



REPUBLIC OF THE PHILIPPINES
TARIFF COMMISSION

TC FORM 5-B

**QUESTIONNAIRE FOR THE CONDUCT OF FORMAL INVESTIGATION ON
GENERAL SAFEGUARD MEASURES PURSUANT TO REPUBLIC ACT NO. 8800
(SAFEGUARD MEASURES ACT)**

For FOREIGN EXPORTER

(Submit three hard copies and a soft copy)

Data Privacy Notice and Consent

The collection of personal information, including but not limited to, name, sex, email address, and/or any contact number or relevant information, is in compliance with Republic Act No. 9710 (The Magna Carta of Women), and in accordance with the policies provided for under Republic Act No. 10173 (Data Privacy Act of 2012) and the Privacy Policy of the Tariff Commission (TC).

Information collected shall only be processed in order to facilitate TC response/s to the submitted feedback and shall be kept private and confidential. Access thereto shall only be limited to the respective owners of the information and authorized TC Personnel and shall not be disclosed without prior consent from the data subject, unless required by law or authorized by a lawful order of the court or other government agencies.

The TC, in line with its Privacy Policy, shall protect the collected personal information, and shall only retain the same for as long as necessary in order to fulfill the purpose mentioned above, or as provided for by law.

Finally, filling out this form signifies that you have read and understood this Data Privacy Notice and expressly consent to the processing of any personal information that might be collected for the purpose stated herein.

For more information about the TC Privacy Policy, kindly visit our website at www.tariffcommission.gov.ph.

GENERAL INFORMATION AND INSTRUCTIONS

- A. The exporter is required to accomplish this Form and (i) submit **three hard copies** to the Tariff Commission (TC) Records Unit and (ii) email **a soft copy** to TC's official email accounts: TC.Assist@mail.tariffcommission.gov.ph and Records@tariffcommission.gov.ph.
- B. The exporter providing the information must ensure the following:
- The Form is completely and accurately filled up.
 - An explanation/justification is provided when data is lacking.
 - A non-confidential version is attached to this form.
 - An English translation is provided for documents/submissions written in the native language.
 - Attach supporting documents, as applicable.
- C. TC shall request additional information, as deemed necessary (e.g., *Excel files of price/financial/economic data*) for the investigation. If required information is not submitted within the deadline/s set, including grants of requests for extensions, the TC shall base its findings on best information available¹.
- D. Information submitted is subject to verification. The authorities of the exporting country and the concerned firm/exporter will be informed of the intention to carry out an on-the-spot investigations to verify information provided or to obtain further details.
- E. Information deemed confidential should be so marked.
- F. Please use additional sheet/s if necessary.
- G. For queries and concerns, feel free to email us at these email addresses: TC.Assist@mail.tariffcommission.gov.ph and Records@tariffcommission.gov.ph.

¹ Pursuant to Rule 6.5.c of the Implementing Rules and Regulations of RA 8800, "whenever any interested party fails to respond adequately or is unable to produce information requested, refuses access to, or otherwise does not provide any information within the period allowed for the investigation, or otherwise significantly impedes the investigation, the preliminary determination of the conditions required in a safeguard investigation shall proceed on the facts derived from the evidence at hand".

Please check one:

- ☐ Original Petition for Safeguard Measures
☐ Reduction/Modification/Termination of Safeguard Action
☐ Extension/Re-Application of Safeguard Measures

1. GENERAL INFORMATION

1.1 Name of Foreign Exporter (Corporation, Partnership, Association): _____

1.2 Name of Head (Foreign Exporter): _____

Note: If Petition is filed by Authorized Representative, provide a copy of a Board Resolution or Secretary's Certificate authorizing the corporate officer or the corporation's representative to file the Petition on behalf of said corporation.

Contact Details:

a.	Main Office Address	
	Contact Person	
	Position	
	Tel. Nos.	
	Email Address	
	Alternate Email Address(es)	
b.	Plant/Factory Address	
	Contact Person	
	Position	
	Tel. Nos.	
	Email Address	
	Alternate Email Address(es)	

1.3 Name of Authorized Representative: _____

Contact Details:

Position	
Tel. Nos.	
Email Address	
Alternate Email Address(es)	

1.4 Information about the company

- a. Company ownership/shareholdings, organizational structure, nature, and functions. Substantiate your submission by providing the following:
- Articles of Incorporation and by-laws
 - Certificate of Company Registration issued by relevant government authorities in their country
 - Organizational chart (latest)
 - Annual report, and/or any relevant brochures or pamphlets of your company (latest)

- 1.5 Provide details on the relationship between your company and other firms, both domestic and foreign, engaged in the production, export and import of subject product(s). Substantiate your submission with documentary evidence.

- 1.6 Does your company support or oppose the safeguard measure investigation against importations of subject product(s)? Describe/explain your position.

2. PRODUCT(S) SUBJECT OF INVESTIGATION

- 2.1 Provide details of the following and substantiate your submission with documentary evidence such as product brochures/catalogues, technical specifications, and flowchart of production processes.

Particulars	Product(s) Manufactured and Exported to the Philippines	Product(s) Manufactured and Sold in the Domestic Market of the Exporting Country
a. Subject product		
b. Product description		
c. Model/Type		
d. Tariff classification		
e. Physical characteristics		
f. Material components		
g. Functions/Uses		
h. Production processes		
i. Distribution channels		
j. Name and address of foreign manufacturer/producer from whom you purchased the product(s), if applicable		
k. Is the product you manufactured and exported to the Philippines a <i>like</i> product or directly competitive with those product(s) produced by the Philippine industry?	☐ Yes ☐ No	
l. Justifications Give details and explain any difference between the product(s) you manufactured and exported to the Philippines and those product(s) produced by the Philippine industry.		

- 2.2 Supply the information shown below for each product under consideration (per model/type) during the period of investigation (POI). Substantiate your submission with documentary evidence, e.g., monthly reports and/or breakdown of annual production and sales, proof of payment in relation to domestic and exports sales.

a. Capacity, Production, Sales, and Inventory of Product Under Consideration

Particulars	POI ¹					
	Year 1	Year 2	Year 3	Year 4	Year 5	Current Year
Volume (Unit)						
Unit of Measure						
Rated Capacity²						
Actual						
Effective						
Beginning Inventory						
Add: Actual Production						
Total Goods Available for Sale						
Less: Sales						
Home Market						
Export to the Philippines						
Other Markets ³						
Ending Inventory						
Value (in PHP)						
Beginning Inventory						
Add: Actual Production						
Total Goods Available for Sale						
Less: Sales						
Home Market						
Export to the Philippines						
Other Markets ³						
Ending Inventory						

¹ For Formal Investigation on Original Petition for Safeguard Measures, the POI is the last five years preceding the date of application and current year(s) for which data is available. For Investigations on Reduction/Modification/Termination of Safeguard Action and Extension/Re-application of Safeguard Measures taken by the domestic industry, the POI is the last three years preceding the date of application and current year(s) for which data is available.

² Show computation to arrive at annual rated capacities in another sheet.

³ Indicate destination country(ies) in another sheet.

Provide details/explanation on any significant change(s) on the above indicators during the POI.

3. DISCUSSION ON THE PHILIPPINE MARKET/SERIOUS INJURY

3.1 Provide comments on the Philippine market, market trends in general, and other factors affecting the Philippine industry.

3.2 Provide comments on each specific claim made by the domestic producer/petitioner(s) regarding serious injury.

3.3 Provide details of any factors you consider to be the cause of the serious injury claimed by the domestic producer/petitioner(s).

- 3.4 Provide comments on any other issues you consider relevant which you believe will assist in your rebuttal on the allegations made by the domestic producer/petitioner(s) that has claimed to be seriously injured because of the increased volume of imports. Any rebuttal should be supported by documentary evidence.

CERTIFICATION

I hereby certify that all information contained herein are true and correct to the best of my knowledge. I commit that any additional information required will be submitted within 15 working days upon receipt of notice/request from the Tariff Commission.

(Signature over printed name)

Authorized Representative of (Name of Company)

Date