

**REPUBLIC OF MAURITIUS**

**TRADE REMEDIES INVESTIGATING  
AUTHORITY**

**SAFEGUARD INVESTIGATION ON**

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(product)

**IMPORTER QUESTIONNAIRE  
RESPONDENT:**

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## GLOSSARY

Act	Trade (Anti-Dumping, Countervailing and Safeguard Measures) Act 2022
C&F	Cost and freight
CIF	Cost, insurance and freight
Cost of production	All costs to produce the product, excluding any SGA costs and profit
Director	Director of the Trade Remedies Investigating Authority
Direct production cost	Costs directly related to the production of the product, e.g. raw materials and components. Also called variable costs.
Fixed cost	Costs that are fixed, i.e. costs that do not change along with changes in production volumes. Also called indirect production costs.
Foreign like product	Product sold on the domestic market of the exporter
GATT	General Agreement on Tariffs and Trade
Gross profit	Difference between selling price and cost of production
Indirect production cost	Costs indirectly related to the production of the product, e.g. direct labour (where the number of labour units does not change with changes in production volumes) and depreciation. Also called fixed cost.
Net profit	Difference between selling price and total cost
Price undercutting	The extent to which the price of the imported product is lower than the price for your product
SGA costs	Selling, general and administrative costs
Subject product	The product imported into Mauritius
WTO	World Trade Organization

## INTRODUCTION

1. This investigation is conducted in terms of the Trade (Anti-Dumping, Countervailing and Safeguard Measures) Act 2022 , the Safeguard Regulations and the WTO Agreement on Safeguards.
2. The purpose of this questionnaire is to help the importer in Mauritius bring together in a concise and logical form the information needed by the Investigating Authority to decide whether the industry requires protection against an increase in imports.
3. To the extent possible the importer should provide full and accurate information. Provide supporting documentary evidence from commercial or governmental sources, e.g. commercial invoices or offers, official trade and production statistics.
4. It is important that you should supply as much of the information as possible. The Investigating Authority's decision whether to recommend the imposition of a safeguard measure is directly dependent on the quality of the information received from various parties, including importers.
5. All cost related information should be reconcilable to the financial statements or management accounts.
6. This investigation is to be conducted, and all information provided, in English..
7. 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 questionnaire response submitted to the **Investigating Authority** must include the **original confidential version** and the declaration of accurateness and completeness must be signed by the company's responsible officer. A **non-confidential version only needs to be submitted once the Investigating Authority is happy that it has received a properly documented application**.
  - Electronic submissions: Confidential and non-confidential versions of the questionnaire response, including any supporting documentation, should be submitted electronically and must be provided in any of the following formats:

Document Type	Formats supported	Latest Version Supported
Word Processing	Microsoft Word	Word 2010
Spreadsheet	Microsoft Excel	Excel 2010
All	PDF	

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

Electronic submissions must be made on CDROM, DVD or memory stick, **free of viruses** and 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.

**Separate electronic storage should be used for confidential and non-confidential**

**submissions.**

8. 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 Investigating Authority for the purpose of this investigation.
9. **All questions must be answered.** Where the question is “not applicable”, you must state so in the reply. Where information is “not available”, you must say so and indicate why it is so.
10. Note that a copy of this questionnaire is available in electronic format on request. In addition, all tables and Annexures are available in electronic format in Excel on request. Should you require an electronic version, please contact the Investigating Authority.
11. Information submitted in confidence will be treated as such by the Investigating Authority. Access to confidential information will be restricted to the officers in charge of the investigation as well as to the Investigating Authority. The Investigating Authority has set up means to ensure that only authorised personnel can have access to all documentation submitted in confidence.
12. The Investigating Authority is required by law to ensure that all interested parties to a safeguard investigation are given reasonable opportunity to have access to all non-confidential information relevant to the presentation of their case after initiation of an investigation.
13. Any information which is by nature commercially confidential (for example, because its disclosure would be of significant competitive advantage to a competitor, or would have a significantly adverse effect on the person supplying the information or the person from whom the information was acquired,) 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 Investigating Authority.
14. In this regard, 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 in each instance; and
  - (c) provide a non-confidential version or non-confidential summary of the 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 in confidence. Annexure I to this questionnaire provides guidelines on how to prepare a non-confidential summary of the confidential information.
15. Please reproduce all questions, followed by the answers, in your application.

## SECTION A – GENERAL INFORMATION

**A1 Identify your company**

Name:  
 Address:  
 Telephone No:  
 Webpage:  
 E-mail Address:

**A2 Identify the authorised contact person(s) for your company for this investigation**

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

Note that this person should be able to speak English.

**A3 Legal Representative**

If you have appointed a legal representative to assist you in this proceeding, please provide the following details:

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

**Please submit an authorization for the legal representative to act on your behalf. A template is enclosed as Annexure A3.**

**A4 Corporate Information**

A4.1 Indicate the legal form of your company (public company, private company, fully owned subsidiary, joint venture, etc.)

A4.2 Provide a complete listing of all shareholders that hold more than 1% of the shares in your company in the following format:

Name	Type of share	Number of shares	Percentage shareholding	Percentage of voting rights
1.				
2.				
3.				

A4.3 Please indicate address(es) of all your offices involved in the administration, sales and production of the product under investigation.

Office:  
 Address:  
 Function:

A4.4 Supply a detailed diagram outlining the overall internal hierarchical and organisational structure of your company. Please attach as Annexure A4.4.

A4.5 Please provide your company's worldwide corporate structure and affiliations, including parent companies, subsidiaries or other related companies. Please attach as Annexure A4.5.

A4.6 Describe the nature of your relationship with the company(s) referred to in A4.5. State whether you share any board members or senior executives with any of those entities. If so, identify the persons and nature of their affiliations.

A4.7 Specify in detail any financial or contractual links and joint ventures with any other company concerning production, sales, licensing, technical and patent agreements for the product under investigation.

**A5 Range of products**

A5.1 List all the products produced and/or sold by your company in Mauritius, i.e. not only the product that forms the subject of this application. Please include a brochure of all your products as Annexure A5.1.

**A6 Reasons for importing the product**

A6.1 Please indicate your reasons for importing the product. Refer, where appropriate, to issues such as pricing, quality, service levels, and competition.

**A7 Accounting principles and cost accounting system**

A7.1 Please indicate your financial year.

A7.2 Please describe the accounting principles and practices used by your company. Also provide a description of the cost accounting system used by your company.

Please explain the details or differences, if any, between your company's normal cost accounting system and the cost accounting system used to record the production costs of the products concerned and to complete the reply to this questionnaire.

A7.3 Indicate whether any extraordinary or non-recurring expenses or income are affecting the production and sales of the like product in the reported data. Provide details of the amounts concerned.

A7.4 Please attach copies of your audited financial statements for the last three years as Annexure A7.4. If the financial statements for the last financial year have not been audited yet, please include your unaudited statements.

A7.5 Please attach copies of your monthly internal or management accounts for the full period of investigation as Annexure A7.5.

## SECTION B – PRODUCT

**B1 Subject Product Information:**

B1.1 The subject product is as identified on the cover of this questionnaire. This is the product you import. If you have any comments on the scope of the product, please provide your comments here. Support your comments with documentary evidence to the extent possible.

**B2 Mauritius Like or Directly Competitive Product Information:**

B2.1 This is the product manufactured and sold by the domestic industry. The product was defined in the initiation notice.

If you have any comments with respect to the definition of the like product or directly competitive product, please indicate them and present any supporting evidence.

Please comment on the comparability of the product that you import into Mauritius with that produced and sold by the domestic industry in Mauritius. Identify any differences in physical characteristics and/or end uses of the imported product and that produced and sold by the domestic industry in Mauritius.

Attach copies of brochures/photos showing your imported product as Annexure B2.1.

B2.2 Indicate how these differences affect substitutability, consumer preference and prices.

B2.3 Describe in detail your company's product coding system. Provide a key to your production and sales codes, including all prefixes, suffixes, or other notations, which identify special specifications.



## SECTION C – SOURCES OF IMPORTS

### C1 Supplier Details

Provide in Table C.1 detail of the exporters from whom you purchase the investigated product.

Table C.1: Suppliers' details

No.	Name of company	Address	Tel./ E-mail	Contact Person	Capacity (Is the exporter a producer, trader, etc.?)	What is your relationship with the exporter?*
1.						
2.						
3.						
4.						
Etc.						

\* - indicate whether you are related to the suppliers (related/unrelated)

### C2 Relationship with the exporter

- C2.1 Provide details of any reimbursement, compensation or benefit in respect of the whole or any part of the price given by the exporter or an associate of the exporter.
- C2.2 Explain in detail the nature of the commercial or other relationship of your company with the exporter (e.g. common shareholders etc.).
- C2.3 Indicate the effects of this relationship on the price of the goods (e.g. Discount/ Rebate/Commission etc.).
- C2.4 Does your company have any written agreement with the exporter? If so, please provide a copy as Annexure C2.4.
- C2.5 Indicate the effects of this written agreement on the price paid (e.g. Discount/ Rebate/Commission etc.).

### C3 Distribution system and sales channel

Please explain your company's distribution network in Mauritius and describe the different channels of sale up to the first unrelated customer. Submit the information requested in the following table (please note that the following information concerns only sales to the first unrelated customer). These data should cover a period of twelve months (being the final twelve months of the investigation period). State in what way sales through the different sales channels affect the sales price of your company.

If you sell your products via a distributor, please comment on the mark-up rate applied to its sales to the end-user of the product concerned.

Sales Channel	% of turnover made through this sales channel in 20xx	
	Unrelated parties	Related parties
1. Distributors		
2. End-users		
3. Industrial users		
4. Other (specify)		

## SECTION D – PURCHASES AND STOCKS

### D1 Local purchases

Indicate if you buy the like and/or directly competitive product from domestic producers in Mauritius and, if so, provide a listing of all purchases of such product during the 3-year period of investigation.

Table D.1: Local purchases

Invoice date	Invoice No.	Producer/ Company's name	Description of product purchase d	Quantity (MT)	Value (MUR)	Terms of sales (e.g. FOB 60 days, etc.)	Type/ Model/ Grade

### D2 Imports of the investigated product

D2.1 What types, models or grades have you imported during the investigation period?

D2.2 What are the qualities and characteristics of the imported product (detail of product specifications, raw materials and components and other inputs used for the production)?

D2.3 What are the uses of the imported product?

D2.4 Provide the import quantities (specify the unit of measurement) of the investigated product purchased by your company the investigation period in **electronic Table D2.4**.

D2.5 List all imports by transaction during period of investigation in **electronic Table D2.5**.

D2.6 Please provide a summary of the total imports by year (for each of the three years) by product type or model as per **electronic Table D2.6**.

### D3 Inventories of the investigated product

D3.1 Complete electronic Table D3.1 in respect of the stock of the investigated product (in volume). Note that this relates only to the imported product and not to purchases of the local product.

## SECTION E – RESALE INFORMATION

Break up the resales information where there are different types/models/grades of the investigated product which have different pricing structures. Depending on the function your company/organisation performs, this information should be provided in Sections E1 to E3 of the questionnaire.

What function does your company/organisation perform?

- a trader

go to E1
- a distributor

go to E2
- a further processor of the imports

go to E3
- a combination of the above

go to E1, E2 and E3

Outline your company's functions and/or operations.

### E1 Trader

E1.1 To whom is/are the foreign suppliers' invoice(s) addressed? (Tick where applicable)

You/Your Company	
Recipient of the product	
Both	

E1.2 State the amount of commission received from the foreign supplier(s) by year in the investigation period.

E1.3 If there are sales to unrelated parties in the overall transactions, e.g. foreign supplier sells to you and then you sell to another unrelated party, indicate your profit margin by year in the period of investigation.

E1.4 If you sell the investigated product at a loss, state the reason(s).

E1.5 Indicate if the profit margin of the investigated product is LESS, the SAME or MORE than your normal operating profit margin in the period of investigation. If LESS, state the reason(s).

E1.6 Indicate the terms of sale of your sales of the investigated product.

E1.7 Indicate the average lead-time between a customer's order and the date of delivery of your sales of the investigated product.

E1.8 Indicate the percentage of sales of the investigated product compared to your overall business (in terms of quantity and value).

	Quantity (MT)	Value (MUR)
20xx		
20xx		
20xx		

E1.9 Provide information for all sales during the period of investigation as per the format of **electronic Table E1.9**.

**E2 Distributor**

E2.1 Indicate the percentage of sales of the investigated product compared to your overall business in terms of quantity and value.

	Quantity (MT)	Value (MUR)
20xx		
20xx		
20xx		

E2.2 Provide information for all sales during the period of investigation as per the format of **electronic Table E2.2**.

E2.3 Indicate the terms of sale for your sales of the investigated product to distributors.

**E3 Further processor**

E3.1 If the investigated product is further processed, describe the production process your company performs.

E3.2 If the investigated product is used as input in the production of another product in your company, indicate the percentage of the investigated product used in the production process compared to overall production inputs (in terms of quantity and value).

Table E3.2: Investigated product used in production processes

	Quantity (MT)	Value (MUR)
a) Product under investigation used		
b) Total production inputs		
c) Percentage (%) (a/b x 100)		

E3.3 Provide a cost breakdown of the manufactured goods.

E3.4 List in order of importance any product(s) that may be substituted for the investigated product.

1. ....
2. ....
3. ....

E3.5 For each possible substitute product, give examples of applications and end uses for which they are substituted.

E3.6 Indicate whether changes in the prices of the substitute products will affect the price of the investigated product. If YES, indicate to what degree the changes in their prices affect the price of the investigated product.

E3.7 Provide the breakdown of your total sales in terms of quantity and value.

## SECTION F – COMMENTS ON APPLICATION AND OTHER INFORMATION

### F1 Comments on the application or on any of the substantive elements

You may wish to comment on any of the arguments contained in the request.

F1.1 Please comment on the following substantive issues under investigation:

- (a) The existence of unforeseen developments and GATT obligations;
- (b) The alleged increase in imports, and whether it has been sudden, sharp, recent and significant;
- (c) The alleged serious injury or threat thereof to the domestic industry; and
- (d) The alleged causal link between the increased imports and the industry's injury.

For instance, you may comment on factors other than increased imports which at the same time may have been causing injury to the domestic industry.

F1.2 Please comment on whether a safeguard measure would be in the public interest. Note that the Investigating Authority can only consider your comments if they are supported with appropriate evidence.

F1.3 Please provide any other comments you deem relevant on the application or any other substantive issues.

### F2 Information on threat of serious injury

#### The likelihood of substantially increased imports

F2.1 What are your business' intentions regarding future imports of the product into Mauritius? Please include comments on how you perceive growth in such imports and your estimated import volume figures over the next twelve (12) months.

F2.2 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 investigated product into Mauritius.

F2.3 Does your business have any contractual arrangements with any foreign producers of the investigated product for export to Mauritius, including forward orders for future purchases of the investigated product? If so, please indicate the value and volume of the investigated product 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.

F2.4 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 investigated product 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.

F2.5 Is your business planning to increase its capacity to import the investigated product? If so, please provide details.

#### Pricing of imported goods

F2.6 Please comment on the extent to which you consider pricing influences demand for the investigated product imported and re-sold by your business in Mauritius.

F2.7 Do you consider that demand in Mauritius for the investigated product imported by your business is influenced by factors other than price, such as quality? If so, please comment on what these other factors are, with substantiating evidence.

*Inventory levels in Mauritius and in the countries exporting the investigated product*

F2.8 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?

F2.9 What are the factors causing your business to stockpile inventory?

**F3 Other questions**

F3.1 Please explain what is the likely effect on your company of safeguard measures, including the possibility of changing the source of supply of the investigated product, or the possibility of switching to another product.

F3.2 How realistic is the possibility of switching sources of supply for your company? Under which circumstances would such a switch take place?

F3.3 In the event of safeguard measures on imports of the investigated product, would you be able to pass on any increase in your costs to your customers? Please substantiate.

F3.4 Please comment on any aspect not covered elsewhere in this questionnaire. You may for instance provide information and arguments regarding the existence of critical circumstances for the implementation of a provisional safeguard measure, or concerning the requested form and level of the definitive safeguard measure.

## 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)

- Notes:**
- (1) This page should be completed and appended at the beginning of your submission.
  - (2) The Chief Executive Officer, Managing Director, Chief Finance Officer, a Director, Partner or the proprietor of the firm filing response to this questionnaire should sign the declaration – it may not be signed by the consultant.

**ANNEXURE A3**

**AUTHORISATION LETTER**

We hereby appoint the following person/firm in Mauritius to represent us in the safeguard investigation being conducted by the Investigating Authority. This representation will remain in effect until revoked in writing.

(Name, address, telephone, fax number, email address of the person/firm who may represent you)

M/s ..... (name) is authorised, *inter alia* for the following: \_\_\_\_\_

- 1) To communicate with and receive communication from the Investigating Authority.
- 2) To make submissions on our behalf.
- 3) To appear for and on our behalf.

(Please strike off whichever activity is not authorised)

Date \_\_\_\_\_

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name/Designation)

**Note:** The Chief Executive Officer, Managing Director, Chief Finance Officer, a Director, Partner or the proprietor of the firm filing response to this questionnaire should sign the declaration – it may not be signed by the consultant.



## ANNEXURE I

### DRAFTING THE NON-CONFIDENTIAL RESPONSE

All information for which confidentiality is claimed should be submitted in a non-confidential format that enables other interested parties a reasonable understanding of the information that was submitted in confidence. This can either be done by submitting data in index form or by providing a non-confidential summary. The following example shows how the information can be presented.

#### Confidential information

Table I.1

<b>Sales volume</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Model 1</b>	489,253	538,178	527,415	406,109
<b>Model 2</b>	134,235	153,028	142,316	103,891
<b>Model 3</b>	346,234	373,933	366,454	344,467
<b>Total</b>	969,722	1,065,139	1,036,185	854,467

#### Indexed version

The information in Table I.1 can be reproduced in index form as follows:

Table I.2

<b>Sales volume</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
<b>Model 1</b>	100	110	108	83
<b>Model 2</b>	100	114	106	77
<b>Model 3</b>	100	108	106	99
<b>Total</b>	100	110	107	88