annexure B-3.1.

## SECTION C – PURCHASES AND STOCKS

Unless indicated otherwise, the information in Section C is requested for imports:

- of the IP, i.e. [please insert the product investigated]
- from the country investigated, i.e. [please insert the country]
- for the POI only, i.e. [please insert the period of investigation]

### C-1 General

C-1.1 Please provide the following information **for each of your foreign suppliers in the country investigated**:

- Name:
- Address:
- Telephone and fax numbers:
- Email address:
- Webpage:

Please provide any written agreement that you have concluded with any of the above foreign suppliers.

C-1.2 Please provide the same information requested in C-1.1 regarding other producers/exporters of the IP in the country investigated which you may know of.

C-1.3 Did your company import goods other than the IP from the above foreign suppliers? If so, which and from whom?

C-1.4 From which countries have you imported the IP during the last three (3) years? Where did these goods originate from?

C-1.5 Detail how:

- a) your company orders the IP from the exporters and indicate the lead time required to fill an order
- b) the exporter invoices your company for the sales; and
- c) your company pays the exporters, including the payment terms.

C-1.6 Identify and explain the various shipping terms (for example CIF, FOB, etc) for your imports of the IP.

C-1.7 Provide details of any direct or indirect services, rebates, other goods, warranties or guarantees offered by the exporters or manufacturers to your customers.

C-1.8 Identify any third parties involved in the transaction between your company and the exporter, such as purchasing, buying or selling agents. Provide their name, address and describe the functions they perform and their salary or commission, if known. Indicate if any of these agents is related to your company.

## **C-2 Purchases/imports of the IP**

C-2.1 Please complete Annexure C-2.1 for your company's purchases/imports of the IP from the country(ies) investigated and separately for each type or model of the IP. Please also provide for each transaction the costs (packing; handling; storage; duties; warranties; guarantees; technical assistance; after sales service; etc.) incurred by you at the Mauritian frontier.

If the invoiced price is prior to CIF Mauritian border level, please indicate per unit (tonne, kg., etc) costs incurred by your company for transport costs and/or ocean freight to the Mauritian frontier.

C-2.2 Select four importations from those listed in Annexure C-2.1. Provide the following documents for each of the importations selected:

- 1) Purchase order
- 2) Order confirmation
- 3) Mauritian customs entry form
- 4) Customs invoice
- 5) Commercial invoice
- 6) Bill of lading
- 7) Freight invoice for any expenses incurred by, or on behalf of your company, for the movement of goods from the point of shipment to the final destination in Mauritius
- 8) Credit or debit notes
- 9) Proof of payment
- 10) Any other documents, including required certificates for the exportation or importation of the IP.

## **C-3 Development of stocks of the IP**

C-3.1 Complete the table in Annexure C-3.1 in respect of the IP stock (**in volume**)

C-3.2 Complete the table in Annexure C-3.2 in respect of the IP stock (**in value, i.e. MUR**)

## SECTION D - SALES IN MAURITIUS

Section D of the questionnaire is intended to enable the IA to review the evolution of the sales volume, values and average prices of the IP in Mauritius. Unless indicated otherwise, the information in this section is requested for:

- the IP, i.e. [please insert the product investigated]
- the POI only, i.e. [please insert the period of investigation]

### **D-1 Distribution System and Channels of sale**

Please explain your company's distribution network in Mauritius and describe your different channels of sale:

1. Distributors
2. Converters
3. Original Equipment Manufacturers (OEMs)
4. End users
5. Others (to be specified) up to the first independent customer.

Please fill in the table in Annexure D-1.

### **D-2 Price setting and market conditions**

If prices are based on price lists, please provide the price lists applicable during the POI. Explain how these price lists are used to establish the final sales price to the individual customers. If standard contracts are used provide a copy of such contract(s).

If price lists are not used, explain how and on which basis prices are fixed during sales negotiations. Provide full documentation (from sales contract to final payment) on two randomly selected sales of the IP to independent customers in different channels within Mauritius. Include order forms, transport documents, credit terms, receipts of payments etc.

### **D-3 Turnover, volume and average price of sales of the IP during the POI**

Please fill out the tables in Annexure D-3.

### **D-4 Re-sales in Mauritius**

Complete the table in Annexure D-4 with all your sales of the IP during the period of investigation on a **transaction-by-transaction** basis to unrelated customers. It is important that you follow the requested format.

## SECTION E – COMMENTS ON THE APPLICATION, INJURY AND CAUSALITY

### **E-1 Comments on the application, injury and causality**

Submit any other information you believe necessary to enable the IA to reach a fair conclusion, including comments on the application, injury and causality.

### **E-2 Information on threat of material injury**

Where the initiation of the investigation is based on threat of material injury, or where the Investigating Authority does not have evidence of material injury being suffered by the Mauritian industry, upon request from a party the Investigating Authority will examine the threat of injury to the industry as a result of the allegedly subsidised imports. In considering whether there is a threat of injury to the Mauritian industry, the Investigating Authority will take account of factors including the following:

In considering whether there is a threat of injury to the Mauritian industry, the IA will take account of factors including the following:

- The nature of the subsidy or subsidies in question and the trade effects likely to arise therefrom.
- The likelihood of substantially increased importations, including:
  - Exporters' freely disposable capacity, or imminent substantial increase in capacity, indicating the likelihood of substantially increased exports into Mauritius.
  - Importers' ability to easily source and distribute substantially increased volumes of subsidised imports.
  - The ability of an importer to easily enter the market.
- Whether imports are entering at prices that will have a significant depressing or suppressing effect on domestic prices, and would likely increase demand for further imports.
- The inventory levels in Mauritius and the country of the goods being investigated.

Please answer the following questions (E-2.1 to E-2.9) in relation to the above indicators of threat of injury:

#### The Likelihood of Substantially Increased Imports

- E-2.1 What are your business' intentions regarding future imports of the IP to Mauritius? Please include comments on how you perceive growth in such imports and your estimated import volume figures over the next twelve (12) months.
- E-2.2 Please comment on the financial ability of your business, and the ability of your distribution system, to cope with a substantial increase in imports of the product concerned to Mauritius.
- E-2.3 Does your business have any contractual arrangements with any foreign producers of the IP for export to Mauritius, including forward orders for future purchases of the IP? If so, please indicate the value and volume of the IP that you have arranged to purchase from them, and the intended dates



or period of importation (listing category and quantity ordered, price paid or payable, and anticipated delivery dates) for the next twelve (12) months.

- E-2.4 Does your foreign supplier(s) have freely disposable capacity? If so, what is the extent of the unused capacity (in number of units of the IP and as a percentage of annual sales)? Is your foreign supplier planning to increase its capacity? Please comment on the extent to which any such increase would enable your company to significantly increase imports to Mauritius.
- E-2.5 Is your business planning to increase its capacity to import the IP? If so, please provide details.

#### Pricing of Imported Goods



- E-2.6 Please comment on the extent to which you consider pricing influences demand for the IP imported and re-sold by your business in Mauritius.
- E-2.7 Do you consider that demand in Mauritius for the IP imported by your business is influenced by factors other than price, such as quality? If so, please comment on what these other factors are.

#### Inventory levels in Mauritius and in the country(ies) exporting the product under investigation

- E-2.8 Please provide your inventory level (in number of units at the end of the period of investigation) of the IP imported from the investigated country(ies) available for re-sale in Mauritius. What percentage of your annual sales does your level of inventory at the end of the period of investigation represent? Do you intend to increase this inventory level, in the foreseeable future? If so, by what amount and by what date?
- E-2.9 What are the factors causing your business to stockpile inventory?

## SECTION F – CHECK LIST

The purpose of the following checklist is to ensure that you have answered all questions of the above sections and to permit a quick survey on information, which may be missing. You are requested to tick the box where complete information is submitted or where information has not sufficiently been provided:

| SECTION  | Please tick if you submitted all information requested  | Please tick if information is not or insufficiently submitted   |
|--|---|---|
| SECTION A: GENERAL INFORMATION                               | <br><input type="checkbox"/> | <br><input type="checkbox"/> |
| SECTION B: PRODUCT UNDER CONSIDERATION / LIKE PRODUCT        | <input type="checkbox"/>  | <input type="checkbox"/>  |
| SECTION C: PURCHASES AND STOCKS                              | <input type="checkbox"/>  | <input type="checkbox"/>  |
| SECTION D: SALES IN MAURITIUS                                | <input type="checkbox"/>  | <input type="checkbox"/>  |
| SECTION E: COMMENTS ON THE APPLICATION, INJURY AND CAUSALITY | <input type="checkbox"/>  | <input type="checkbox"/>  |
| SECTION F: CHECKLIST   | <input type="checkbox"/>  | <input type="checkbox"/>  |

**IMPORTANT NOTE REGARDING THE ANNEXURES:**  
**Please provide the information requested in all the tables in Excel format as well.**

## DECLARATION

Having made the enquiry, I hereby certify that the information contained in this submission is true, complete and correct to the best of my knowledge and belief, on the basis of records available and generally maintained by the company, and no material has been concealed or misrepresented.

Date \_\_\_\_\_

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Name/Designation)

**Note:**

- (1) This page should be completed and appended at the beginning of your submission.
- (2) Chief Executive of the Co./Directors/Partners or the proprietor of the firm filing response to this questionnaire should sign the declaration.

## ANNEXURE-I

### GUIDELINES FOR COMPLETING THE NON-CONFIDENTIAL VERSION OF THE QUESTIONNAIRE

When completing the non-confidential summary of the questionnaire for inspection by interested parties, you should bear in mind that all the parties registered as interested parties in this investigation will have access to it. The reply destined for inspection by interested parties should be sufficiently detailed to permit a reasonable understanding of the substance of the information submitted as confidential. When completing the application destined for inspection by interested parties you may act as follows:

1. Use the completed 'confidential version' of the reply as a basis/template. Identify all information in the 'confidential' application, which you consider is not confidential, and copy it to the file destined for inspection by interested parties.
2. After this, check again whether the information you did not copy to the response destined for inspection by interested parties is really confidential. If you still consider it to be confidential, you must give the reasons why, item by item, and summarise the confidential information in a form destined for inspection by interested parties. If, in exceptional circumstances, it is not possible to even summarise the confidential information, give reasons why giving a summary is not possible.

#### Examples on how to summarise confidential information.

- **When the information concerns numbers for various years you can use indices.**

Example of **confidential** information:

| 2001      | 2002      | 2003      |
|-----------|-----------|-----------|
| MUR20.000 | MUR30.000 | MUR40.000 |

The summary destined for inspection by interested parties could be indexed as follows:

| 2001 | 2002 | 2003 |
|------|------|------|
| =100 | 150  | 200  |

- **When the information concerns a single number you can apply a % change to it.**

Example of **confidential** figure: "My cost of production is MUR300 per tonne."

The summary destined for inspection by interested parties could be as follows:

"My cost of production is MUR330 per tonne" (+ footnote saying: "actual numbers have been amended by a margin of maximum +/- 10%, to protect confidentiality").

- **When the confidential information concerns text, you can either summarise it or eliminate the names of parties by indicating their function.**

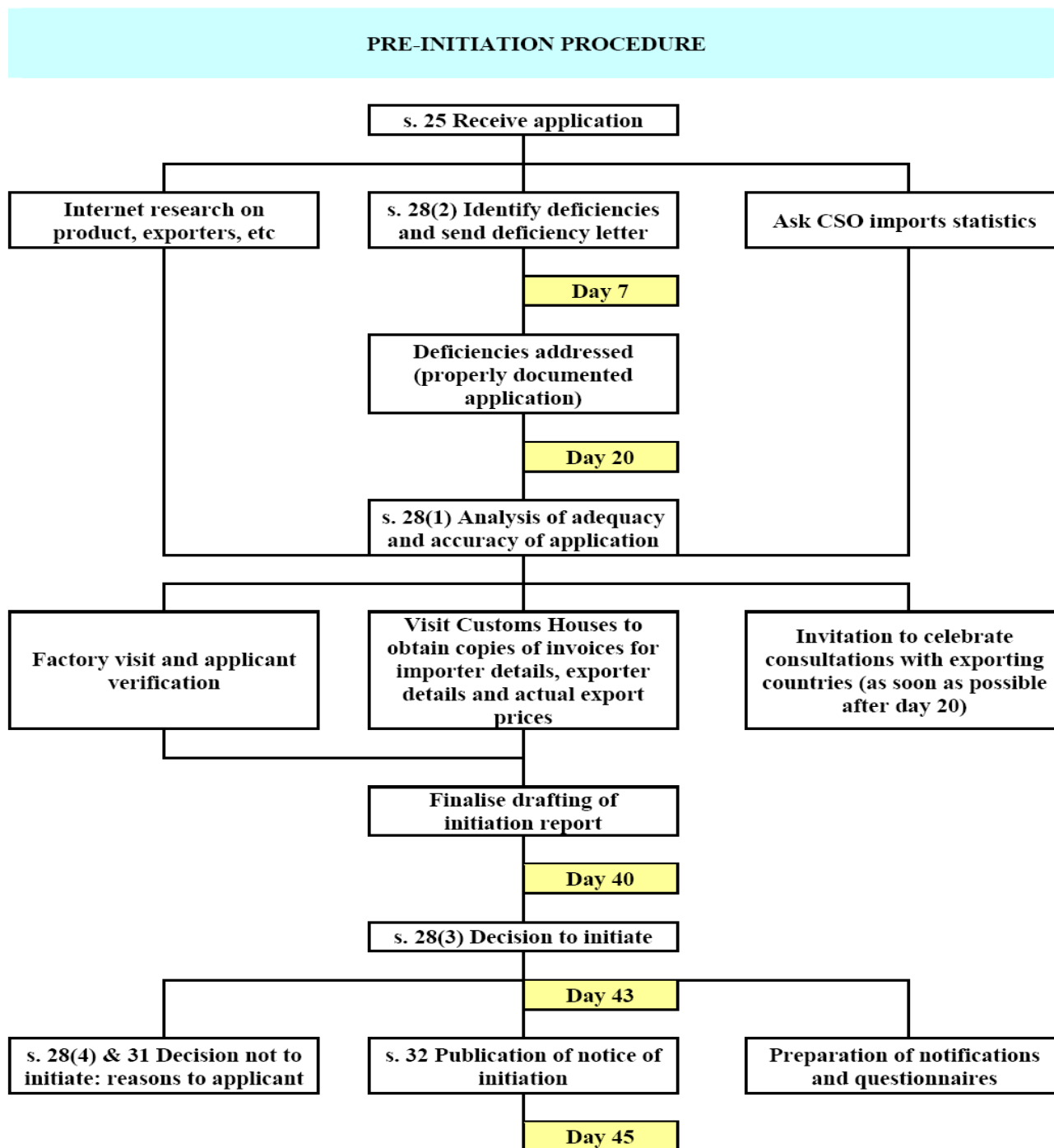
Example of **confidential** information: "TRADING COMPANY Ltd, told me that the prices of imports were 20% lower."

The summary destined for inspection by interested parties could be as follows:

"[One of my customers], told me that the prices of imports were 20% lower."

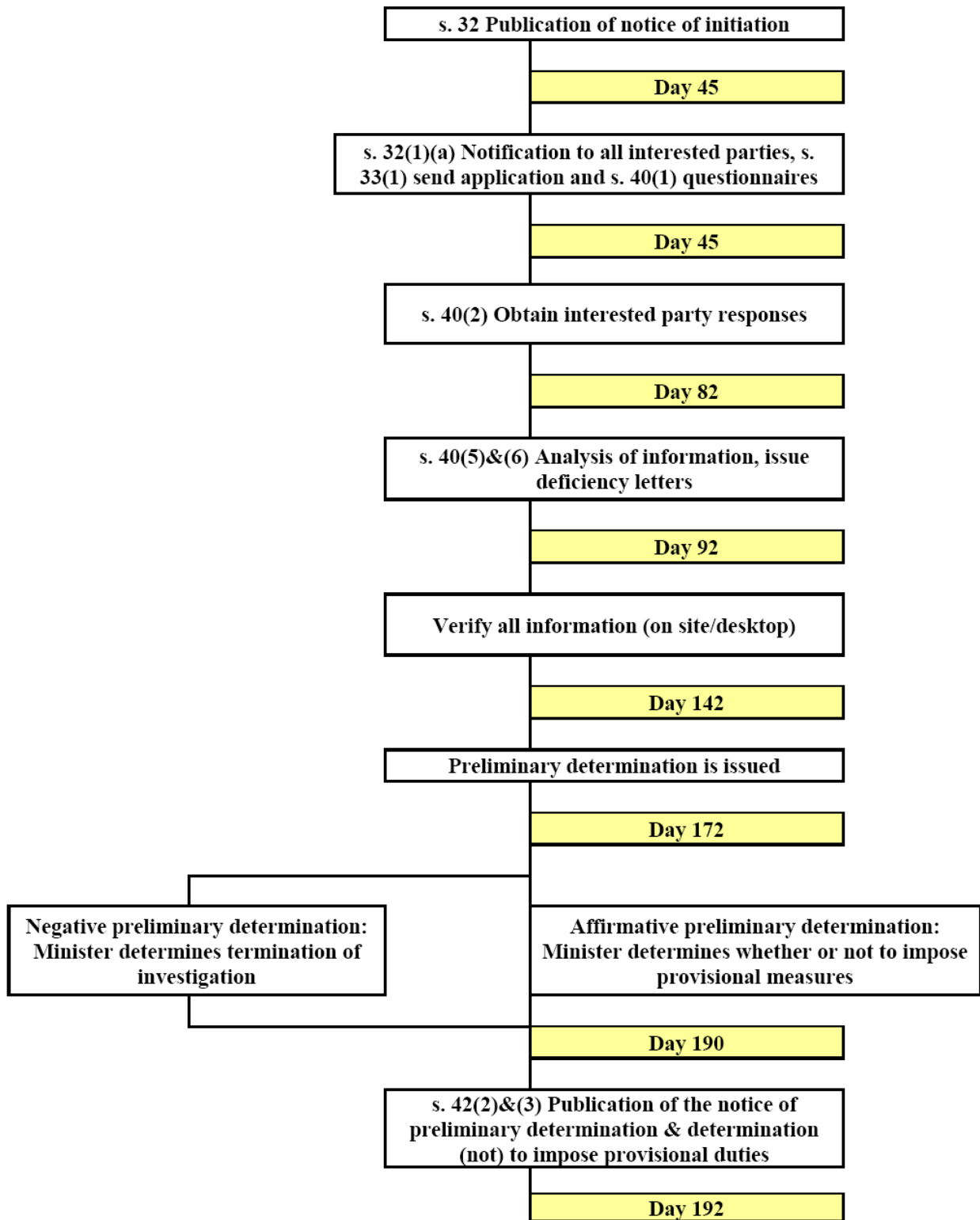
## ANNEXURE-II

### FLOW DIAGRAM FOR INVESTIGATIONS<sup>2</sup>

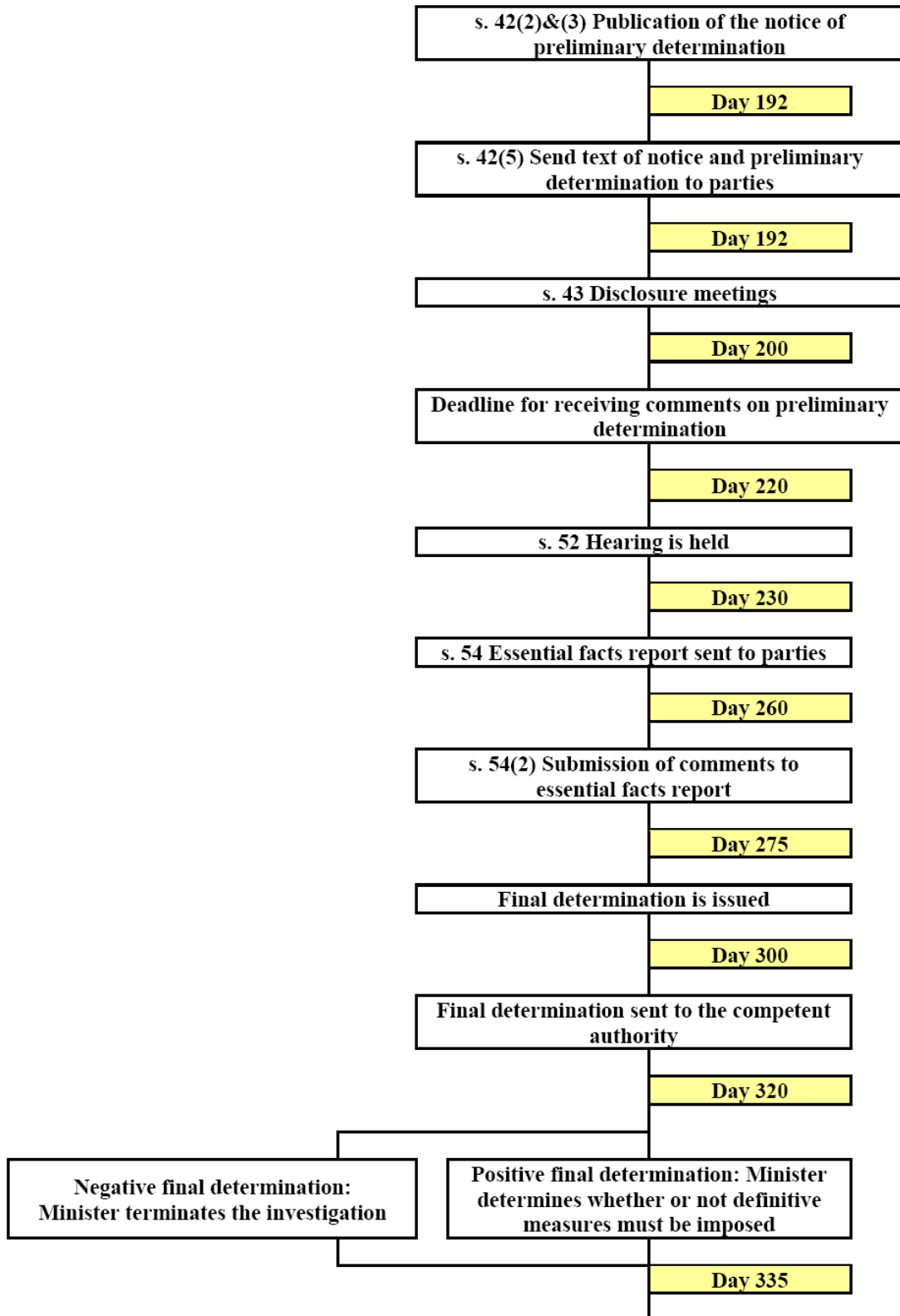


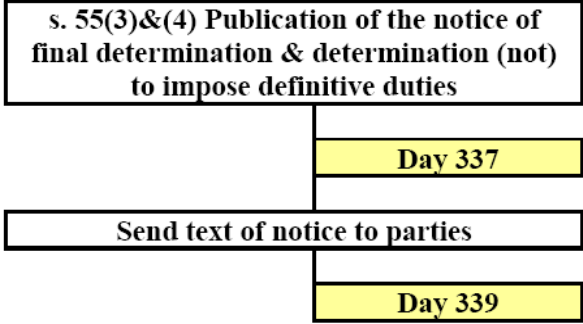
<sup>2</sup> This timetable is merely indicative and does not confer any right to any interested party. In particular, the Act does not require the Minister to impose provisional or final measures. These are discretionary prerogatives of the Minister which can only be acted upon when the requirements set forth in the Mauritian legislation and in the international agreements signed by Mauritius are met.

**PRELIMINARY INVESTIGATION PROCEDURE**



**FINAL INVESTIGATION PROCEDURE**







**ANNEXURE A-3**

**AUTHORISATION LETTER**

I, the undersigned, on behalf of [**insert name of the company**], hereby appoint the following person/firm to represent us before the International Trade Division, Ministry of Foreign Affairs, Regional Integration and International Trade of the Republic of Mauritius (the IA) in the context of the countervailing investigation concerning imports of [**insert product**], originating in, or exported from, [**insert country(ies)**]:

[**Insert Name, address, telephone, fax number of the person/firm who may represent you**]

[**insert name of person/firm**] is authorised, *inter alia* for the following:

- 1) To receive communications containing confidential and/or non-confidential information and data from the IA.
- 2) To make submissions on our behalf.
- 3) To appear for, and on, our behalf in hearings and any other meetings with the IA.
- 4) Other (please specify)

(Please strike off whichever activity is not authorised)

Date \_\_\_\_\_

Place \_\_\_\_\_

\_\_\_\_\_

(Signature)

\_\_\_\_\_

(Name/Designation)

**Note:** The Chief Executive Officer of the Company or the proprietor of the firm filing response to this questionnaire should sign this letter.

### ANNEXURE A-4.3

| Name of shareholder | % of shareholding | Activity of shareholder |
|---------------------|-------------------|-------------------------|
|                     |                   |                         |
|                     |                   |                         |
|                     |                   |                         |

### ANNEXURE A-7

| Per financial year                                  |                                 | Year 1 | Year 2 | Year 3 | POI |
|---|---------------------------------|--------|--------|--------|-----|
| <b>Total company turnover (in MUR)</b>              | -Mauritius<br>-Export<br>-Total |        |        |        |     |
| <b>IP (in MUR)</b>                                  | -Mauritius<br>-Export<br>-Total |        |        |        |     |
| <b>Other sectors (indicate activities) (in MUR)</b> | -Mauritius<br>-Export<br>-Total |        |        |        |     |

### ANNEXURE B-3.1

| Imported product models (please specify the country) | Comparable product models manufactured by the Mauritian industry | Comment on any different characteristics of the imported product model |
|--|--|--|
|  |  |  |
|  |  |  |
|  |  |  |
|  |  |  |

## ANNEXURE C-2.1

| Name of supplier | Invoice number | Invoice date | Model | Quantity (kgs, units, etc) | Invoice value | Currency | Payment terms | Delivery terms | Delivery costs | Customs and other duties paid | Other import costs | Commissions | Discounts (deducted on invoice and deferred) | Total net invoice value at frontier | Total net invoice value delivered | Price per kg/unit CIF Mauritian frontier |
|------------------|----------------|--------------|-------|----------------------------|---------------|----------|---------------|----------------|----------------|-------------------------------|--------------------|-------------|--|-------------------------------------|-----------------------------------|--|
|                  |                |              |       |                            |               |          |               |                |                |                               |                    |             |  |                                     |                                   |  |
|                  |                |              |       |                            |               |          |               |                |                |                               |                    |             |  |                                     |                                   |  |
|                  |                |              |       |                            |               |          |               |                |                |                               |                    |             |  |                                     |                                   |  |
|                  |                |              |       |                            |               |          |               |                |                |                               |                    |             |  |                                     |                                   |  |

- Notes:
- Column "Invoice date" Date in the format as follows: 16 December 2010 should be reported as 16 dec 10
  - Column "Model": Please insert the code or model name
  - Column "Payment terms" Number of days granted for payment, e.g. 30, 60, 90, 120 etc.
  - Column "Delivery terms" Delivery terms (e.g. FOB, C&F, CIF, DEL, etc.)
  - Column "Delivery cost" Indicate transport costs either as actual costs or as a function of invoice value, i.e. cost per unit
  - Column "Discounts" Cash, volume discounts; goods delivered free of charge; year-end rebates
  - Column "Price per kg/unit CIF Mauritian frontier" In cases where the terms of delivery are other than CIF Mauritian Frontier, explain or estimate the calculation of the average unit CIF price, indicating costs incurred by you in respect of:
    - 1) transport costs and/or ocean/air freight to the Mauritian frontier per kg.
    - 2) insurance cost to the Mauritian frontier per kg.
    - 3) other costs (packing, handling, storage, etc.) incurred by your company to the Mauritian frontier.

### ANNEXURE C-3.1

| Volume (units, kg., etc)                | Year 1 | Year 2 | Year 3 | POI |
|---|--------|--------|--------|-----|
| Opening stock                           |        |        |        |     |
| <b>TOTAL</b>                            |        |        |        |     |
| Imports from the [investigated country] |        |        |        |     |
| Closing stock                           |        |        |        |     |
| <b>TOTAL</b>                            |        |        |        |     |

### ANNEXURE C-3.2

| Value (in MUR)                          | Year 1 | Year 2 | Year 3 | POI |
|---|--------|--------|--------|-----|
| Opening stock                           |        |        |        |     |
| <b>TOTAL</b>                            |        |        |        |     |
| Imports from the [investigated country] |        |        |        |     |
| Closing stock                           |        |        |        |     |
| <b>TOTAL</b>                            |        |        |        |     |

### ANNEXURE D-1

| Category of Customer (1) to (5) above | Market Segment (table C.2) | Proportion of sales of IP in Mauritius (by value) | Delivery terms (ex-factory, CIF, FOB) | Terms of payment (Number of days of credit) | Rebates discount schemes (%) (listed on invoice and deferred) |
|---------------------------------------|----------------------------|---|---------------------------------------|---|---|
|                                       |                            |   |                                       |   |   |
|                                       |                            |   |                                       |   |   |
|                                       |                            |   |                                       |   |   |

### ANNEXURE D-3

| Sales of IP (volume: unit, kg., etc) | Year 1 | Year 2 | Year 3 | POI |
|--------------------------------------|--------|--------|--------|-----|
| Mauritius                            |        |        |        |     |
| Exports to 3rd countries             |        |        |        |     |
| <b>Total</b>                         |        |        |        |     |

| Sales of IP (value in MUR) | Year 1 | Year 2 | Year 3 | POI |
|----------------------------|--------|--------|--------|-----|
| Mauritius                  |        |        |        |     |
| Exports to 3rd countries   |        |        |        |     |
| <b>Total</b>               |        |        |        |     |

| Sales of IP (average prices) | Year 1 | Year 2 | Year 3 | POI |
|------------------------------|--------|--------|--------|-----|
| Mauritius                    |        |        |        |     |
| Exports to 3rd countries     |        |        |        |     |
| <b>Total</b>                 |        |        |        |     |

## ANNEXURE D-4

| Name of supplier | Inv no. | Invoice date | Model | Customer number | Category of customer | Quantity (kg, units, etc) | Invoice value in MUR | Payment terms | Delivery terms | Delivery costs | Commission | Discounts (deducted on the invoice and deferred) | Net invoice value | Price / (kg, units, etc) |
|------------------|---------|--------------|-------|-----------------|----------------------|---------------------------|----------------------|---------------|----------------|----------------|------------|--|-------------------|--------------------------|
|                  |         |              |       |                 |                      |                           |                      |               |                |                |            |  |                   |                          |
|                  |         |              |       |                 |                      |                           |                      |               |                |                |            |  |                   |                          |
|                  |         |              |       |                 |                      |                           |                      |               |                |                |            |  |                   |                          |
|                  |         |              |       |                 |                      |                           |                      |               |                |                |            |  |                   |                          |

- Notes:
- Column "Invoice date" Date in the format as follows: 16 December 2010 should be reported as 16 dec 10
  - Column "Model": Please insert the code or model name
  - Column "Category of customer" Indicate the category of customer using the following codes: 1 = distributors; 2 = OEMs; 3 = retailers; 4 = end users; = 5 others, please specify
  - Column "Payment terms" Number of days granted, e.g. 30, 60, 90, 120 etc.
  - Column "Delivery terms" Delivery terms (e.g. FOB, C&F, CIF, DEL, etc.)
  - Column "Delivery costs" Indicate transport costs either as actual costs or as a function of invoice value, i.e. cost per unit
  - Column "Discounts" Cash, volume discounts, goods delivered free of charge; end of year rebates.