# New Exporter Review:
# Application Form

When you have completed this form, indicate the **confidentiality** of this document by placing an X in the relevant box below:

☐ Confidential
☒ Non-Confidential – will be made publicly available

Please note that you will have to provide **two copies of your response** – a **Confidential** and a **Non-Confidential version.** Both copies should be returned to the TRA using the Trade Remedies Service

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# Instructions

## About us

The Trade Remedies Authority (TRA) is an arm length body of the UK's Department for Business and Trade. It carries out trade remedies investigations to find out if a new trade measure may be needed to counter dumped or subsidised imports or a sudden surge in imports.

The legislative framework that the TRA operates under is found in the Taxation (Cross-border Trade) Act 2018) ('the Act') and the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 ('the Regulations').

## About you

If you did not export to the UK, or did not exist during the original investigation, you can apply to us to be considered as a new exporter.

Any information you provide must contain sufficient evidence that your company qualifies as a new exporter as outlined by Regulation 71 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019. More information on how we determine eligibility can be found in our guidance.

You can find out more about our remit and how we work by reading our guidance on trade remedies investigations.

## About this form

Complete this form and the relevant annexes if you want to apply to be considered as a new exporter for a measure. This form will give us the information we need to decide whether to initiate a review. You can find more information on how we assess applications in our guidance.

You must submit your application online through the Trade Remedies Service. When you submit your application, you must also submit a non-confidential version (including the annexes) which doesn't contain any data you think is sensitive, as we are required to publish a copy of the application form. You can find out more about what can be considered confidential and how to prepare a non-confidential version of your documents in our guidance.

If you are considering submitting an application and would like to discuss it with someone first, please email contact@traderemedies.gov.uk. You can find more on completing this application in our Pre-Application Office and application assessment guidance.

# How to complete this application form

Please read and follow all the instructions carefully. You will need to provide evidence to support your concerns. You may need to attach supporting documents in appendices to supplement the answers you give.

Please also note the following points:

- Try to avoid leaving any questions blank. If the question isn't relevant to you, please try to explain why.
- If the answer to a question is "zero", "no", "none" or "not applicable", please write this rather than leaving the answer blank.
- If you feel you can't present the information as requested, please contact the Pre-Application Office by emailing contact@traderemedies.gov.uk.
- If there is not enough space in any part of the application form to provide a full answer, please attach appendices. Please ensure that any attachments are given a corresponding appendix reference in the title of the document and that these are referenced in the boxes provided.
- If you include any documents not in English, please provide an English translation.
- Provide all dates in the format DD/MM/YYYY (e.g. 23/05/2019).
- For all numerical figures, where appropriate please express every third number with a comma (e.g. '1,300' for one-thousand three hundred, '1,300,000' for one million and three-hundred thousand).
- Limit all sales/currency/income figures to two decimal places and use the appropriate currency symbol (e.g. £1,300.00).
- All figures should be reported net of tax unless otherwise stated.
- For definitions of the incoterms used throughout this document, please visit the International Chamber of Commerce.

## What happens next

Once you have completed this application form, you can share a confidential version with the Pre-Application Office to get feedback before you formally submit your application. When you formally submit your application, you will need to submit a confidential and a non-confidential version of this form. Please upload these through our Trade Remedies Service.

Once you have done this:

- you will receive an email confirming the documents have been uploaded successfully;
- the assessor(s) of your application will contact you if further information is required; and
- the assessor(s) of your application may contact you to arrange a visit to verify the information contained in your responses.

# SECTION A: General Information

## A1. Current trade remedy measure

1. Please give the case number and name for the current trade remedy measure that this application applies to.

| |
|---|
| Case 0359 “R 921 G5.1-D from China” applying to:<br>Trade remedies notice 2025/10 |
| Appendix reference: none |

## A2. Applicant details

1. Please provide the name, address, email and telephone number of a contact person who can be contacted about this application.

| |
|---|
| *redacted*<br>*redacted*<br>*redacted*<br>LIEBHERR MACHINERY (DALIAN) CO., LTD.<br>No.30, Wanli Street, Dalian Development Area<br>116600 Dalian, P.R.China |
| Appendix reference: none |

2. If you have appointed an external representative to assist with your application, provide a letter of authorisation giving their name, business name, address, telephone number and email. Include below whether or not we can liaise directly with your representative.

| |
|---|
| *redacted*<br>*redacted*<br>2, avenue Joseph Rey<br>B.P.90287 FR – 68005 Colmar<br>FRANCE<br><br>The TRA can liaise directly with *redacted* |
| Appendix reference: Annex 1 |

# SECTION B: New Exporter Eligibility

## B1. Relationship to overseas exporters

1. Please confirm that you are not related to an exporter who is subject to the measure.

Parties are "associated" where they meet the definition of "related persons" in the Customs (Import Duty) (EU Exit) Regulations 2018 (see Appendix A)

| We do confirm that we are not related to an exporter who is subject to the measure. |
|---|
| Appendix reference: Annex 2 + Annex 3 |

2. Please confirm that you are not related to an exporter who exported to the UK during the period of investigation which was used to establish the need for the original measure.

| We do confirm that we are not related to an exporter who exported to the UK during the Period of Investigation (POI): 01/07/2022 to 30/06/2023.<br>We also declare a commercial bound to "LMS" and "LFR" entities and provide evidence that none of them exported Chinese-produced machines to the UK during this period. |
|---|
| Appendix reference: Annex 4 |

## B2. Exports of applicant

1. Please confirm that you did not export to the UK during the investigation period of the original review.

| We do confirm that we did not export to the UK during the Period of Investigation (01/07/2022 to 30/06/2023) and provide our corresponding sales figures to support our statement. |
|---|
| Appendix reference: Annex 5 |

2. Please confirm that you are now exporting like goods to the UK or have a contractual obligation to export a significant quantity to the UK.

| |
|---|
| You will find attached the order confirmation OC – 105000017 from LMD (Liebherr Dalian) to LFR (Liebherr France):<br>*redacted*<br><br>Then the order confirmation OC – 100003728 from LFR (Liebherr France) to LGB (Liebherr Great Britain):<br>*redacted*<br><br>The order follows this process:<br>*redacted* |
| Appendix reference: Annex 6 |

# Appendix A

Definition of related persons:

(1) Persons A and B are related persons for the purposes of this Part in the following cases—

a) where B is a body corporate, A is an officer of B;
b) A and B are partners in the same business;
c) A is an employee of B;
d) the same person controls a business carried on by A and a business carried on by B;
e) A controls a business carried on by B;
f) A and B jointly control the business of another person; or
g) A is a member of the same family as B.

(2) For the purposes of paragraph (1)—

a) a person controls a business carried on by another person where the latter is accustomed to conduct the business in accordance with the directions of the former;
b) a person also controls a business carried on by another person where the control is exercised through a third person who acts on that person's direction;
c) where a business is carried on by a company, a person controls that business where that person holds 5% or more of the voting rights in the company; and
d) a business referred to is not limited to a business involved in the importation of the chargeable goods presented to Customs.

(3) In paragraph (1)(g), “A is a member of the same family as B” where a relationship exists directly or indirectly between A and B which arises through blood, adoption, marriage, civil partnership or co-habitation.

(4) HMRC must publish a notice as to the relationships HMRC consider fall within paragraph (3).

# SECTION C: Declaration

This application is made by, or on behalf of, an overseas exporter that did not export the goods subject to review into the United Kingdom during the period of investigation in respect of which the application of the relevant anti-dumping amount or countervailing amount is based.

The applicant confirms that they:

- Are not related to an exporter subject to the measure;
- Are not associated to an exporter who exported to the UK during the investigation period of the original measure;
- did not export goods subject to the measure to the UK during the investigation period of the original investigation;
- are now exporting the goods concerned to the UK or have a contractual obligation to export a significant quantity to the UK.

| | |
|---|---|
| Name: | *redacted* |
| Company/Association: | *redacted* |
| Position: | *redacted* |
| Company Registration number (if applicable): | *redacted* |
| Date: | 13/05/2026 |
| Signature: | *redacted* |