



**APPLICATION FOR REMEDIAL ACTION AGAINST
THE ALLEGED DUMPING OF**

PRODUCT(S).....

manufactured in

COUNTRY(IES) OF ORIGIN.....

or exported from

COUNTRY(IES) OF EXPORT.....

APPLICANT'S NAME.....

Important Information

The Commission initiates Anti-dumping investigations in terms of the Competition (Anti-Dumping and Countervailing Duty) (Investigations) Regulations, 2002 and in conformity with its international obligations under the World Trade Organisation.

This form, providing the applicant (individual/company/industry) with a framework to present their case, will be used by the Commission to establish whether there are reasonable grounds to initiate an investigation. Such investigations will be initiated on the basis of reasonably based claims supported by substantiated evidence as simple assertions are inadequate to sustain an application.

To assist consideration of the application, it is important that:

- i) all questions are answered truthfully; and*

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ii) *information that is reasonably available is supplied.*

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GENERAL INFORMATION

- 1.1 The questionnaire is designed to assist affected Zimbabwean industries in compiling information required by the Competition and Tariff Commission (*herein referred to as the Commission*) to reach a decision whether or not to initiate a formal investigation.
- 1.2 Zimbabwe is a member of the World Trade Organisation (WTO) and is bound by the dumping provisions contained in the Agreement on the Implementation of Article VI of the General Agreement on Tariffs and Trade (GATT) 1994 (the *Anti-Dumping Agreement*). The Commission is committed to act in accordance with the *Anti-Dumping Agreement* within the framework of the Zimbabwean law operationalised through the Competition Act [Chapter 14:28] (*herein referred to as the Act*), and the Competition (Anti-Dumping and Countervailing Duty) Regulations 2002, (*herein referred to as the Regulations*). The *Act* designates the Commission's as the national *Investigating Authority* that investigates dumping cases for recommendation to the Ministry of Industry and Commerce. The *Regulations* stipulates additional substantive and procedural guidelines to be followed when undertaking anti-dumping investigations.
- 1.3 Applicants should provide full and accurate information and, wherever possible, provide supporting documentary evidence to substantiate the alleged dumping. Failure to do so will detrimentally affect the investigation.
- 1.4 If the application is based in part on confidential material, the application must contain a non-confidential version of the confidential material together with an explanation of why it is confidential. The public summary should be in sufficient detail to permit a reasonable understanding of the substance of the information submitted in confidence. Therefore, where confidential and non-confidential versions are supplied, the applicant must:
 - i) indicate where information has been omitted in each case;
 - ii) provide reasons for confidentiality in each instance; and
 - iii) provide a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information in each instance.

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- 1.5 If the application is in respect of more than one product, a reference to "*product*" should be considered to be a reference to "*products*", and the applicant should respond to the relevant question(s) in respect of all products separately.
- 1.6 The information should be submitted, in duplicate, both hard and soft copies (flash disks/email), clearly labelled and indicating:
- i) Applicant's name;
 - ii) Product(s) concerned;
 - iii) Type of information on the disc;
 - iv) Software used; and
 - v) Whether information is confidential or not.
- 1.7 Information pertaining to dumping should cover 12 months prior to the lodgment of the application or the injury should cover the last 3 financial years prior to the lodging of the application and the current financial year.
- 1.8 The Commission will verify all information submitted. Any application, which knowingly or willfully provides false or misleading or incorrect information to the Commission, whether in an application received or otherwise in connection with the investigation, shall be disqualified and on that basis the Commission may decide not to proceed with the investigation.

1.9 The Commission's Tariffs Division will assist in clarifying the information required in this form.

1.10 The application should be lodged or submitted to:

The Director
COMPETITION AND TARIFF COMMISSION
No.1 Nkwame Nkurumah Avenue
P. Bag 7774 Causeway,
Harare
Zimbabwe

Telephone: 775040/1-5, 771126/9, 773564/4, 771317, 754680
Fax: 263-04-770175

Email: compcomm@mweb.co.zw

GUIDELINES FOR COMPLETING THE APPLICATIONS

2.1 Completion of Application

The application should contain a letter which summarizes the information contained in the enclosed questionnaire and furnishing reasons why the applicant believes the application provides evidence of dumping of a product from a foreign country which is causing injury to a Zimbabwean producer of a like product. The questionnaire should be completed in all respects and documents supporting the responses, arguments or allegations should be attached as a separate set of exhibits. The summary letter should be on the official letterhead of the applicant dated, signed and addressed to the Commission and certified as specified in this form. The application should cover the elements identified in the outline including a table of contents and a list of appendices.

2.2 Nature of Request

The application should describe the action that is requested of the Commission, for example the investigation of dumping of product X from country Y, including the citation of the applicable law under which the action is requested. It is therefore advisable that the applicant be familiar with the *Act* and the *Regulations* to fully appreciate the stipulations of the law.

2.3 Minimum information Requirements

The applicant should provide the following minimum requirements:

- a) The name and address of the applicant and his sales volume in Zimbabwe of the domestic like product.
- b) The names, addresses and sales volumes in Zimbabwe and other Zimbabwean producers of the domestic like-product.
- c) If other domestic producers are not applicants, information should be availed regarding their support for or opposition to the application.
- d) A full description of the product to be investigated, including its description, methods of production, physical characteristics, uses and tariff code.
- e) A description of the “domestic like product” (the product made in Zimbabwe that is the same as or most similar to the imported product).
- f) The names and addresses of foreign exporters and producers as well as Zimbabwean agents.
- g) The volume and value of imports of the investigated product for the three most recent years.
- h) Evidence of dumping of the product in Zimbabwe.
- i) Evidence that dumping has caused injury on the domestic industry producing same or like products.
- j) The causal link between the dumped products and injury to industry.

2.4 Export Price

The applicant should explain how the export price given in the questionnaire was determined. This may be done using ex-factory or F.O.B prices to independent importers in Zimbabwe. However, if the importer is related to the exporter, export price should be calculated using the deductive method. This is done by deducting transportation costs, duty, tax, selling and distribution expenses incurred in Zimbabwe and resale profit from the importer’s resale price in Zimbabwe. Whichever method used should be fully described and the sources of information identified. The export price determined should be stated, .e.g. US\$200 per metric ton. ***(Worksheets showing the calculation and supporting documents should be provided as appendices to the questionnaire).***

2.5 Normal Value

The applicant should explain how the normal value given in the questionnaire was determined. The preferred method is sales prices for consumption in the domestic markets of the country (ies) of exportation. If this is not available, the applicant may use either the price applicable to exports to a third county (ies) or the constructed normal value. Whichever method used should be fully described and the sources of information should be identified. The normal value determined should be stated. ***(Worksheets showing the calculation and supporting documents should be provided as appendices to the questionnaire).***

2.6 Injury and Causation

The applicant should describe the condition of the domestic industry and changes in the relevant indicators over the last 3 most recent years using profits, sales, production, capacity utilization, employment or any other objective measures. The applicant must explain how dumped imports are causing injury through comparing the price and volume trends of the dumped imports over the most recent 3 years with these factors indicating the health of the domestic industry over the same period. Examples include dumped imports may be increasing in volume or falling in price or both, as domestic sales, profits, employment or market share fall or price undercutting or price suppression by dumped imports. These should be described and documented if they exist. ***(Worksheets showing the calculation and supporting documents should be provided as appendices to the questionnaire).***

2.7 Declaration

I/ We, hereby request the Commission to initiate an investigation in accordance with Section 14 of the Competition (Anti-dumping and Countervailing Duty) Regulations, 2002, in respect of the product identified in the questionnaire for the imposition of Anti-dumping duty. In support of this application, I/ We attach evidence of:

- i) dumping,
- ii) injury to the domestic industry, and
- iii) Causal link between the dumped imports and injury to domestic industry.

This application shall be considered to have been made “by or on behalf of the domestic industry” if it is supported by those domestic producers whose collective output constitutes more than 50 % of the total production of the like product produced by that portion of the domestic industry expressing either support for or opposition to the application. However, no investigation shall be initiated when domestic producers expressly supporting the application account for less than 25 % of total production of the like product produced by the domestic industry.

I/We believe that the information contained in this application:

- Provides reasonable grounds for the publication of the notice(s) required; and
- Is complete and correct to the best of my/ our knowledge and belief.

Application made by or on behalf of:

Signature: _____

Applicant Name(s): _____

Title/ Position: _____

Address(s): _____

Date: _____

INFORMATION TO BE SUBMITTED BY APPLICANT

“Applicant” - any individual or producer(s) or an association of producers of the like-product may apply for the imposition anti-dumping duty under the provisions of the Regulations. An application may be made by any person on his own initiative or on behalf of (i) the domestic producers of like products or (ii) the domestic producers, whose collective output of like products constitutes a major portion of the total domestic production of those products. The application is considered to be made by or on behalf of domestic industry if i) support of domestic producers whose collective output is more than 50% of the total production expressing either support for or opposition to the application exists, and ii) domestic producers supporting the application account for more than 25% of total production of the domestic like-product produced by the domestic industry.

‘Dumping’ - is when the export price of a product imported into Zimbabwe is less than the price at which a like product is sold in the domestic market of the exporting country.

‘injury to domestic industry’ - refers to present injury, threat of injury or retardation of establishment of a domestic industry. It is determined by examining indicators such as profits, production, sales, market share, and growth employment, investment, cash flow and other objective factors, which reflect the health of an enterprise. Injury to a domestic industry must be caused by dumped imports to justify the imposition of an anti-dumping duty. The Commission will consider such factors as growth of imports in absolute or relative terms, market share, domestic price undercutting, depression or suppression, loss of sales or other factors which reflect that the dumped imports have adversely affected domestic industry.

SECTION A: APPLICANT DETAILS AND ALLEGATIONS OF DUMPING

A. APPLICANT DETAILS

A1. This investigation is conducted in accordance with the Act, the Regulations and the Anti-Dumping Agreement.

A2. The application is lodged by _____, being an individual, or an industrial organization or a major producer of the subject product in Zimbabwe. The applicant’s full details are as follows:

A2.1 Company Name: _____
Physical Address: _____
Postal Address _____
Telephone (land/Cell) _____
Fax :(____) _____
Email: _____

Please attach a map indicating how to reach you as Annex A2.1.

A2.2 The applicant’s manufacturing sites are situated at:
Company: _____
Physical Address: _____

Please attach a map as Annex A2.2 (if different from A2.1)

A3 The applicant has appointed _____ to act on its behalf in the investigation.
(If a consulting /legal firm has been engaged by the applicant)

A4 Provide a diagram of your company's group structure and indicate the percentage stockholdings

A5 Specify the applicant’s franchise, manufacturing, licensing, know-how, technology and distribution agreements in place in respect of inputs, manufacturing and outputs relating to the subject product.

A6 The applicant alleges that the dumping of _____ (product) from _____

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_____ (country (ies)) is/are causing _____ material injury. The basis for the allegation of dumping is that exports from the _____ country of export or origin are taking place at less than the normal value.

A6.1 The normal value is based on domestic sales in the country of export *or* a constructed normal value *or* export price to a third country/surrogate value.

A6.2 The allegation of injury is based on an actual injury *or* a threat of material injury *or* the material retardation of the establishment of an industry. The alleged injury *or* threat thereof is with respect to the following factors:

- a. _____
- b. _____
- c. _____
- d. _____
- e. _____
- f. _____
- g. _____
- h. _____

A7. Provide names and addresses of the firms who supply inputs for the manufacturing of the subject product and give details of these inputs.

A8. Provide names and addresses of related firms involved with the distribution of the subject product.

A9. Provide your accounting year as well as balance sheets for the last 3 years.

SECTION B: THE IMPORTED AND DOMESTIC PRODUCTS

Note: *Within the Regulations, anti-dumping investigations can be initiated only if the domestic product is a like-product to the imported product.*

'Like product' in relation to subject products, is any product which the Minister determines as being identical in all respects to the subject products, or any products which the Minister determines to have characteristics closely resembling those of the subject products. The applicant is expected to describe both the domestic product as well as imported product in sufficient detail for proper comparison and understanding of the products.

B.1 IMPORTED SIMILAR OR LIKE- PRODUCT

Note: *If there is more than one imported product competing directly with the Zimbabwean product, information should be submitted separately for each such product.*

B.1.1 Please provide the following information about the imported product:

- i) Provide the description and the Harmonised System of classification of the imported product
- ii) Chemical composition and technical characteristics
- iii) Major raw materials, source countries and percentage contribution
- iv) Specific grade/ type/ model produced
- v) Details of import taxes (Custom Duty, VAT, Excise Duty)
- vi) Description of the production process
- vii) Application and end use of the product(s)
- viii) Similarities between the imported product and the domestic product
- ix) Extent of substitutability between the local and imported like product

- x) Differences between the dumped product and domestic product
- xi) Possible loopholes in the tariff classification, i.e. whether the product can be imported under any other tariff heading.
- xii) Comments about that will assist the Commission in understanding the nature of the imported product and differences between the imported product and domestic like product.

Corroborate your answers with catalogues, brochures, other literature and samples labelled B.1.

B.2 ZIMBABWEAN 'LIKE PRODUCT'

Note: *If remedial action is requested for more than one product, the following information should be submitted separately for each product. Where the application is lodged for numerous product lines such as shoes, hand bags etc a sample must be selected for investigation purposes and the basis for determining the sample must be indicated. Note that the Commission may request information relating to products falling outside the sample after receiving the exporters and importers' responses.*

B2.1 Provide the description of the product including physical, technical and other properties and supply technical documentation where necessary as follows:

- i) HS classification and description of the domestic like product
- ii) Technical characteristics and appearance
- iii) Applicant's product types or models are comparable to each of the imported products or types. If possible the comparison should be done in a table
- iv) Describe the way in which the essential characteristics of the imported goods are alike to the goods produced by the Zimbabwean industry producing like or similar products
- v) A summary and diagram of the production process of the local product
- vi) If product is manufactured from both imported and Zimbabwean raw materials, then -describe the use of imported inputs
- vii) Identify that at least one substantial process of manufacture which occurs in Zimbabwe .e.g reference to value added, complexity of process or investment in capital stock
- ix) Standards applicable to the product
- x) Applicable local taxes
- xi) Major applications and end uses
- xii) List of the names and contacts details of all other Zimbabwean producers of the product
- xiii) Any other information that will assist the Commission in understanding the nature of the domestic like product.

B.3 LIKE PRODUCT IN THE COUNTRY OF EXPORT/ORIGIN

B3.1 Provide the following information for the like- product in the country of export:-

- i) Product description
- ii) Major raw materials used in its production
- iii) Production process used in manufacturing the product
- iv) The product's technical characteristics, production standards and appearance
- v) Application and end use
- vi) Extent of substitutability between the like product and imported product
- vii) Detailed enumeration of differences between the imported and like products sold in the country of origin, if any

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SECTION C: INTERESTED PARTIES

C.1 REPRESENTATIVE ORGANISATION

C1.1 If there is a Zimbabwean representative organisation submit the following information:
Names, address, telephone and fax numbers and E-mail addresses of and position held by the organisation's officers to be contacted;

Name of organisation: _____
 Name of contact person: _____
 Designation: _____
 Postal address: _____
 Physical address: _____

 Tel: (____) _____ Fax: (____) _____
 Email: _____

C.2 DOMESTIC INDUSTRY

“domestic industry” means a) domestic producers of like products; or b) the domestic producers whose collective output of like products constitutes a major proportion of the total domestic production of those products, but shall not, subject to Part II, include domestic producers related to the exporters or importers, or are themselves importers of the subject products;”

C2.1 Provide details of an industry Association as well as name producers in the industry affiliated to the organisation. (Supply company names, postal, physical and e-mail addresses, telephone and fax numbers, names of contact persons). **The table may be expanded to accommodate more players.**

Company: _____ Postal address: _____ _____	Company: _____ Postal address: _____ _____
Physical address: _____ _____	Physical address: _____ _____
Contact person: _____ Designation: _____ Tel: (____) _____ Fax: (____) _____ Email: _____	Contact person: _____ Designation: _____ Tel: (____) _____ Fax: (____) _____ Email: _____

C2.2 Give details of all other producers constituting the local industry concerned including their names, postal and physical addresses, telephone and fax numbers, e-mail addresses and the names of contact persons.

Company: _____ Postal address: _____ _____	Company: _____ Postal address: _____ _____
Physical address: _____ _____	Physical address: _____ _____
Contact person: _____ Designation: _____	Contact person: _____ Designation: _____

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Tel: () _____	Tel: () _____
Fax: () _____	Fax: () _____
Email: _____	Email: _____

C2.3. Indicate the industry support and/or opposition to the application in the following format:

Industry Standing (Total domestic production of like goods for the 12 months preceding the lodging of the application)			
Producer	Production volume- Support Application	Production volume- Oppose application	Production volume- Neutral
Your Company			
Other producers			
1.			
2.			
3.			
Total Zimbabwean			

C.3 EXPORTERS

C3.1. Provide the names and contact details of exporters and foreign producers being investigated.

Company: _____ Postal address: _____ _____	Company: _____ Postal address: _____ _____
Physical address: _____ _____	Physical address: _____ _____
Contact person: _____ Designation: _____ Tel: () _____ Fax: () _____ Email: _____	Contact person: _____ Designation: _____ Tel: () _____ Fax: () _____ Email: _____

C.4 IMPORTERS

C4.1. Provide the names and contact details of the major importers of the product under investigation in the table below:

Company: _____ Postal address: _____ _____	Company: _____ Postal address: _____ _____
Physical address: _____ _____	Physical address: _____ _____
Contact person: _____ Designation: _____ Tel: () _____ Fax: () _____ Email: _____	Contact person: _____ Designation: _____ Tel: () _____ Fax: () _____ Email: _____

SECTION D: DUMPING

Normal Value of any subject products shall (1) be the comparable price actually paid or payable in the ordinary course of trade for the like-products sold for consumption the domestic market of the exporting country. 2) Where there are no sales in the domestic market of the exporting country under subsection 1), or where, because of the particular market situation or the low volume of the sales in the domestic market of the exporting country, and such sales do not permit a proper comparison, the normal value of the comparison shall be –

a) the comparable price actually paid or payable in the ordinary course of trade for the like products exported to any appropriate third country, provided that such price is representative;

Or

b) the constructed value of the subject products which shall include the cost of production in the exporting country; plus a reasonable amount of profits.

Section 15.(5) of the *Regulations* contains additional information on normal values, including how the selling, general

And administrative expenses and the reasonable profit margin in constructed normal values should be determined, domestic sales to related parties and the determination of the normal value in cases where the domestic selling price is unreliable. Section E, therefore, provides information needed for a proper comparison of export price and normal value. However, special rules apply in the following cases -

- (a) Where there are no sales of the like product on the exporter's domestic market or where sales do not allow a for proper comparison, e.g. because they are very small (e.g. less than 5% of the volume exported into Zimbabwe (Section 15.3 of the *Regulations*));
- (b) Where sales on the exporter's domestic market are made at a loss over an extended period of time and in substantial quantities);
- (c) Where sales on the domestic market are made to related parties; or
- (d) Where a particular market situation exists in the exporting country that makes a comparison to the domestic sales unreliable, in which case either of the other two definitions of normal value or the normal value in a surrogate country may be used.

Note: *There are 3 methods for establishing normal value. Wherever possible, this should be established on the basis of the domestic selling price in the exporting country in the ordinary course of trade. Where this is not available, the applicant may either construct a normal value, using the various costs applicable in that country, or determine the normal value with reference to the export price from that country to a third country. If the product is sold on the exporter's domestic market, invoices, price lists and advertisements containing prices can be used to establish a normal value. In the case of a cost build-up all the main inputs must be substantiated by the necessary documentation such as international commodity prices, publication and internet information. Before resorting to establishing a normal value in terms of section 15 of the Regulations, i.e. by constructing a normal value or by indicating the export price from the exporting country to a third country, applicant should provide details of attempts made to obtain the domestic selling price in the country of origin. Identification of sources of information and substantiation of all responses to this section with documentary evidence is critical.*

De minimis - domestic sales of the like product shall normally be considered a sufficient volume to determine a normal value if such sales constitute 5% or more of the sales volume of the product in Zimbabwe. Sales representing less than 5 % of export sales to Zimbabwe may nevertheless be deemed sufficient where such sales are of sufficient magnitude to provide for a proper comparison.

D.1 DOMESTIC SELLING PRICE IN EXPORTING COUNTRY

D1.1 Furnish the price charged on the exporter's domestic market. *(This should be the net ex-factory selling price exclusive of all internal taxes. If not available, submit the price available to applicant (e.g. a retail invoice) advertisement, price list, international publication etc) on which the allegation of dumping is based.)*

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D1.2 Indicate the adjustments that need to be made to obtain a net ex-factory level price, including at least the following:

- (a) Transport, where sold on a delivered basis;
- (b) Payment costs, based on the estimated payment days and the applicable short-term borrowing interest rate in the exporting country;
- (c) Level of trade adjustment, if the product is not sold on the same basis as the exports

to

Zimbabwe, e.g. adjusting back from retail to a wholesale price.

D2 NORMAL VALUE OTHER BASIS THAN ON DOMESTIC SELLING PRICE

- D2.1
- (a) Indicate applicant’s attempts to obtain a domestic selling price in the exporting country;
 - (b) Where there are no sales on the exporter’s domestic market, give the reason why you believe that there are no sales of the like product in the exporter’s domestic market;
 - (c) Where domestic sales do not allow for a proper comparison with exports to Zimbabwe, give reasons why applicant believes that the sales in the exporter’s domestic market do not allow for such comparison, e.g. it is insignificant in comparison with total output
 - (d) Where applicant believes that domestic sales are made at a loss, evidence to support this assertion should be submitted.

D2.2 In any one of the situations referred to in D2.1, provide information on one of the following options as the basis for the normal value-

D2.2.1 The constructed normal value of the like product, exported to Zimbabwe based on production costs in the country of origin, as far as possible in the format and detail as Annex 2.2 or in the format outlined below. *(The cost build-up format is only a guideline to indicate the level of detail required by the Commission. Each cost element must be based on substantiated evidence and not merely on presumptions relating to your own cost information); or*

D.2.2.2 The price charged by the supplier concerned for exports to a third country market.

Cost and price build-up (See question D2.2)

ANNEXURE

D2.2

	Products under investigation	All other products	Company total cost
1. DIRECT COST: Materials and components# - Imported - Domestic Direct labour & related costs Re-tooling * Power & fuel Royalties, etc Variable overheads * Other *	<i>Separate cost analyses must be provided for each of the subject products in this format. Note that the cost data should reconcile to your company's income statement.</i>		
2. FIXED OVERHEAD COST: Indirect labour Repair & maintenance Rates & insurance R & D Plant depreciation Other *			
3. TOTAL PRODUCTION COST: 4. Operating profit			
5. IN-STORE COST: (3&4) 6. SELLING, GENERAL & ADMINISTRATIVE EXPENSES: Administrative expenses General expenses Selling expenses			

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7. TOTAL COST: (5&6)			
8. Mark-up			
9. SELLING (LIST) PRICE (7&8)			
10. DISCOUNTS, ETC:			
Discounts			
Settlements discounts			
Rebates			
11. NET EX-FACTORY PRICE (9&10)			
12. Distribution costs *			
13. NET DELIVERED PRICE (11&12)			

- Supply a full Bill of materials, indicating the cost and volume of each material or component

* - Supply a detailed breakdown of the items.

Indicate the production volume on which the above cost and price build-ups are based.

This format serves as an indication of the details required by the Commission. However, you may use your own format, provided that the required amount of detail is submitted. This information should be reconcilable to your income statements. Provide a detailed breakdown of the basis of allocation in each case that an allocation has been made.

Note: The cost and price build-ups should refer to the average costs for the 12-month period under investigation.

D3. NORMAL VALUE FOR COUNTRIES WITH PRESENT OR PAST GOVERNMENT INTERVENTION

If of the opinion that the normal value of the goods concerned is affected by past or present government intervention to the effect that the normal value does not properly reflect the intrinsic value of the product, provide the following information:

- D3.1 Nominate a third or surrogate country and a producer of the like product in that country for the purpose of determination of a normal value for the product allegedly dumped. The third country should have an industry at a similar level of development as that in the exporting country. If more than one country is subject to the current application, the information of that country may be used as the third or surrogate country.
- D3.2 When no third country is the subject of an anti-dumping action, the applicant must preferably obtain the cooperation from a producer in a third country and submit a letter from that producer confirming its willingness to cooperate with the investigation. Provide that producer's address, telephone and fax numbers, email address and the contact person.
- D3.3 Provide reasons for the nomination of the third or surrogate country.
- D3.4 Furnish the third or surrogate country normal value. Ideally this should be the net ex-factory selling price exclusive of all internal taxes. If this is not available submit the price available to you (e.g. a retail invoice, a retail advertisement, price list, international publication, etc) on which the allegation of dumping is based.
- D3.5 Indicate the adjustments that need to be made to obtain a net ex-factory level. This should include at least the following:
 - (a) Transport, where sold on a delivered basis;
 - (b) Payment costs, based on the estimated payment days and the applicable short-term borrowing interest rate in the exporting country;
 - (c) Level of trade adjustment, if the product is not sold on the same basis as the exports to Zimbabwe, e.g. adjusting back from a retail to a wholesale price.

D4 EXPORT PRICE

Export price is defined in section 16.1 of the Regulations as “the price actually paid or payable for the subject products.

There may be more than one approach to determine the export price. The recommended way is to have direct ex-factory price for the purpose of export. If the export price of each known exporter is not accessible or available, the export price can be calculated from C & F price of the dumped product by deducting total

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expenses incurred from the port of importation in Zimbabwe to the factory gate. Furthermore where:-

- (a) there is no export price as contemplated in the definition of dumping;
- (b) there appears to be an association or compensatory arrangement in respect of the export price between the exporter or foreign manufacturer concerned and the importer or third party concerned; or
- (c) the export price actually paid or payable is unreliable for any other reason;

Section 16(2) of the Regulations provides that the export price be determined on the basis of the price at which the imported goods are first resold to an independent buyer. To enable proper comparison with the normal value, the export price should be at the net ex-factory level.

D.4.1 Give the quantities exported by each exporter in the period of alleged dumping in the format outlined in the Table below. Information may be given separately for each consignment.

Quantities of the Dumped Product Exported By Each Exporter to Zimbabwe

Company Registration	Name of importer	Quantities exported			Net & Gross weight	C&F price in respect of each consignment	Date at which consignment was cleared by the authorities
		Grade/Type / Model	Accounting Unit	Quantity invoiced			

D.4.2 Indicate the known ex-factory export prices of each exporter for products alleged to be dumped in Zimbabwe.

Name of exporter: _____

01	02	03	04	05	06 =3+4+5	07	08	09	10 =7+08+09	11 =2-6-10
Product & its Grade/Type/ Model (separately)	C&F Price (Currency in which LC has been established e.g. US \$, Yen. etc.)	Expenses from port of embarkation to port of importation in Zimbabwe				Inland expenses from ex-factory to the port of embarkation				Ex-factory price for Export US\$
		Freight	Insurance	others (specify)	Total	Transport	Insurance	Others (specify)	Total	
a.										
b.										
c.										
a.										
b.										
c.										

Note: The above information is to be provided in respect of each of the consignment given D5.1

D.4.3 Please explain in detail any known relationship between importer and exporter or among any other interested parties. In case there is a relationship, the export price may be estimated as given in the format below.

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DEDUCTIVE EXPORT PRICE

Date:
Name of Product
Grade/ Type/ Model

1) Price at first point of resale in Zimbabwe to an independent buyer (US\$) _____

Less charges for:		US\$
i)	<i>Net Profit/ Loss</i>	
ii)	<i>Delivery to Customer</i>	
iii)	<i>Selling and Administration</i>	
iv)	<i>Further Manufacturing (if any)</i>	
v)	<i>Cartage to Store</i>	
vi)	<i>Clearance and Handling</i>	
vii)	<i>Sales Tax</i>	
viii)	<i>Custom Duty</i>	
ix)	<i>Other (specify)</i>	_____

2) Deductive C&F Price **in US\$**

Less charges for:

i)	<i>Overseas Insurance</i>	
ii)	<i>Overseas Freight</i>	
iii)	<i>Other (Specify)</i>	_____

3) Deductive Export Price (FOB) **in \$**

Less charges for:

i)	<i>Packing</i>	
ii)	<i>Inland Freight</i>	
iii)	<i>Insurance</i>	
iv)	<i>Taxes</i>	
v)	<i>Other (specify)</i>	_____

4) Deductive Ex-Factory Price **i) in \$**
ii) in currency of exporting country

Information may be given on above lines separately for each exporter and for each model/ grade/ type.

Note: Please give material changes in any of the above heads with reference to the date. The official export statistics can also be used to determine an export price, but an adjustment should be made for movement expenses and costs to FOB in the exporting country.

- D.4.4 Any comments about answers given of above questions including applicant’s efforts to determine any information that is not readily available.
- D4.5 Give the export prices in Zimbabwe of the products being the subject of the application (separately for each product, where possible).
- D4.6 If applicant is of the opinion that any of the exporters/importers are associated or that there is a compensatory arrangement between them, that imports take place through an agent or that, for other reasons, the export price is unreliable, give reasons and supply the following information:

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	Cost Per Unit
Resale price of imported product to independent buyer Less adjustments	
Transport (factory to harbour)	
Harbour and other expenses	
International freight	
Insurance	
Customs duty	
Clearance costs	
Agent's commission	
Transport to importer	
Importer's costs	
- Administration	
- Selling	
- Distribution	
Profit	
Constructed ex-factory export price	

Note: Supply a detailed breakdown of the cost items and provide supporting notes/evidence to substantiate your calculations. The constructed export price may also be used if no other export price can be obtained.

D5 PRICE COMPARISON

Note: For the price comparison to be fair, the export price and the normal value should be on a similar basis and level as regards the physical characteristics of the product, the quantities sold, and the terms and conditions of sale. The comparison should be made at the same level of trade, preferably the ex-factory level. However, if the export price and normal value is not on a comparable basis; allowance should be made for any differences. If the export price and normal value are not on a comparable basis, provide the following information.

Differences in physical characteristics.

D.5.1 If the product used for determining normal value is not identical to the exported product:-

- (a) list the differences;
- (b) quantify the effect of the differences on the price of the product;
- (c) quantify the effect of the differences on the cost of production of the product.

Differences in taxation

D.5.2 If the product sold in the exporting country attracts any form of tax that is not incurred in export sales, e.g. VAT, or any other tax, indicate:

- (a) the conditions under which the tax is payable;
- (b) the tax rate;
- (c) the effect of the tax on the normal value (excluding the tax).

Differences in terms of trade

- D.5.3 If the product is exported into Zimbabwe on different terms of trade (payment terms, delivery terms, warranties, guarantees, etc.),
- (a) indicate the terms of trade for the product exported into Zimbabwe;
 - (b) indicate the terms of trade for domestic sales in the exporting country;
 - (c) quantify the effect of the difference in the terms of trade on the price submitting details of calculations done; and
 - (d) quantify the effect of the difference in the terms of trade on the cost of the product and submit details of your calculations.

Differences in the levels of trade

- D.5.4 The level of trade refers to whether the product is sold to a wholesaler, retailer, end-user, through an agent, differences in the volumes sold, etc. If the level of trade of the product exported into Zimbabwe is different to the level at which the like product is sold in the domestic market of the exporter:
- (a) indicate the level of trade pertaining to the exported product;
 - (b) indicate the level of trade pertaining to the like product sold in the domestic market of the exporter;
 - (c) quantify the effect of the difference in the levels of trade on the price of the product and submit details of your calculations; and
 - (d) quantify the effect of the difference in the levels of trade on the cost to sell the product submitting details of your calculations.

Other differences

- D.5.5 If aware of any other differences affecting price comparability, including quantity rebates, direct marketing and sales expenses, credit insurance, etc, provide:
- (a) details of the differences; and
 - (b) a substantiated estimate of the allowances to be made for each of the differences.

D6. MARKET

- D.6.1 Describe the end uses of:-
- (i) Your product
 - (ii) the imported product
- D.6.2 Generally describe the Zimbabwean market for the local and the imported product and the conditions of competition within the overall market. The description should include information about:
- i) Sources of product demand
 - ii) Marketing and distribution channels
 - iii) Typical customers/consumers/users of the product
 - iv) Presence of market segmentation such as geographic or product segmentation
 - v) Causes of demand variability such as seasonal fluctuations, factors contributing to overall market growth or decline, government regulation, and development in technology affecting either demand or production
 - vi) The manner in which Zimbabwean and imported products compete
 - vii) Any other factors influencing the market
- D.6.3 Identify if there are any commercially significant market substitutes for the Zimbabwean and imported product
- D.6.4 Complete the table below on domestic and import sales.

Period	(a) Your Sales	(b) Other local Sales	(c) Total local Sales (a+b)	(d) Dumped imports	(e) Other Imports	(f) Total Imports (d+e)	(g) Total Market (c+f)

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P¹	100	100	100	100	100	100	100
P²							
P³							
P⁴							
Pⁿ							

Pⁿ Data index for first period commences with 100. P¹ – Pⁿ are used as labels for generic application form. Please specify the period relevant to your supplication such as 200X.

D7. SALES

D.7.1 Provide information on a quarterly basis showing sales volume by applicant’s industry and its share in the domestic market for the most recent three years.

D.7.2 Provide evidence of the size of the domestic market for the most recent 3 years

D.7.3 Please complete the table below on sales volumes.

Quantity	Yⁿ	Yⁿ⁻¹	Yⁿ⁻²	Yⁿ⁻³	Yⁿ⁻⁴
All Products					
Zimbabwean Exports					
Export Market					
Total					
Like goods					
Zimbabwean Market					
Export Market					
Total					

Y - denotes year

D.7.4 Compare the market share of local industry in the domestic market with the shares of imports allegedly dumped product and imports from other countries for the three years. Provide the information in the table below.

Period	Share of local industry in the domestic market	Share of imports from dumping sources in the domestic market (quantity)	Share of imports in the domestic market from other sources (quantity)	Total domestic market
Data on quarterly basis for two years before start of dumping				
Up to date on quarterly basis for consignment, after start of dumping				

D.7.5 Provide details of inventory and sales changes in the table below.

Name of Industrial Unit _____ (tonnes, litres, and kgs)

Period	Opening Inventory (quantity)	Production (quantity)	Sales (quantity)	Closing inventory (quantity)	Changes in inventory (quantity)
Data on quarterly basis for two years before start of dumping					
Current data on quarterly basis after start of dumping					

Note: The applicant may provide more details along with documentary evidence in support of claim.