

WELCOME TO THE IMPORTER - PROTESTEE'S QUESTIONNAIRE FOR A GENERAL SAFEGUARD MEASURES INVESTIGATION

This questionnaire will help you respond to the allegations made by the applicant(s) for a general safeguard measures investigation which has been filed at the Department of Trade and Industry (DTI) through the Bureau of Import Services (BIS), for initiation and preliminary determination. The application is directed against your importations of the product(s) subject to the protest. The domestic industry producing like and/or directly competitive product(s) alleges that they have been seriously injured by the increased volume of said importations.

The Department in the conduct of its preliminary determination is guided by the provisions of RA 8800 - The Safeguard Measures Act and its Implementing Rules and Regulations. The Department is not an advocate for any party in their inquiries, but rather evaluates the data submitted and provided by the applicant(s), importer-protestees, foreign exporters and other interested parties together with the information obtained independently and makes a preliminary determination that increased imports of the product(s) under consideration causes or threatens to cause serious injury to the domestic industry producing like and/or directly competitive products.

Part of this Questionnaire requests you to provide comments on market trends and the applicant(s) claim of injury. This provides you with the opportunity to provide information on factors that affect the industry in which you operate and refute claims of injury made by the applicant(s). The information you provide will give the Department a broader understanding of the various relevant factors affecting the domestic market and the industry producing the like or directly competitive product(s).

You are requested to complete this questionnaire and return it to the Department within five (5) working days from receipt of notice. The notice is deemed received five (5) working days from the date of transmittal to you. The absence of responses to the individual questions or lack of a response to the questionnaire will cause the Department to use the best information available which may be the information provided in the original complaint which triggered the investigation. A copy of the Department's non-confidential report is enclosed.

**IT IS TO YOUR INTEREST TO COMPLETE THE QUESTIONNAIRE
BECAUSE THE OUTCOME OF THE DEPARTMENT'S PRELIMINARY
DETERMINATION MAY AFFECT YOUR BUSINESS.**

BEFORE YOU BEGIN...

1. Make sure you have read RA 8800 — The Safeguard Measures Act and its Implementing Rules and Regulations
2. Note the following instructions for using the questionnaire

This questionnaire provides a space to record your required actions at each stage. This questionnaire is not designed to be filled in except for the request to complete the declaration which is to be returned.

Please follow the numbering system used in the questionnaire and clearly identify the questions to which your answers and any supplementary material provided relates (in sequence).

While some information could be difficult to obtain, please complete all sections as thoroughly as possible for your claims. Additional information may be requested from your company as necessary.

Please retain the worksheet after you have submitted it to the Department as it provides a valuable record of your sources if further evidence is required during a subsequent investigation.

3. Please prepare and submit within five (5) working days from receipt of notice a minimum of:
 - two (2) confidential copies of the accomplished questionnaire and its annexes
 - two (2) copies of the non-confidential version or summary of accomplished questionnaire and its annexes
4. Make sure that all information provided to the Department in confidence are clearly marked so they can be treated accordingly.

Please ensure that the confidential information you provided is clearly marked as such, and that there is a non-confidential version (or summary) of that data. Failure to provide a non-confidential summary may result in the information being disregarded by the Department.

The recommended method of satisfying the requirements for confidential and non-confidential copies is to place confidential data in appendices.

The non-confidential version of the submission is placed on a public file and made available to interested parties. This allows your claims to be considered by the other parties, who have a right to see the information relevant to the presentation of their case. Similar arrangements apply to submissions made by other interested parties.

2.2	<p>Please provide the tariff classification, statistical code and tariff duty for the imported product. If included in a preferential agreement, state the nature of the agreement and margin(s) of preference granted.</p> <p>Note: The Tariff Commission, Bureau of Customs, Customs brokers or consultants can provide the correct tariff classification).</p>
2.3	<p>Describe any differences between the imported product(s) and those manufactured by the domestic industry.</p>
2.4	<p>Name the source countries of your imports.</p>
2.5	<p>Provide the complete names and addresses, contact person, telephone and fax numbers of the exporters and/or foreign producers from whom you purchase the imported product(s).</p>

4.	<p>PHILIPPINE MARKET/SERIOUS INJURY</p> <p>The applicant(s) has made a number of statement regarding the Philippine market and serious injury. You may wish to provide comments on the Philippine market, market trends in general and/or any other factors you consider relevant to the claims of serious injury. If possible, any comments should be supported by documentary evidence.</p>
4.1	<p>Please provide a general outline of the domestic market including any segmentation (eg. brand name versus generics, geographic divisions) historical and expected demand patterns, changes in consumer tastes, distribution channels and seasonal fluctuations. You may also want to comment on other factors affecting the Philippine producers such as supply and demand, prices, the relative importance of imports, etc.</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
4.2	<p>Please comment on each specific claim made by the applicant(s) in regards to serious injury.</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
4.3	<p>Please provide details of any factors you consider to be the cause of the serious injury claimed by the applicant(s).</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
5	<p>PROFITABILITY</p> <p>Please attach a copy of your `company's financial statements for the last five (5) years. Please provide also a copy of the profit and loss statements for the sale of the imported product.</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>

DECLARATION

I hereby declare that _____
Name of Company

do import the articles under consideration and have completed the attached questionnaire. I also certify that the information contained in this submission is complete and correct to the best of my knowledge and belief.

Signature over printed name

Designation/Position

Date

REPUBLIC OF THE PHILIPPINES) S.S.

_____)

_____ after being duly sworn, desposes
(Name of Company/Representative)

and says that he/she is the importer-protetee of the product (s) subject to the protest; that he/she has completed the attached questionnaire; and that the information contained therein is true of his own knowledge.

Name of Company/Representative(s)

SUBSCRIBED AND SWORN to me before this _____ day of _____ 20__ in the _____, Philippines, affiant(s) exhibited to me his/her Government Issued ID _____ issued at _____, Philippines on _____ 20__, respectively.

Doc. No. _____
Page No. _____
Book No. _____
Series of _____

YES!

You have reached the end of the importer protestee's questionnaire.

Please make sure you compile your responses using the numbering system used in this questionnaire.

- Have you signed the declaration and have it notarized?

- Have you covered everything in the list?

- Have you prepared two (2) copies of a non-confidential summary or version of your submission and its attachments, to be made available upon request to any interested party?

Hold on to your questionnaire, it will be useful if further questions arise during the investigation.

Should you have questions or inquiries in preparing and/or answering this questionnaire, advice or assistance can be obtained from:

THE DIRECTOR
Bureau of Import Services
/Department of Trade and Industry
3/F TARA Building, 389 Senator Gil Puyat Avenue, Makati City

Telephone No. 8896-4430

Fax No. to 88964431

Email address: bis@dti.gov.ph
bis_irmd@dti.gov.ph