Statement of essential facts

INVESTIGATION No. AD0075

Dumping investigation into boom lifts imported into the United Kingdom from the People's Republic of China (the PRC)

05 October 2026

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Section A: Introduction

A1. Investigation

1. This investigation covers the alleged dumping of boom lifts imported into the United Kingdom (UK) from the People's Republic of China (PRC). A full description of the goods concerned can be found in Section D: the goods concerned and like goods.

2. TRA's intended final determination and recommendations can be found in Section J: Intended final determination and recommendations

3. This section briefly summarises the legal framework for this statement of essential facts (SEF) and the Trade Remedies Authority (TRA)'s main findings. The background to and details of the investigation are explained fully in the subsequent sections.

4. This SEF sets out a summary of the facts considered by the TRA during the investigation, those facts that have formed the basis of the TRA's intended final determination and the anti-dumping measure that the TRA intends to recommend to the Secretary of State for the Department for Business, Innovation, Science and Trade (the Secretary of State).

5. It should be read in conjunction with other public documents available for this case, which are available on the public file.

6. This SEF also informs interested parties and contributors who have supplied information how the TRA has considered and used the information provided to it. The SEF provides details of the analysis forming the basis of the intended determination and allows interested parties to make submissions in response.

7. Interested parties, contributors and any other person who has supplied information to the TRA are invited to make submissions within 15 calendar days of the publication date of this SEF, i.e., before 23:59 hours (BST) on 20 October 2026, as per Regulation 62(2) of The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 (S.I. 2019/450) (as amended) (the Regulations).

8. Any submissions received after this date may not be accepted by the TRA if to do so would significantly impede the progress of this investigation. Where the TRA rejects information for any reason, it will publish the reasons for rejection in the final determination ("FD").

9. Registered interested parties and contributors to the case can make submissions on the Trade Remedies Service online platform (TRS). These submissions must be accompanied by a non-confidential version of the submission for the public file. Those not registered on the TRS may send

submissions by email to AD0075@traderemedies.gov.uk. These submissions must also be accompanied by a non-confidential version for the public file.

10. In exceptional circumstances it may not be possible to summarise confidential information. If this is the case, interested parties must provide a 'statement of reasons' setting out the reasons why the TRA should treat the information as confidential and why summarisation of the information is not possible, as defined under regulation 45(6)(b) of the Regulations.

11. For further information about our investigations, please see our public guidance.

A2. Legal framework

12. This SEF is made pursuant to regulation 62 of the Regulations. It includes:

- the recommendation that the TRA intends to make;
- a summary of the facts considered during the investigation;
- those facts referred to in the summary that formed the basis of the intended recommendation;
- details of how the TRA has used the information supplied by interested parties and contributors in making the intended final determination; and
- details of the analysis forming the basis of the intended recommendation.

A3. Period of investigation and injury period

13. The period of investigation (POI) is 01 October 2024 to 30 September 2025.

14. To assess injury, the TRA has chosen the period from 01 October 2021 to 30 September 2025 as the injury period (IP).

15. The specific years in the IP and the POI will be referred to throughout this document as in the following table:

Table 1: Injury period

Injury Period	Year
1 October 2021 - 30 September 2022	Year 1
1 October 2022 - 30 September 2023	Year 2
1 October 2023 - 30 September 2024	Year 3
1 October 2024 - 30 September 2025	Year 4 (POI)

Section B: Summary and findings

B1. Dumping

16. In accordance with paragraph 1(1) and 8(1)(a) of Schedule 4 to the Taxation (Cross-border Trade) Act 2018 (the Act) the TRA has examined whether dumping of the goods concerned (for definition see Section D1. Goods concerned) has occurred.

17. The TRA has concluded that the relevant goods (as identified in Section D and defined in paragraph 17(2) of Schedule 4 to the Act) are being dumped into the UK from the PRC (see Section F: Dumping).

B2. Injury

18. In accordance with paragraphs 5 and 8(1)(b) of Schedule 4 to the Act, the TRA has examined whether the dumping of the goods concerned has caused or is causing injury to a UK industry in the like goods.

19. The TRA has concluded that the UK industry has suffered injury and that the dumped goods from the PRC have caused or are causing injury to the UK industry (see Section G: Injury)

B3. Economic interest test (EIT)

20. The TRA has considered the evidence before it and the following factors set out under paragraph 25 of Schedule 4 to the Act:

    - the injury to UK industry in the like goods caused by dumping of the goods concerned and the benefits to that UK industry in removing that injury;
    - the economic significance of affected industries and consumers in the UK;
    - the likely impact of implementing an anti-dumping measure on affected industries and consumers in the UK;
    - the likely impact of implementing an anti-dumping measure on particular geographic areas, or particular groups, in the UK;
    - the likely consequences of implementing an anti-dumping measure for the competitive environment, and for the structure of markets for like goods, in the UK; and
    - such other matters as the TRA considered relevant.

21. The TRA has concluded that the application of the anti-dumping measure it intends to recommend to the Secretary of State meets the EIT (see Section I: Economic interest test).

B4. Intended final determination and recommended measure

22. In accordance with regulation 62(1) of the Regulations, before making a final affirmative determination for the purpose of paragraph 11(5) of Schedule 4 to the Act, the TRA must publish a SEF that sets out the intended final determination, a summary of the facts considered during the investigation, and a summary of those facts that formed the basis of the intended final determination.

23. The TRA intends to make a final affirmative determination in respect of the goods concerned originating from the PRC and exported into the UK, described in the Notice of Initiation ("NoI") as:

    Boom lifts designed for the lifting of people, equipment and/or materials, with a maximum working height of 6 metres or more, and pre-assembled or ready-to-assemble sections thereof, excluding individual components when presented separately (but not excluding the sections, presented individually or together, listed below).

24. The TRA has determined that the goods concerned have been or are being dumped in the UK and that the dumping of the goods concerned has caused or is causing injury to UK industry in those goods. The TRA has determined that the application of the anti-dumping measure it intends to recommend to the Secretary of State meets the EIT.

25. The TRA intends to recommend that the Secretary of State impose an ad-valorem duty for a period of five years on the goods concerned.

26. The rates of anti-dumping duty the TRA intends to recommend are stated in Table 2:

Table 2: Recommended ad-valorem duty rates

Overseas exporter/producer	Dumping margin (%)
Zhejiang Dingli Machinery Co Ltd	21.01%
Lingong Heavy Machinery Co Ltd	48.92%
Non-sampled cooperating exporters/producers (see Annex 1)	27.67%
All other PRC exporters (residual dumping margin)	82.89%

Section C: Background

C1. Initiation

27. On 30 September 2025, the TRA received an application (Main application and folders 1-5, and folders 6,10-12, 13-15, and 16) lodged by Niftylift Limited ("Niftylift", "the applicant") alleging that boom lifts imported into the UK from the PRC have been or are being dumped and that the dumping has caused or is causing injury to the UK industry in the goods.

28. The TRA was satisfied that the application met the requirements set out in paragraphs 9(1)(a) to (d) of Schedule 4 to the Act and regulation 51 of the Regulations for the purposes of initiating a dumping investigation.

29. The investigation was initiated by the TRA on 19 December 2025 and the NoI was published on that date. The TRA also published registration forms on that day to allow parties to register to the case.

30. The Secretary of State, the foreign government of the exporting country and other known interested parties and contributors were notified accordingly and invited to register on the Trade Remedies Service (TRS) to participate in the investigation.

31. Due to technical issues with the TRS platform, some of the annexes to the application were not available to all parties. The TRA made the application and its annexes available to parties on 24 December 2025 and then re-published the full application to the TRS on 30 December 2025 and subsequently uploaded a new version of the NoI to amend the links within the notice. On 7 January 2026, the TRA also extended the registration period to 19 January 2026. Further information is available in this notice.

C2. Participation in the investigation

32. Annex A: Interested parties and contributors contains a summary of information received from all interested parties and contributors.

33. Due to the large number of registrations, on 12 February 2026 the TRA made a preliminary decision that it would be appropriate to limit its examination to a sample of overseas exporters and importers and published notifications of proposed samples.

34. In accordance with regulations 56(3)(a) and 57(3) of the Regulations, the sample uses a reasonable method, which is based on the exporters and importers with

the largest volume of imports to the UK from the PRC that the TRA is reasonably able to investigate.

35. Parties were provided with a window for comment until 19 February 2026 in order to satisfy the requirements of regulation 56(4) of the Trade Remedies (Dumping and Subsidy) (EU Exit) Regulations 2019 (the Regulations).

36. The applicant submitted that the TRA should amend its sample to include exporters Zoomlion Intelligent Access Machinery Co., Ltd. ("Zoomlion") and Hunan Sinoboom Intelligent Equipment Co., Ltd. ("Sinoboom"), on the basis that these companies may have higher exports to the UK in the POI than reported in their registration form responses.

37. The TRA considered the applicant's submission and determined not to amend the proposed sample, as per the notification of final sample published on 27 February 2026.

38. Accordingly, the TRA considered it appropriate to limit its examination to the following sample of overseas exporters and importers:

    - Importers:
        - Zhejiang Dingli Machinery UK Limited ("Dingli UK")
        - LGMG Machinery U.K. Limited ("LGMG U.K.")
    - Exporters:
        - Lingong Heavy Machinery Co., Ltd ("LGMG")[1]
        - Zhejiang Dingli Machinery Co., Ltd ("Zhejiang Dingli")

39. The final sampling decision was published on the public file on 27 February 2026 and, in accordance with regulation 54(4) of the Regulations, the TRA limited the issuing of a questionnaire to those importers and exporters included in the sample and all know UK producers.

40. At the time the final sampling decision was taken, the TRA was aware of the UK Industry comprising two producers, the applicant and Snorkel Europe limited ("Snorkel"). Whilst Snorkel had not made itself known to the TRA during the registration period, the applicant had identified Snorkel as potentially being a UK producer in its application. The TRA decided sampling UK producers was not required.

[1] Notification of final sample: The TRA collapsed the LGMG group, and its associated companies within the group who are involved in exporting to the UK will be included within the sample: LGMG Europe B.V. and LGMG International Ltd.

41. The TRA issued questionnaires to all known UK producers named in the application, namely the applicant and Snorkel, in accordance with regulation 54(2)(b) of the Regulations.

42. After the publication of questionnaires, Snorkel took positive action to make itself known to the TRA through its submission of a questionnaire response. The TRA determined that Snorkel's response was incomplete in that the information supplied to it was inadequate. Snorkel was accordingly sent a deficiency notice requesting clarification and supplementary information pursuant to regulation 55(3) of the Regulations on 17 April 2026.

43. On 15 May 2026 Snorkel confirmed that it would not be making changes to the data provided or otherwise remedying the deficiencies identified with its confidential submission, such confirmation being acknowledged by the TRA on 16 May 2026.

44. The TRA has had regard to information supplied to it by Snorkel for the purposes of its investigation which satisfies the requirements of regulation 47(2) (a) to (d) of the Regulations. Certain information supplied by Snorkel relating to injury did not meet the requirements of regulation 47(2)(a), (b) and (c), therefore the TRA has not had regard to information when conducting the injury assessment, or otherwise relied upon information, which did not meet those requirements and/or was otherwise inadequate and/or incomplete.

45. The TRA disregarded the information provided when the information was not verifiable, the TRA could not use the information without undue difficulty and was not supplied to within the applicable time limit. The TRA communicated its decisions to Snorkel on 16 May 2026.

46. The TRA is satisfied that the interested parties have been given an adequate opportunity to provide information to it regarding the investigation.

C2.1. UK producers

47. The TRA received full questionnaire responses from the applicant and Snorkel. As stated in paragraph 44, the TRA has had regard to the information supplied by Snorkel when it met the requirements of regulation 47(2) (a) to (d) of the Regulations.

48. As the applicant has a collective output constituting at least 25% of total production of the like goods in the UK, the requirement under paragraph 9(1)(a)(i) of Schedule 4 to the Act and regulation 52(2) of the Regulations has been met.

C2.2. Exporters/Producers from the PRC

49. The TRA received full questionnaire responses from the following sampled PRC producing exporters:

    - Zhejiang Dingli; and
    - LGMG.

50. LGMG submitted additional questionnaire responses from companies in its group that were involved in the process of making or selling the like goods. These additional questionnaires were completed by LGMG Europe BV.

51. In this SEF, the TRA has referred to the collective group of LGMG as 'the LGMG Group'. It was found that within the LGMG Group, only LGMG makes the like goods which were exported to the UK during the POI.

52. The TRA has therefore recommended that a rate be applied to the cooperating producing exporters, the LGMG group and Zhejiang Dingli, and a residual rate be applied to all other PRC exporters of the like goods, as Table 2 describes.

C2.3. Importers

53. The TRA received full questionnaire responses from the following importers:

    - Dingli UK; and
    - LGMG UK.

C2.4. Foreign government and other interested parties and contributors

54. The foreign government of the PRC and a number of other interested parties and contributors participated in the case.

C3. Registration of imports

55. In its application, the applicant requested the Secretary of State to direct HMRC to register the goods subject to investigation.

56. On 31 March 2026, pursuant to paragraph 29 of Schedule 4 to the Act, the Secretary of State published a notice informing parties of the registration of imports[2] and HMRC registered the goods in accordance with paragraph 29, Schedule 4 of the Act. This instructed HMRC to register the importation of boom lifts originating in the PRC, to facilitate the investigation into the goods

[2] This registration of imports public notice superseded Trade remedies notice 2026/1: Registration of imports of boom lifts originating from China published on 20 January 2026.

concerned, and to allow the application of an additional amount of import duty to the relevant goods to begin on the day after the date of publication of the public notice (on 01 April 2026) giving effect to this additional amount should the requirement of regulation 91(2) of the Regulations be met.

C4. Individual rate requests

57. On 24 February 2026, the non-sampled participating PRC producing exporters Terex (Changzhou) Machinery Co Ltd ("Terex Changzhou") and Oshkosh JLG (Tianjin) Equipment Technology Co Ltd ("JLG Tianjin") made a request each ("the requests") to the TRA to be granted individual margins in respect of this anti-dumping (AD0075) investigation.

58. The TRA took the requests to have been made pursuant to regulation 56(6) of the Regulations and regulation 57(4) of the Regulations. Pursuant to regulations 56(7) and 57(5) of the Regulations, the TRA must accept the request of a non-sampled overseas exporter and calculate an individual margin of dumping (regulation 56(7) of the Regulations) or individual anti-dumping amount or countervailing amount (regulation 57(5) of the Regulations) unless the "number of exporters is so large that individual examinations are unduly burdensome and would prevent the timely completion of the investigation".

59. The TRA reviewed the requests and assessed whether it would be able to accede to the request. The TRA reached the decision that it would not accede to the requests on the basis that such individual examinations would be unduly burdensome and would prevent the timely completion of the investigation.

60. The TRA notified Terex Changzhou and JLG Tianjin of its decision and published a note on the public file regarding the decision not to calculate an individual rate for these parties on 19 August 2026.

C5. Verification of data

61. The TRA undertook verification activities in relation to the information provided by the cooperating interested parties, during which the completeness, relevance, and accuracy of that information was assessed. The TRA has considered the information supplied by cooperative interested parties and contributors, provided that this information:

- complied with the applicable statutory requirements and the TRA's public guidance;
- was verifiable;
- could be used without undue difficulty; and

- was supplied within an applicable time limit and in a form that the TRA requested.

62. The TRA conducted the following verification visits:

- From 02 June to 04 June 2026, the TRA conducted an onsite verification visit with Niftylift.
- From 17 June to 18 June 2026, the TRA conducted an onsite verification visit with Zhejiang Dingli UK.
- From 06 July to 10 July 2026, the TRA conducted an onsite verification visit with Zhejiang Dingli.
- From 13 July to 17 July 2026, the TRA conducted an onsite verification visit with LGMG.
- From 21 July to 22 July 2026, the TRA conducted an onsite verification visit with LGMG UK.
- From 10 to 12 August, the TRA conducted virtual verification activities with Skyjack Mexico.

63. Verification reports were produced for each of the parties verified and non-confidential versions of these reports are available on the public file[3].

64. Secondary source information was used in accordance with the Regulations. This secondary information was treated with special circumspection and, where practicable, verified using independent sources. This included, but was not limited to, official import statistics and data pertaining to relevant markets.

[3] Link to non-confidential versions of the verification reports

Section D: The goods concerned and the like goods

D1. Goods concerned

65. The goods concerned are defined by regulation 2 of the Regulations, i.e. the goods described in the relevant NoI of a dumping investigation under regulation 65(1) of the Regulations.

66. The goods concerned in this investigation are boom lifts (alternative names for the same product: cherry pickers, mobile access equipment (MAE), Mobile Elevating Work Platforms (MEWP), aerial work platforms (AWP) and elevating work platforms (EWP)) originating in the PRC described as:

    Boom lifts designed for the lifting of people, equipment and/or materials, with a maximum working height of 6 metres or more, and pre-assembled or ready-to-assemble sections thereof, excluding individual components when presented separately (but not excluding the sections, presented individually or together, listed below).

67. The goods concerned may contain additional features that provide for functions beyond the primary lifting function. The goods concerned may be imported as finished boom lifts, assembled or unassembled, or in the following sections presented individually or together:

    - booms including articulated and telescopic or straight (with or without jibs) or sub-assemblies thereof, assembled or not;
    - chassis or sub-assemblies thereof, assembled or not;
    - boom turret or turntables or sub-assemblies thereof, assembled or not;
    - platforms or baskets or sub-assemblies thereof, assembled or not.

68. The product scope excludes scissor lifts, forklifts, vertical mast lifts (including where described as a ‘boom’ or otherwise), mobile self-propelled cranes and motor vehicles that incorporate a scissor arm assembly or boom assembly.

69. The goods concerned are imported into the UK under the following UK Global Tariff commodity codes:

8427 1010 10	8427 2090 00	8428 9090 80
8427 1010 90	8427 9000 80	8431 2000 60
8427 1090 00	8428 1020 00	8431 3100 00
8427 2019 10	8428 1080 00	8431 3900 10
8427 2019 90	8428 9090 20	8431 3900 90

70. In the NoI, the TRA identified 13 commodity codes as provided by the applicant, applicable to the goods concerned. Following receipt of submissions during the registration period, the TRA reconsidered other commodity codes as covering imports of the goods concerned.

71. On 27 February 2026, the TRA updated the NoI to include two additional commodity codes: 8431 3900 10 and 8431 3900 90

72. Some of the above codes only came into effect during the injury period. Therefore, where available, imports data for the following commodity codes was also considered:

- 8427 1010 00 (precedes 8427 1010 10 and 8427 1010 90 before November 2023)
- 8427 2019 00 (precedes 8427 2019 10 and 8427 2019 90 before November 2023)
- 8428 9090 00 (precedes 8428 9090 20 and 8428 9090 80 before November 2023)
- 8431 2000 00 (precedes 8431 2000 60 before November 2023)
- 8421 3900 00 (precedes 8431 3900 10 and 8431 3900 90 before November 2023)

D3. Like goods

73. In accordance with paragraph 7 of Schedule 4 to the Act, the TRA refers to 'like goods' as those which are like the goods concerned in all respects or, if there are no such goods, goods which have characteristics which closely resemble them and are produced by the UK Industry.

74. The like goods are also produced by the cooperating PRC producers Zhejiang Dingli and LGMG for sale on the PRC domestic market. These have the same general characteristics as the goods concerned.

D4. Comparison of goods concerned and the like goods

75. In assessing whether the goods produced by the UK industry are like the goods concerned in all respects or have characteristics closely resembling them, the TRA has considered:

a) physical likeness, including physical characteristics;
b) commercial likeness, including competition and distribution channels;
c) functional likeness, including end-use or interchangeability of the goods;

d) similarities in production, including method of production and inputs;
e) other relevant characteristics.

76. The UK industry produces a range of boom lifts as set out in the Product Control Number (PCN) table from the questionnaires such as power type, boom type and drive type. The TRA has found that the UK produced boom lifts share the same fundamental physical, commercial and functional characteristics common to the goods concerned.

77. As noted by interested parties in submissions during the registration stage, whilst the UK industry does not currently produce boom lifts over a maximum working height ("MWH") of 28m, questionnaire responses, other submissions and further research indicates that there is competition within the boom lift market between boom lifts with MWH >28m and those with MWH <28m.

78. Whilst interested parties submitted that boom lifts >28m MWH had distinct production processes from those MWH <28m and had additional specialised end-uses, no evidence has been provided supporting that assertion at the time of drafting the SEF. The TRA does not find there to be any significant physical differences between the two products, and the end-uses listed were still within the overarching and fundamental purpose of 'working at height.'

79. Based on the information provided by interested parties and research undertaken by the case team, the TRA has determined that the goods produced by the UK industry are like the goods concerned in all respects and therefore constitute "like goods" for the purposes of paragraph 7(1) (a) of Schedule 4 to the Act.

D5. Product control numbers

80. The TRA uses PCNs to define and group different types of products that fall under the goods description above (Section D1).

81. PCNs are created based on the main physical characteristics differentiating the types of products, providing that those characteristics have an impact on price.

82. The PCN structure was provided to interested parties and contributors for comment in the registration forms following initiation of the investigation. Parties submitted comments and evidence in relation to the PCN structure.

83. The TRA considered the PCN structure comments and submissions made by parties. The PCN structure was subsequently reviewed and amended. The final

PCN structure was published in the questionnaire documents, as issued to sampled parties and published on the public file on 27 February 2026.

D6. PCN analysis

84. The TRA's calculations of dumping and injury margins are based on matching PCNs which ensures that it compares cost and price of comparable goods.

85. For dumping margin calculations, the TRA compared the PCNs produced and sold by sampled overseas exporters in their domestic market with the PCNs produced and exported by these overseas exporters into the UK.

86. For injury margin calculations the TRA matched the PCNs produced and exported by sampled overseas exporters into the UK with the PCNs produced by UK industry and sold on the UK market.

87. The TRA identified matches between the PCNs produced and sold by LGMG and Zhejiang Dingli in their domestic market with those they produced and exported into the UK, and with the PCNs produced by UK industry and sold on the UK market.

88. The TRA considered it appropriate to collapse some PCN characteristics to achieve a larger number of matches. The TRA determined that it was appropriate to collapse certain specific product codes into broader categories because the characteristics found in those specific product codes were not significantly impacting the value of the good in questions across most PCNs.

89. The TRA collapsed power type from five values down to three: combustion, electric and hybrid. By merging these specific product codes into broader categories, the TRA simplified data analysis and ensured a fair price comparison. This exercise resulted in more PCN matches between the PCNs produced by UK industry and sold on the UK market.

90. The number of matches as a result of collapsing the PCNs were of sufficient quantity to calculate dumping and injury amounts in accordance with Parts 2 and 4 of the Regulations.

D7. Units of measurement

91. The TRA consulted interested parties on which unit of measurement was most appropriate for quantifying the volume of boom lifts. Based on the registration form responses and further research conducted, the TRA determined the most

appropriate unit of measurement was units, as is in line with industry standards and companies' records are generally maintained in units. Furthermore, the weights of boom lifts vary significantly between PCN categories when using kilogrammes (kgs) as a measurement.

92. Therefore, the data the TRA requested from interested parties on production, consumption and sales has been submitted in number of units.

Section E: The UK industry and market

E1. UK industry

93. In accordance with paragraph 6(1) of Schedule 4 to the Act, the UK industry is defined as:

    a) all the producers in the UK of like goods, or
    b) those of them whose collective output of like goods constitutes a major proportion of the total production of those goods in the UK.

94. Upon initiation of the case on 19 December 2025, all known UK producers were invited to register to the investigation.

95. Information provided in the application, registration forms, questionnaire responses, alongside the TRA's own desk-based research was used to establish the UK producers of boom lifts which met the description of the goods in the NoI.

96. The TRA established that the UK industry comprised two producers during the injury period, the applicant and Snorkel. Based on questionnaire responses, the TRA calculated the UK production share for both producers: the applicant's production share was found to range between 89% and 93% of UK production throughout the injury period, while Snorkel's output ranged between 7% to 11% over the same period.

97. Therefore, the TRA has assessed the UK industry as comprising the applicant and Snorkel, i.e. all the producers in the UK of like goods, for the purposes of paragraph 6(1) to Schedule 4 of the Act definition.

E2. UK market

98. The UK boom lifts market is dominated by imports, with domestic production accounting for approximately 11-19% of UK demand during the POI.[4] Imports are sourced from a range of countries, including the PRC and other third countries with a wide range of suppliers. Section G sets out the relevant market trends, including third country supply, as part of the TRA's injury assessment.

99. Boom lifts are used for a variety of tasks, but all share the fundamental requirement of working at height, including, but not limited to:

[4] Analysis on UK market share on data provided from industry reports, questionnaire responses and HMRC 10-digit data. IPAF rental market reports 2025. See: https://www.ipaf.org/en-gb/resource-library/ipaf-rental-market-reports.

- General construction;
- Tree cutting/trimming;
- Commercial painting;
- Aerial photography;
- Glazing and window repairs;
- Cleaning and maintenance;
- Utilities and electric work;
- Pest control;
- Stadiums and arenas; and
- Highway and bridge inspection.[5]

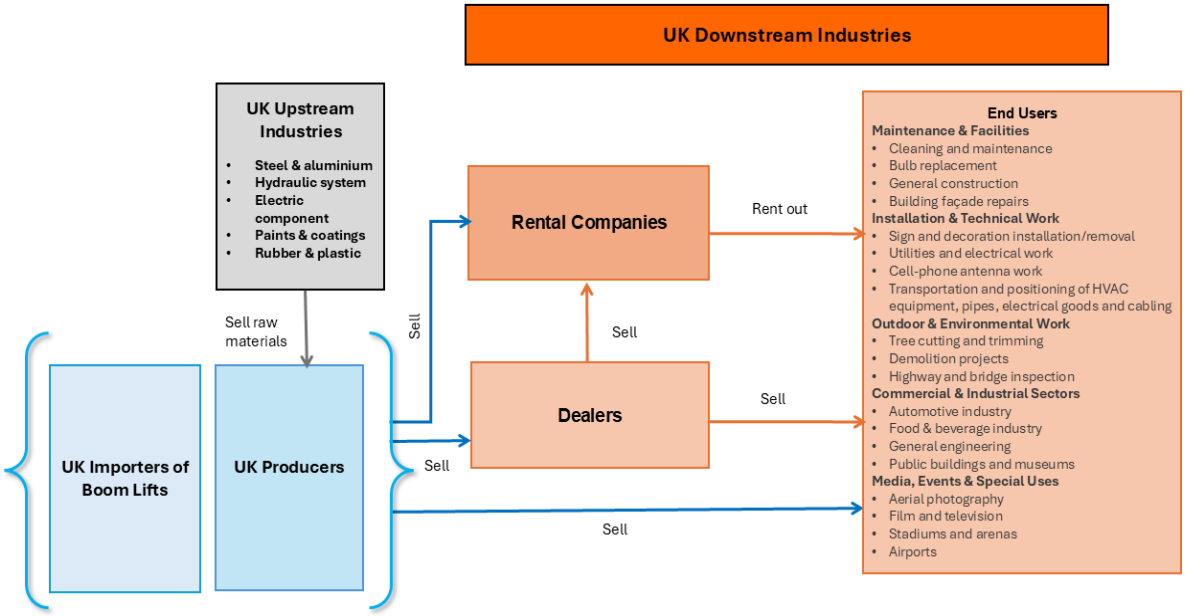
E3. Upstream and downstream industries

100. Figure 1 shows the UK boom lifts supply chain which comprises upstream industries, UK importers, UK producers and downstream industries. UK upstream industries provide inputs to UK producers, who then sell boom lifts to rental companies, dealers and to a lesser extent, end users. Rental companies and dealers act as intermediaries, supplying a wide range of downstream end users such as construction, maintenance, utilities, and specialised industrial users. As UK production meets only a limited proportion of domestic demand, the UK market relies heavily on imported boom lifts to meet overall demand. Section I provides a detailed discussion of the UK boom lifts supply chain.

101. Evidence from questionnaire responses suggests that most boom lifts sales are made to rental companies. Downstream demand is driven primarily by construction activity and investment, with the rental sector playing a central role in purchasing and distributing boom lifts to end users.

[5] Niftylift's application, pages 44-45.

Figure 1: Boom lifts supply chain



Source: The TRA's own image produced by using desk-based data and questionnaire responses.

Section F: Dumping

102. In accordance with paragraph 1(1) of Schedule 4 to the Act, goods are 'dumped' in the UK when those goods are imported into the UK, and their export price is less than their normal value.

103. The TRA has assessed whether the goods concerned are being dumped in accordance with paragraphs 1(1) and 8(1)(a) of Schedule 4 to the Act.

104. Paragraph 1(2) of Schedule 4 to the Act defines the 'normal value' of goods as:

a) the comparable price, in the ordinary course of trade, for like goods when destined for consumption in the exporting foreign country or territory, or
b) such other price or value as may be determined in accordance with provision made by regulations for specified cases where it is not appropriate to use the price in paragraph (a).

105. The dumping margin is the difference between the export price and the normal value of the goods being dumped, described as a percentage of the export price at a level of the cost of insurance and freight (CIF).

106. The TRA has calculated dumping margins in accordance with paragraph 2 of Schedule 4 to the Act and regulation 6(2) of the Regulations. Calculating the dumping margin involved the following stages:

- calculating the normal value of the goods concerned;
- determining the export price;
- ensuring a fair comparison between the normal value and the export price;
- calculating the dumping margins.

107. The TRA received comments on the allegations of the existence of a PMS in the boom lifts market in the PRC from the following interested parties in their questionnaire responses:

- LGMG (AD0075 Questionnaire Response, Section E14)
- Zhejiang Dingli (AD0075 Questionnaire Response, Section E14)
- Ministry of Commerce of the People's Republic of China ("MOFCOM")

108. The TRA has addressed comments from the two sampled exporters, LGMG and Zhejiang Dingli, in the corresponding subheading of Section F2.1.

109. MOFCOM provided comments including: *"The GOC notes the Article 7(4) of the Trade Remedies (Dumping and Subsidisation)(EU Exit) Regulations 2019 stipulates that a "particular market situation" includes situations where — (1) prices are artificially low; (2) there is significant barter trade; (3) prices reflect*

non-commercial factors. The GOC submits that these situations do not exist in the China's boom lifts market."

110. The TRA has considered MOFCOM's comments on the existence of a PMS in the boom lifts market in the PRC and responded to them in the corresponding subheading of Section F2.1.

111. Since publication of the Provisional Affirmative Determination (PAD, provisional determination), the TRA has completed verification activities, as stated in section C5. Verification of data. Our verification activities identified a number of minor corrections to questionnaire responses and supporting annexes, including amendments to sales databases, cost allocations and product control number (PCN) classifications.

112. In our provisional determination, the TRA used publicly available data from Global Trade Tracker to assess against comparator values, as stated in paragraphs 318 and 329 of the PAD.

113. For the SEF, the TRA considered data from benchmark producers. For more information, please see section F2.4.2 Assessing against Comparator Values.

F1. Exporting country analysis

114. Based on information submitted by interested parties, the TRA established that there were at least 14 PRC exporters that exported the goods concerned into the UK during the POI.

115. During the POI, exports of the goods concerned from the PRC to the UK accounted for an estimated volume of 83,353 tonnes and export value of £306,130,913. Based on data from HMRC Overseas Trade in Goods Statistics, this represents an export share of 26% of total imports of boom lifts to the UK by volume.[6]

F2. Normal value

116. In accordance with regulation 6(1) of the Regulations, Part 2 of the Regulations applies where the TRA is required to determine whether goods have been or are being dumped into the UK in accordance with paragraph 1 of Schedule 4 to the Act. To make such a determination the TRA must determine the normal value of the goods concerned in accordance with regulation 6(2)(a) of the Regulations.

[6] HMRC overseas trade in goods statistics

117. In accordance with regulation 7(1) of the Regulations, the TRA must use the comparable price to determine the normal value unless it is not appropriate to use that price.

118. Regulation 7(2) of the Regulations sets out the circumstances in which it is not appropriate to use the comparable price to determine the normal value of the goods concerned. This includes where, because of a particular market situation or the low volume of sales in the domestic market of the exporting country or territory, such sales do not permit a proper comparison between the like goods destined for consumption in the exporting country or territory and the goods concerned, in accordance with regulation 7(2)(b) of the Regulations.

119. Regulation 7(4) of the Regulations sets out that for the purposes of paragraph 7(2)(b) a PMS includes situations where prices are artificially low, there is significant barter trade, or prices reflect non-commercial factors.

120. In its application, the applicant alleged that a PMS exists in the PRC market in respect to the boom lifts industry. The applicant alleged that PRC production benefits from non-commercial factors influencing prices which are not the result of free market forces.

121. The PMS allegations of the applicant have been categorised as follows:

- State presence maintains the main role in the market and company governance;
- The market is served to a significant extent by enterprises under state ownership, control or supervision;
- Public policies or measures discriminate in favour of domestic suppliers or otherwise influence free market forces;
- Bankruptcy, corporate and property laws are applied in a discriminatory manner or not adequately enforced;
- Boom lifts PRC exporting producers benefit from access to finance granted by institutions which implement public policy objectives or otherwise do not act independently of the state;
- There are distortions in Administrative, Selling and General expenses (AS&G) and reported profits; and
- There are distortions in specific industries and sectors relevant to the production of boom lifts (distortions in energy, batteries, gas, hydraulics, plastics, fabrications, electrical parts, land use rights, labour conditions and costs, construction industry and steel industry).

122. The TRA investigated the applicant's allegations to determine whether the overseas exporters' prices are artificially low or reflect non-commercial factors and cause a PMS in the domestic boom lifts market in the PRC, to the extent that they do not permit a proper comparison. The TRA's detailed assessment of

each specific allegation can be seen in section F2.1.2 Assessing the existence of a PMS.

123. Where it is not appropriate to use the comparable price the TRA must determine the normal value of the goods in accordance with regulation 8 of the Regulations.

124. The TRA calculated the normal value of the goods concerned by determining the costs of production plus a reasonable amount for administrative, selling and general (AS&G) costs and for profits in accordance with regulation 8(1)(a) of the Regulations. This calculation is covered in further detail in F2.3. Constructed normal value.

F2.1. Particular market situation

125. The TRA has assessed whether a PMS exists in relation to the boom lifts industry in the PRC, in accordance with regulation 7(2)(b) of the Regulations. Regulation 7(4) of the Regulations defines that, for the purposes of regulation 7(2)(b) of the Regulations, a PMS includes situations where:

- Prices are artificially low;
- There is significant barter trade; and
- Prices reflect non-commercial factors.

126. This section includes an initial PMS assessment, a detailed PMS assessment to determine if a PMS exists in relation to the boom lifts industry and an assessment of whether the existence of a PMS would prevent proper comparison as set out in regulation 7(2)(b) of the Regulations.

127. The TRA investigated and assessed the allegations to determine whether the overseas exporters' prices reflect non-commercial factors or are artificially low in the PRC domestic boom lifts market such that they do not permit a proper comparison between the like goods destined for consumption in the exporting country or territory and the goods concerned.

128. TRA has determined that it has sufficient evidence before it to determine that a PMS exists in relation to the boom lifts Industry in the PRC and that this PMS does not permit a proper comparison between the domestic sales prices and the export price, such that regulation 7(2)(b) of the Regulations is met.

F2.1.1 Initial PMS assessment

129. The case team conducted an initial PMS assessment as part of the decision to investigate the PMS allegations made by the applicant. This assessment

considered the allegations of PMS and found that they were consistent with previous findings made by the TRA and other investigating authorities.

130. The initial PMS assessment considered previous TRA findings on PMS that are relevant to this investigation, notably AD0012, AD0021, AD0047, AD0058 and AD0062. The TRA determined in these investigations that PRC government support and influence resulted in prices that reflected non-commercial factors.

131. The anti-dumping investigation into aluminium extrusions originating in the PRC (case number AD0012) found that energy prices reflected non-commercial factors.[7]

132. AD0021 identified evidence of government support, influence and control in the optical fibre cable (OFC) industry in the PRC. The investigation found that prices relating to land, loans, energy and labour in the PRC reflected non-commercial factors.[8]

133. In the anti-dumping investigation into certain excavators from the PRC (AD0047), the TRA found that prices in relation to steel, hydraulics, energy, labour, land, finance reflected non-commercial factors.[9]

134. The TRA found on AD0058, relating to biodiesel from the PRC, that a PMS was reflected in the prices of energy, finance and labour.[10]

135. In AD0062, an anti-dumping investigation concerning Tin Mill form the PRC, the TRA concluded that a PMS was reflected in the prices relating to steel, energy and labour markets in the PRC.[11]

136. The European Commission ("EC" or "the Commission") investigated concerning Mobile Access Equipment (MAE) originating in the PRC, which resulted in definitive measures implemented on 8 January 2025.[12] In its findings regarding the existence of significant distortions in the MAE sector in the PRC, the Commission determined the following:

- Government intervention results in significant distortions affecting the domestic prices and costs in the PRC;

[7] AD0012 Final determination link
[8] AD0021 Final determination link
[9] AD0047 Final determination link
[10] AD0058 Final determination link
[11] AD0062 Final determination link
[12] Commission Implementing Regulation (EU) 2024/1915 of 11 July 2024 imposing a provisional anti-dumping duty on imports of mobile access equipment originating in the People's Republic of China

- the PRC market is served to a significant extent by enterprises which operate under the ownership, control or policy supervision or guidance of the authorities of the exporting country. Furthermore, state- and privately-owned producers alike in the MAE sector are prevented from operating under market conditions and both public and privately owned enterprises in the sector are subject to policy supervision and guidance;

- the state presence in firms, in the MAE and other sectors (such as the financial and input sectors) allows the Government of China (GoC) to interfere with respect to prices and costs;

- GoC enforces public policies or measures discriminating in favour of domestic suppliers or otherwise influencing free market forces and these measures induce operators to comply with the public policy objectives concerning the sector and impede market forces from operating freely;

- the lack, discriminatory application or inadequate enforcement of bankruptcy, corporate or property laws in the PRC MAE sector;

- the MAE sector is affected by the distortions of wage costs both directly (when making the product concerned or the main raw material for its production) as well as indirectly (when having access to capital or inputs from companies subject to the same labour system in China); and

- access to finance granted by institutions which implement public policy objectives or otherwise not acting independently of the state. GoC intervention in the financial system leads to the market conditions being severely affected at all levels.

137. TRA's initial PMS assessment also found that the United States International Trade Commission (USITC) and Department of Commerce concluded an anti-dumping investigation concerning certain mobile access equipment and subassemblies thereof from the PRC in April 2022 resulting in an affirmative final determination[13].

138. In terms of its findings regarding the existence of distortions, the USITC concluded that the PRC Government maintained and exercise broad discretion to allocate resources with the goal of achieving specific economic outcomes. The PRC's institutional structure and the control the Chinese government and the Chinese Communist Party (CCP) exercise through that structure result in

[13] Federal Register :: Certain Mobile Access Equipment and Subassemblies Thereof From the People's Republic of China: Antidumping Duty Order

fundamental economic distortions, such that non-market conditions prevail in the operation of the PRC economy.

139. TRA's initial PMS assessment concluded that there was sufficient evidence in the application, from the findings of other investigating authorities and previous TRA findings that a PMS exists in the PRC concerning the Boom Lifts market to undertake further investigation and analysis in respect to the alleged PMS. PMS questions were therefore added to the questionnaires.

F2.1.2 Assessing the existence of a PMS.

140. Having concluded that there was sufficient evidence to undertake further investigation and analysis in respect to the alleged PMS, the TRA assessed the existence of a PMS. Each of the types of allegations made by the applicant has been considered individually before a conclusion is reached based on a holistic assessment of all considered factors.

141. For the provisional determination, the TRA assessed whether government intervention in the boom lifts market in the PRC caused prices to reflect non-commercial factors and be artificially low, preventing a proper comparison between the domestic and export price. For more information, see Section G2.1.2 of the PAD.

F2.1.2.1 State presence maintains the main role in the market and company governance.

142. The applicant alleges that the PRC's economic and administrative structure provides the PRC Government, through the CCP, with substantial powers to intervene in the economy in such a way that prices and costs are not the result of the free development of market forces.

143. MOFCOM submitted that *"Thus, the GOC does not interfere or control the price-setting of boom lifts and the main inputs used to produce them. To the contrary, prices are set by a company taking into account of the market and all the elements that are closely connected with a company's cost and management. Indeed, the TRA can clearly assess that prices are set by the sampled exporting producer independently in line with its commercial decision and without the interference of any government authority"*[14]

144. The constitution of the PRC was last updated in 2018 and states that the state-owned economy is considered the "*leading force of the national economy", and the state has the mandate "to ensure its consolidation and growth*."[15]

[14] MOFCOM Comments on PMS
[15] Constitution of the People's Republic of China

145. Article 18 of the Company Law of the People's Republic of China, updated in December 2023, states that companies must establish a CCP organisation to "*carry out party activities*" and must "*provide the necessary conditions for the activities of the party organization.*"[16]

146. According to the US's Centre for Strategic & International Studies *"the CCP is promoting the "modern enterprise system with Chinese characteristics," a new form of corporate governance that calls for inserting certain "Party building" provisions directly into corporate charters."*[17] Sources indicate that over 70% of privately owned enterprises contain CCP organisations.[18]

147. The Outline of the 15th Five-Year Plan (2026-2030) for National Economic and Social Development of the People's Republic of China[19] (the 15th FYP) reasserts the PRC's commitment to *"uphold the Party's leadership in all areas and at all stages of economic and social development"* The 15th FYP serves as a principal document from which companies in the PRC form the basis for their strategic plans.

148. The TRA has found that the level of intertwinement between the CCP and private enterprise results in all aspects of the PRC supply chain, from the extraction of raw materials to the market demand for boom lifts, being heavily influenced by highly interventionist economic policy which is expressly mandated.

149. Zhejiang Dingli commented that *"Zhejiang Dingli is a privately-owned, publicly listed company operating with full independence from any government control or interference. The major shareholder and actual controller is [Redacted – commercially sensitive information]. Senior management is appointed by [Redacted – commercially sensitive information] and is accountable to [Redacted – commercially sensitive information]. The governance and decision-making processes of Zhejiang Dingli are strictly commercial."*

150. This company also submitted that *"As stated above, all of Zhejiang Dingli's daily operations, procurement decisions, and pricing strategies are formulated entirely and independently by the Company's management, driven solely by the fundamental commercial objective of profit maximization. Neither the GoC nor CCP organizations have involvement or presence in the Company's daily business decision-making processes. The Company operates free from any government interference, acquiring all inputs and managing all costs based*

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[16] Company Law of the People's Republic of China, Article 18
[17] The New Challenge of Communist Corporate Governance
[18] Exclusive: In China, the Party's push for influence inside foreign firms stirs fears | Reuters,
[19] Outline of the 15th Five-Year Plan, English translation

entirely on open market conditions. Please see the responses below for the details as to how Zhejiang Dingli assesses financing, land, energy, etc."

151. Zhejiang Dingli further commented *"No government entity or industrial policy dictates or interferes with Zhejiang Dingli's day-to-day pricing decisions."*

152. The TRA found evidence from Zhejiang Dingli's press reports that a party organisation does exist within the company. A press release from 2021 documents Zhejiang Dingli's party branch being upgraded to a party committee and recognised as an Advanced Grassroots Party Organization.[20]

153. The TRA has found examples of members of the board of two non-sampled cooperating boom lift exporting producers also holding senior positions in the CCP and other government positions. For example, Zhan Chunxin of Zoomlion Heavy Industry Science and Technology Co., Ltd. ("Zoomlion") has held multiple public offices during his time as Chairman, CEO and Executive Director, including as a delegate to the National Congress of the CCP and the Party Congress of Hunan Province.[21]

154. The TRA has found further evidence of the PRC constitution containing a provision to ensure that the GoC can intervene in the economy, based on the below mentioned documents related to overseas exporters registered to the case.

155. Article 12 of Zoomlion's Articles of Association states that *"Pursuant to the Constitution of the Communist Party of the PRC, the Company shall establish an organisation of the Communist Party and carry out the activities of the Communist Party. The Company shall provide the necessary conditions for the Communist Party to organise activities."*[22]

156. Xuzhou Construction Machinery Group Co., Ltd.'s (XCMG) Articles of Association also make a similar declaration: *"In accordance with the provisions of the Constitution of the Communist Party of China, the Company shall establish a Communist Party organization and carry out Party activities. The Company shall provide the necessary conditions for the activities of the Party organization."*

157. XCMG's 2023 Environmental, Social and Governance Report states that its *"Leaders and cadres study General Secretary Xi Jinping's important discourse on strengthening Party conduct, promoting clean governance, and advancing the integrated approach of the "dare not, cannot, want not corruption" principle.*

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[20] Zhejiang Dingli News - Party Branch of Zhejiang
[21] Sohu.com - Zoomlion Company Executives
[22] Zoomlion Articles of Association December 2025

This enhances their ideological understanding and strengthens their political consciousness."[23]

158. Furthermore, XCMG's annual report that the company plans to use the *"15th Five-Year Plan" strategic goals as the basic guideline for the annual operating budget".*[24] Multiple directors and members of senior management of XCMG are also members of the CCP. The Chairman, Yang Dongsheng, also serves as the Director, General Manager, and Deputy Secretary of the Party Committee of XCMG Limited.[25]

159. LGMG's General Manager Zhi Kaiyin, also serves as Secretary of the Party Committee.[26]

160. Registered party Guangxi Liugong Machinery Co., Ltd. ("Liugong") also reference the 15th Five Year Plan in its most recent annual reports as a foundation for the strategic plan of the next five years.[27] It states that it *"will closely follow the national strategy for developing high-end equipment manufacturing, maintain a global perspective, uphold a full value chain mindset, and unswervingly focus on profit growth, business growth, quality improvement, and capability development as its core business lines"* Liugong also *"revised its market value management strategic plan based on the goals of the "15th Five-Year Plan" strategy, guided by this philosophy"* clearly stating that the 15th Five Year Plan has had a direct influence on the corporate governance of the firm.

161. Multiple members of the board of Liugong are members of the CCP. The chairman, Zheng Jin, also serves as Party Secretary and is a representative of the 15th People's Congress of Liuzhou City.[28]

162. Articles 31 to 34 of Liugong's Articles of Association detail the establishment, role and purpose of a Party Committee within Liugong. Article 34 is that the committee has a mandate to "participate in major company decision-making".[29]

F2.1.2.2 The market is dominated by enterprises under state ownership, control or supervision.

163. The applicant alleges that the PRC market is served to a significant extent by enterprises which operate under the ownership, control or policy supervision (or

[23] XCMG ESG Report 2023
[24] Sina.com - XCMG Annual Report 2025
[25] Ibid.
[26] LGMG - Leading the Industry in Economy, Fulfilling the Mission of Corporate Responsibility
[27] Sina.com - Liugong Annual Report 2025
[28] Ibid.
[29] Sina.com - Liugong Articles of Association November 2025

guidance) of the Chinese authorities. Therefore, the PRC market is structurally reliant on enterprises under direct or indirect state control.

164. In the 15th FYP, the PRC pledged to *"strengthen, refine, and expand state-owned enterprises (SOEs) and state-owned capital".* Moreover, the PRC is encouraging SOEs and private enterprises *"to engage, in a standardized and market-oriented manner, in equity cooperation, strategic collaboration, and resource integration.,"* an unambiguous declaration that SOEs should deepen their relationship with private enterprise.[30]

165. The TRA has found that the boom lifts market is served to a significant extent by enterprises which are state owned, operated or controlled.

166. The TRA has found evidence that at least three boom lift producers in the PRC are enterprises with a significant state-owned shareholding: XCMG[31], Zoomlion[32] and Liugong[33]. XCMG is the largest construction machinery company in the PRC and the third largest in the world.

167. XCMG, Zoomlion and Liugong registered their interest to the case and submitted registration forms. From the information provided in their registration forms, the TRA determined that these three companies serve a large proportion of the domestic boom lifts market in the PRC.

168. XCMG is one of the largest producers of boom lifts in the PRC, with domestic (PRC) sales of 9,532-11,663 units[34] during the POI. Zoomlion, the third largest PRC producer by sales to the UK,[35] sold 2,900-3,900 units domestically during the POI. Exporting producer Liugong sold 2,000-2,400 units[36] of boom lifts in the PRC during the POI.

169. Together, these three companies account for nearly half[37] of the boom lifts sold domestically (in the PRC) during the POI by the companies registered to the case.

170. SOEs in upstream industries also have a major influence on costs in the boom lifts market.

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[30] Outline of the 15th Five-Year Plan, English translation
[31] Sina.com - XCMG Annual Report 2025
[32] Zoomlion Annual Report 2025, page 54
[33] Sina.com - Liugong Annual Report 2025
[34] XCMG registration form
[35] Zoomlion Registration form
[36] Liugong registration form
[37] Source: registration form responses

a. According to CAMAL Group[38], four of the top five Chinese steel manufacturers are SOEs. Steel is a major cost input in boom lift production.[39]
b. SOEs dominate the energy market, in resource extraction, infrastructure and transmission, and distribution. SOEs account for almost 90% of the total income in oil and gas extraction.[40]
c. The EC found that eight of top ten semi-conductor firms in the PRC are SOEs.[41]

171. Regarding the boom lifts market in the PRC, Zhejiang Dingli commented on its questionnaire response: "*the market for boom lifts in China is characterised by a high degree of openness, intense competition, and is fully market driven. PRC manufactured goods compete intensely on quality, technology, after-sales service, and price. The market is highly competitive, with a wide range of market participants, including numerous private domestic enterprises as well as significant manufacturing bases established by world leading foreign manufacturers (e.g., Terex, JLG, Snorkel). To the best of the Company's knowledge, there are approximately 30 boom lifts producers in China, both domestic or foreign invested, varying in size from large corporations to medium and small-sized enterprises.*"[42]

172. The TRA has assessed Zhejiang Dingli's comments and has found that although Zhejiang Dingli is correct in its observation that there are a considerable number of boom lifts producers in the PRC, the PRC's domestic market is largely served by state-owned domestic producers, as stated above in paragraphs 165 to 169.

173. In addition, TRA has found that three foreign-owned subsidiary producers (Haulotte, JLG and Terex) account for less than 3% of domestic sales of the producers registered to this case; whilst there are a healthy number of producers competing in the market, domestic producers, especially SOEs, dominate in terms of sales volume.

F2.1.2.3 Public policies and measures favour domestic suppliers and influence free market forces.

[38] The CAMAL Group is a supply chain and procurement company that supports businesses in buying directly from the PRC
[39] Top 10 Chinese Steel Manufacturing Companies - CAMAL Group
[40] View of The Role of State Ownership Policy in China's Energy Sector: Challenges and Opportunities for Foreign Multinational Corporations in Controlled Economy, page 57
[41] Commission Staff Working document on significant distortions in the economy of the People's Republic of China for the purposes of Trade Defence investigations, page 556.
[42] Zhejiang Dingli Questionnaire Response

174. The TRA has investigated allegations made by the applicant that the PRC Government discriminates in favour of domestic producers and suppliers through legislation and policy and that these policies reveal that competition conditions are systematically skewed to promote national champions.

175. Article 10 of the Government Procurement Law of the People's Republic of China mandates that domestic goods should be prioritised in matters of Government procurement, distorting competition.[43]

176. As stated in paragraph 173, foreign-owned boom lift producers in the PRC such as Terex Changzhou, JLG Tianjin and Haulotte only accounted for less than 3% of the market during the POI based upon the TRA's registration form responses, indicating that domestic producers have an advantage in the domestic market.

177. MOFCOM submitted in its questionnaire response that *"boom lifts and the upstream materials markets are open to all players or investors. They are transparent in terms of requirements and fully competitive in terms of opportunity. If a market provides potential opportunities for development and profit-making, market players will certainly evaluate relevant factors to decide whether or not enter into the market."*

178. The TRA has assessed this claim and considers that whilst there may be no legal barriers to entry for non-domestic boom lifts enterprises to enter the market, public policies that favour domestic boom lift producers will be a factor in whether, "*the decision of the economic operators who are expected to carefully and prudentially weigh the risks and opportunities in order to materialize investment return*."[44]

179. Article 219 of the Ecological and Environmental Protection Law of the People's Republic of China functions in tandem with Article 10 of the Government Procurement Law to influence the market for boom lifts. Article 219 states that the GoC will "*adopt fiscal, tax, and government procurement measures to promote the application of energy-saving, environmentally friendly, and new energy motor vehicles, ships, and non-road mobile machinery, while restricting the development of high-fuel-consumption and high-emission motor vehicles, ships, and non-road mobile machinery, thereby reducing the consumption of fossil energy*."[45]

[43] The Government Procurement Law of the People's Republic of China
[44] MOFCOM Comments on PMS
[45] The Ecological Environment Code of the People's Republic of China

F2.1.2.4 Bankruptcy, corporate and property laws are applied in a discriminatory manner or not adequately enforced.

180. The applicant alleges that commercial enterprises in the PRC are not subject to normal market exit mechanisms, which causes distortions in the boom lifts industry. Thus, inefficient producers remain in the market, distorting competition.

181. The applicant references the Commission's findings that "*the number of bankruptcy cases, which is very low for an economy of China's size, points to serious issues with the enforcement of bankruptcy laws, stemming from a number of flaws in these laws, as well as from their inadequate implementation. In particular, the State plays an unduly active role in the bankruptcy proceedings, not least in view of the lack of Chinese judiciary system's independence, as well as given the government authorities' involvement in individual bankruptcy cases, often influencing their outcome.*"

182. The TRA previously found evidence of benefits derived from a lack of enforcement of bankruptcy amongst SOEs in the PRC in AD0058.

183. The Enterprise Bankruptcy Law (EBL) of the PRC went into effect on 1 June 2007. The 2007 text is currently undergoing reform. On 12 September 2025, the National People's Congress of China issued draft revisions to the EBL for public consultation. However, the legislative process remains ongoing, and the Standing Committee of the National People's Congress (NPCSC) has not announced a timeline for the revision to take effect.

184. Until the NPCSC formally passes the national draft, businesses operating in China remain bound to the original 2007 Enterprise Bankruptcy Law, supplemented by updated judicial interpretations from the Supreme People's Court.

185. In the PRC, local courts traditionally operate under the influence of local governments when dealing with bankruptcy cases. In particular, local party officials have strong incentives to delay liquidation and keep in operation low-productivity and financially distressed firms to contain unemployment, avoid social unrest and promote their political careers.[46]

186. Following a 2014 recommendation by the PRC Supreme Court, several provinces started introducing new courts specialized in bankruptcy. These specialized courts had the objective to decrease the influence of local politicians

[46] National Bureau of Economic Research - Going Bankrupt in China

on the judicial system and quicken the liquidation of inefficient state-owned firms in an economy already characterized by high debt levels.

187. Whilst steps towards reform have been taken, removing firms remains complex, and zombie companies continue to exist distorting competition in the PRC.

188. The Mercator Institute for China Studies (MERICS) found that rather than exiting the market, loss-making firms stay afloat through continued access to loans. It found that lending growth accelerated during the pandemic and, although it has since slowed, remains above pre-pandemic levels, indicating a sustained reliance on credit to support industrial firms.[47]

189. The Federal Reserve Bank of Dallas found that there is evidence of "zombie lending" in the PRC, with banks rolling over bad loans to unprofitable firms and allowing the status quo to continue rather than recognise losses.

190. It used firm-level financial data to calculate zombie shares for sectors in the PRC. It classified a company as a zombie in a given year if its EBITDA (earnings before interest, taxes, depreciation and amortization) is less than its interest expense. That is, if it does not earn enough from operations to meet interest expenses, and would be insolvent if not for continued funding from banks.

191. It determined that the share of 'zombie' companies in manufacturing has risen rapidly from a low of 4% in 2020 to 11% in 2024, and that with a sustained decline in industrial profits, this share is likely to continue growing.[48]

192. The TRA is not aware of any PRC producers and exporters of the goods concerned that are not subject to the same ordinary rules on bankruptcy, corporate and property laws in the PRC. Whilst the TRA does not have evidence of bankruptcy relating to boom lifts companies specifically in the PRC, the finding is of relevance to SOEs which exist in key strategic sectors to the boom lifts industry in the PRC as outlined in F2.1.2.2 The market is dominated by enterprises under state ownership, control or supervision. Therefore, the benefits derived from a lack of enforcement of bankruptcy amongst SOEs in the PRC can impact the boom lifts industry.

F2.1.2.5 Distortions in AS&G expenses and reported profits

193. The applicant alleged that AS&G costs and profits in the PRC are unreliable as costs, revenues and price formation reflects non-commercial factors. The applicant also argues that "*generally speaking, cost and price formation in the*

[47] China Overcapacities Monitor | Merics
[48] China debt overhang leads to rising share of 'zombie' firms - Dallasfed.org

PRC reflects the policies and objectives designed by the central and local governments, not independent market forces."[49]

194. The EC stated that *"the socialist market economy system has meant that while market forces have been mobilised to some degree, the decisive role of the State remains intact, with tight interconnections between government and enterprises. The basic features of the socialist market economy are dominant state-ownership, an extensive and sophisticated economic planning system, as well as interventionist industrial policies and a broad array of other tools to pursue political and economic objectives set by the Party and/or the Government. This system does not prioritise and often does not result in market-based resource allocations."*[50]

F2.1.2.6 Access to finance granted by institutions which implement public policy objectives or otherwise do not act independently of the state.

195. The applicant alleges that enterprises in the PRC have access to preferential financing, and access to financing from institutions which implement public policy objectives or otherwise do not act independently of the state. The applicant states that, given that the Chinese boom lifts exporting producers have access to preferential financing, they have more flexibility and can adjust their business and pricing strategies to maximise their export sales and gain market share in the UK, even if they would have otherwise made negative profit margins. At the same time, the PRC boom lifts exporting producers are not exposed to the same market risks because of the significant financial benefits that they receive from the GoC and related institutions.

196. The applicant references the Commission's findings that *"state ownership in China is positively associated with leverage and access to long term debt, thus creating a positive loan bias. The OECD noted, as recently as 2022, that SOEs hold most of China's corporate debt due to better access to borrowing relative to private firms. The availability of political connections to help in obtaining bank loans is also a factor for private firms."*[51]

197. The TRA previously found evidence of preferential financing in AD0021, AD0047 and AD0062.

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[49] Trade Remedies Authority - AD0075 Application

[50] Commission Staff Working document on significant distortions in the economy of the People's Republic of China for the purposes of Trade Defence investigations, page 30.

[51] Commission Staff Working document on significant distortions in the economy of the People's Republic of China for the purposes of Trade Defence investigations, page 296.

198. Article 34 of the Law of the People's Republic of China on Commercial Banks states *"Commercial banks shall conduct their business of lending in accordance with the needs of the national economic and social development and under the guidance of the industrial policies of the State."*[52]

199. The 15th FYP states *"We will reasonably reduce the overall costs of manufacturing and intensify medium- and long-term lending and credit loan support for technological innovation, digital and intelligent transformation, and green development in manufacturing"* and *"The role of the nationally integrated network of financing credit service platforms will be enhanced, alongside improvements to the comprehensive credit evaluation system and credit enhancement mechanisms."*[53]

200. Most of the banks in the PRC are controlled by the state[54], with "*the government holding majority ownership of the five largest commercial banks, accounting for over half of the country's banking system assets.*"[55] The GoC injects capital directly into the state owned banks in order to ensure that financing is available to support policy objectives.[56] The GoC also acts as a "buyer of last resort" and intervenes in financial markets to support asset prices.[57]

201. The People's Bank of China is mandated to *"support financial institutions in providing funding for carbon-reduction projects at preferential lending costs, meet companies' needs to finance technological innovation and equipment upgrades and put into place measures to ensure the delivery of unfinished housing projects."*[58]

202. The National Development and Reform Commission of China (NDRC) in its Working Guidance for Carbon Dioxide Peaking and Carbon Neutrality in Full and Faithful Implementation of the New Development Philosophy highlights "Actively developing green finance" and "Improving fiscal, tax and pricing policies for "clean-energy vehicles and vessels" as key policy mechanisms to improve.[59]The Ministry of Industry and Information Technology of the PRC have stated that "accelerating the electrification of construction machinery" is a clear goal of its

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[52] Law of the People's Republic of China on Commercial Banks
[53] Outline of the 15th Five-Year Plan, English translation
[54] China's Financial System: the Tension between State and Market | Cato Institute
[55] Crisis looms: The challenges facing China's banks and their global implications - I by IMD
[56] China's Planned Capital Injection Reiterates Strong Govt Support for State Banks
[57] People's Republic of China: Financial Sector Assessment Program-Financial System Stability Assessment
[58] Central bank reforms to strengthen monetary policy efficacy
[59] NDRC - Working Guidance for Carbon Dioxide Peaking and Carbon Neutrality in Full and Faithful Implementation of the New Development Philosophy

policy plans.[60] As per industry publications, market trends show demand surging for electric boom lifts from 32.7% in 2020 to 93.1% in the first half of 2024, driven by China's drive for electrification.[61]

203. Evidence stated in the paragraphs above indicates that GoC policy has encouraged the demand for electric boom lifts via preferential financing for low carbon construction projects.

204. Zhejiang Dingli commented that *"To the best knowledge of Zhejiang Dingli, since July 2013, the People's Bank of China has fully relaxed the control of loan interest rates for financial institutions, and the market-oriented reform of loan interest rates was fully completed. Since then, commercial banks in China operate based on commercial principles and are no longer subject to upper limits or floor lending rates imposed by the Government. Further, in August 2019, the People's Bank of China reformed the formation mechanism of the Loan Prime Rate (LPR). The LPR is fully market oriented. It is calculated based on quotes provided by a panel of representative commercial banks (currently 20 banks). During the POI, Zhejiang Dingli secured financing through [Redacted – commercially sensitive information]. The applicable interest rates for these loans were determined [Redacted – commercially sensitive information]. During the POI, Zhejiang Dingli maintained a current ratio of [ratio], reflecting a strong short-term liquidity position. In terms of solvency, the respondent's debt-to-equity ratio was [ratio], indicating a conservative leverage profile. Zhejiang Dingli provides a calculation worksheet presenting the current ratio and debt-to-equity ratio for the TRA's reference. These figures are derived directly from the respondent's financial statements. In summary, Zhejiang Dingli does not benefit from any preferential access to financing. To the best knowledge of Zhejiang Dingli, there are no government measures, policies, laws or directives (including regional and industry specific measures) that may have impacted any aspect of its financial costs."*

205. The TRA has reviewed the two sampled exporters' financing agreements and has found evidence of loans granted below the relevant Loan Prime Rate (LPR). The LPR is identified by the People's Bank of China (PBOC) as the lending rate charged by commercial banks to their most creditworthy customers.[62]

F2.1.2.7 Distortions in specific industries and sectors relevant to the production of boom lifts

[60] New Policy! The Ministry of Industry and Information Technology will implement the "Action Plan for Promoting Electrification of Public Sector Vehicles" on New Energy
[61] Aerial Work Platforms: Leading the Electrification Revolution in Construction Machinery | ASURE Machinery
[62] Sources: Prime Rate, data sources: LGMG Questionnaire Loans Annex, Zhejiang Dingli Questionnaire Response Loans Annex

Steel

206. The applicant alleges that costs associated with steel inputs into boom lifts are distorted in the PRC.

207. In relation to the cost of steel products in the PRC, the TRA has previously determined in AD0047 and AD0062 that the price of steel reflected non-commercial factors and that prices were also artificially low when we compared the costs reported in the sampled overseas exporters' records to appropriate benchmark data.[63]

208. The application references the Commission's findings on distortions within the steel sector. The Commission's research concludes that *"The overarching control of the government prevents free market forces from prevailing in the steel sector in China."*[64]

209. The OECD has noted that overcapacity in PRC steel production has resulted not only in steel being exported directly to foreign markets at low prices, but also in the form of *"steel-intensive downstream products, at the expense of producers elsewhere"*. The OECD also remarks that steel firms in the PRC received 15 times more in subsidies relative to their asset size than the median producer.[65]

210. The GoC has set restrictions on the growth of the steel sector, with the Work Plan for Stabilizing Growth in the Steel Industry (2025-2026) proposing to *"Implement precise control over production capacity and output"* by mandating an average annual growth rate of 4%.[66]

211. The plan also encourages *"the upgrading needs of major steel-consuming industries such as automobiles, machinery, shipbuilding, and home appliances, research and improve product and application standards, and collaborate with downstream industries to promote product application upgrades."* Industry associations are to be supported "*in building a full-industry chain cooperation mechanism for upstream and downstream enterprises.*"[67]

212. GMK Center reports that as of October 2025, 62 countries have introduced some form of trade restriction on steel imports from China, highlighting the

[63] Links to AD0047 and AD0062 Final determinations
[64] Commission Staff Working Document, page 416.
[65] Executive summary: OECD Steel Outlook 2026 | OECD
[66] Notice on Issuing the "Steel Industry Stable Growth Work Plan (2025–2026)". English translation: https://chinaenergyportal.org/en/work-plan-for-stabilizing-growth-in-the-steel-industry-2025-2026/
[67] Ibid.

overwhelming international consensus on GoC intervention and subsidisation of the steel sector.[68]

213. As trade defence measures against steel become more common, downstream industries become more attractive mediums to offload overcapacity via the export market. The MERICS attributes the rise of China's shipbuilding industry in part to the overcapacity of steel.[69] MERICS ranks industrial machinery, such as boom lifts, as one of the sectors most likely to see overcapacity emerge.

214. Research published by the TRA in September 2024 noted that large SOEs are used as a mechanism to pursue the government's economic policies and thus likely to be subsidised. Furthermore, this research noted that the level of subsidisation from the GoC has been on the rise in recent years, with subsidies coming in numerous forms ranging from currency policies to cash grants.[70]

215. As stated previously in paragraph 170(a), CAMAL Group report that four of the top five Chinese steel manufacturers are SOEs.[71]

216. Zhejiang Dingli submitted that *"Zhejiang Dingli selects suppliers of raw materials, like steels, based on a combination of factors, including supplier qualifications, supplier scale, whether the products meet the respondent's technical and quality requirements, and price. During the POI, Zhejiang Dingli sourced these inputs from a total of [number] distinct suppliers, among which only [number] suppliers are state owned companies, and all others are entirely privately owned enterprises. The steel inputs purchased from the two state-owned enterprises made up less than [percentage]% of total steel purchases. Zhejiang Dingli did not receive any preferential financing, subsidisation, price control or tax exemptions when purchasing steel for boom lift production. To the best knowledge of Zhejiang Dingli, there are no government measures, policies, laws or directives (including regional and industry specific measures) that may have impacted any aspect of its steel costs."*

217. The TRA notes that state ownership is not the only form of government intervention and influence that can affect prices in the supply chain. As the OECD states: *"Subsidies and other government support measures have contributed strongly to excess capacity both within countries and globally. Such support leads to capacity expansions that are not market-driven, keep inefficient and consistently loss-making plants in operation, and confer competitive*

[68] 62 countries implemented 207 restrictions against steel products from China — Infographic — GMK Center
[69] Beyond overcapacity: Chinese-style modernization and the clash of economic models | Merics,
[70] Market distortions in major steel producing countries - GOV.UK pages 76-81
[71] Top 10 Chinese Steel Manufacturing Companies - CAMAL Group

advantages on recipient firms that distort the playing field for others. The effects are long-lasting: subsidies used to construct new capacity will continue to injure market-oriented competitors for many decades, given the typical lifespan of a steel plant."

218. The OECD continues: *"Subsidies lower production costs, enabling recipients to undercut competitors on price. Pervasive subsidisation signals to unsubsidised competitors and potential market entrants that future margins will be thin, reducing their incentive to modernise, expand capacity, or even enter the market at all."*

219. Steel is the largest single raw material cost for a boom lift, representing approximately a third of the cost of material based on the cost to make data from the sampled exporters. Where prices are artificially low due to non-commercial factors such as overcapacity due to intense subsidisation and the prevention of free market forces, the downstream industries, such as boom lifts, are significantly affected by these distortions.

Hydraulics

220. The applicant alleges there is targeted state intervention in the hydraulics sector, based on the TRA's previous findings in AD0047.[72]

221. In the AD0047 case, the TRA found that state intervention directly targets the hydraulics industry in the PRC. The AD0047 Final Determination notes: *"The Made in China 2025 policy document outlines the GoC's intention to "[a]ccelerate the development of smart manufacturing equipment and products" including "the research and development of high-end CNC machines [and] industrial robots" which utilise hydraulics extensively.*[73] That such 'guidelines' have resulted in state support by the GoC is confirmed by several PRC hydraulic producers. For example, Lijin Pneumatic Hydraulic Factory states that "*with the support of government policies, the hydraulic support industry has been vigorously developed, and the quality of various support products has also been guaranteed.*"[74]

222. Some local governments in the PRC prioritise the development of the hydraulics industry as a key sector for manufacturing.[75] This includes provinces where the sampled overseas exporters are located, Shandong and Zhejiang.

[72] AD0047 Final determination Link
[73] Notice of the State Council on the Publication of "Made in China 2025"
[74] Market scale and future development trend of China's hydraulic support industry - Lijin hydraulic pneumatic hardware products Co., Ltd
[75] Notice on Issuing the Major Technical Equipment Tackling Plan of Henan Province (2023–2025)

223. Provinces such as Jiangsu, Zhejiang, Fujian, Shandong, Liaoning, Henan, and Hebei all issued supportive policies for the hydraulic industry during the 14th Five-Year Plan period (2021 to 2025). These policies include promoting intelligent development of parts and hydraulic industry, advancing the development and manufacturing of supporting systems for hydraulic parts, and tackling core technologies for hydraulic parts.[76]

224. These policy plans are not just guiding documents; they result in demonstrable state intervention. Firms such as Jiangsu Hengli Hydraulic CO., Ltd (Hengli), the world's largest supplier of excavator cylinders according to reports[77], receives large government subsidies, equivalent to 15 million USD in 2022.[78] As a supplier of hydraulics to all kinds of construction machinery, including boom lifts[79], these direct interventions in the supply chain distort the prices for hydraulics, a key component and significant cost portion of boom lift production.

Batteries

225. The applicant alleges that GoC interference in the battery industry causes prices for batteries in the boom lifts market to be distorted.

226. The applicant references the Commission's Raw Materials Information System[80], which notes that the upstream supply chain for batteries is controlled by an oligopoly industry that is highly concentrated in China. The Commission also find that "*[o]vercapacity is also a feature of the Chinese battery industry, together with oversupply*."[81]

227. Zhejiang Dingli submitted in its questionnaire response that *"to the best knowledge of Zhejiang Dingli, the market for battery in China operates under open and competitive market conditions. Pricing is determined by market participants without government intervention or price controls. The GoC does not influence our supply or choice of batteries. There are no government measures, policies, laws or directives (including regional and industry specific measures)*

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[76] 重磅！2021年中国及31省市液压行业政策汇总及解读（全）“十四五”着力推动液压行业自主研发能力—维科号 (MP OFWeek media outlet – In Mandarin) and ldquo; 14th Five-Year Plan Summary and Interpretation of Hydraulic Industry Policies in Various Provinces of China During the Period (Part 1) - Qianzhan Industry Research Institute (In Mandarin)
[77] Jiangsu Hengli Hydraulic 2026 Company Profile: Stock Performance & Earnings | PitchBook
[78] China: Government subsidies for listed company Jiangsu Hengli Hydraulic CO., Ltd in year 2022 - Global Trade Alert
[79] Aerial Work Platforms - Hengli Hydraulics
[80] RMIS - Lithium-based batteries supply chain challenges,
[81] Commission Staff Working Document, Page 671.

that may have impacted any aspect of battery costs. There are no changes in the battery market over the injury period."[82]

228. The TRA has found that the GoC has provided subsidies to both consumers and producers of electric vehicles (EVs), which has driven demand and accelerated production capacity and expertise amongst domestic battery manufacturers. Policy plans such as the Action Plan for Promoting the Development of the Automotive Power Battery Industry lay out the PRC's strategy for this sector. A Stanford Center on China's Economy and Institutions (CCEI) brief acknowledges that "*the practical experience gained from producing more of something — cut battery costs by 42%, greater than industry-wide tech upgrades (34%) and other factors like economies of scale.*"[83]

229. The reason for the rapid expansion of Chinese battery demand is attributed to a whitelist policy that China implemented from 2016 to 2019, which restricted EV subsidies to vehicles using batteries from certain approved domestic producers, resulting in an increase of vehicles using Chinese supplied batteries from 70% to 90%.[84]

230. The CCEI note that this shifted demand from "*more efficient Japanese and South Korean firms to, at the time, higher-cost Chinese producers*" a clear indication of government intervention causing distortions. Independent research provider the "Rhodium group" reports that "*The Chinese government only included 57 domestic auto battery makers in the catalogue meaning that foreign giants such as Samsung, LG, and Panasonic were excluded*."[85]

231. Through significant GoC investment and intervention at the federal and provincial levels, Chinese battery producers now showcase a high level of technical development[86] for all EV batteries, including those used in boom lifts.

232. The above-mentioned subsidies directly impact the boom lift supply chain in the PRC. For example, Vision group, who supply batteries for Sinoboom[87], benefited from a joint investment project worth over RMB 10 billion with the Jingshan Municipal Government[88], with the government of Jingshan providing subsidies to cover *"the setup of the site infrastructure, the development of the fixed assets, the upgrading of the existing facility building, the procurement of*

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[82] Zhejiang Dingli Questionnaire Response
[83] It's Not Just Subsidies: How China's EV Battery Firms Learned Their Way to Dominance | FSI
[84] Drive Down the Cost: Learning by Doing and Government Policies in the Global EV Battery Industry
[85] Far From Normal: An Augmented Assessment of China's State Support – Rhodium Group
[86] How Innovative Is China in the Electric Vehicle and Battery Industries? | Reports & Briefings | Jul 29, 2024 | ITIF
[87] Sinoboom Aerial Work Platform (AWP) Motive Power Project
[88] Xiongtao Co., Ltd. partners again with Jingshan, plans to invest 10.5 billion yuan to build a new energy battery industrial park - Hubei Provincial Department of Economy and Information Technology

smart manufacturing equipment, and the interest payments related to the working capital."[89] Vision Group's financial report for 2024 shows the increased level of subsidisation for 2023 in line with this project.[90]

233. The TRA has found that the GoC not only incentivises domestic producers within the battery industry, but it also restricts exports to maintain its dominance in this sector. In July of 2025, MOFCOM announced new restrictions "on key technologies relating to critical battery materials and minerals, impacting the upstream and midstream battery supply chain. This includes restrictions on cathode electrode material preparation technology on lithium iron phosphate batteries (LFP) and lithium manganese iron phosphate (LMFP), lithium carbonate / lithium hydroxide preparation technology as well as gallium processing technologies. LFP and LMFP cathode, lithium carbonate and lithium hydroxide being some of the most critical battery materials and chemicals required for the manufacturing of battery cells."[91]

Plastics

234. The applicant alleges that GoC intervention causes the price of plastics to reflect non-commercial factors in the boom lifts industry.

235. The applicant references the Commission's Staff Working Document on significant distortions in the economy of PRC for the purposes of Trade Defence investigations.[92]

236. Whilst its report covers the chemicals sector as a whole, plastics is a large part of that sector, amongst a range of other chemical and petrochemical materials in the PRC. The Commission's report found that rubber and plastic was the second largest subsector of manufacturing in 2020, with it comprising a combined 40% of the total chemical sector revenue, and ~80% of its employment. The TRA notes that the plastics and rubber sector has remained prominent, with a National Bureau of Statistics publication reporting that the manufacture of rubber and plastics products had increased in revenue 4.8% year on year from 2023 to 2024.[93]

[89] Vision Group Plans to Invest RMB 1.05 Billion in Building a Li-Ion Battery Production Line - Energy Trend
[90] Sina.com - Shenzhen Xiongtao Power Technology Co., Ltd Annual Report 2024
[91] China's battery technology export restrictions –cathode, lithium, gallium | Herbert Smith Freehills Kramer | Global law firm
[92] Commission Staff Working Document, Section 16, page 458-496
[93] The Profit of Industrial Enterprises above Designated Size in 2024

237. The TRA has found evidence that there is significant overcapacity in the PRC plastics sector.[94]

238. Zhejiang Dingli noted *"Zhejiang Dingli respectfully submits that the allegations regarding distortions in the plastics sector are fundamentally misplaced and economically flawed in the context of boom lift manufacturing. First and foremost, a boom lift is a heavy-duty machinery product composed overwhelmingly of steel, hydraulics, and electronic components. Plastics constitute a completely de minimis proportion of the total cost of production, meaning that any alleged price fluctuations in the plastics market would have no material impact on the overall cost or pricing of our products. Furthermore, the Applicant fundamentally mischaracterizes the scope of the Plastic Pollution Control Action Plan (2021–2025) and the Circular Economy Plan. These macroeconomic environmental directives are primarily aimed at phasing out high-polluting, single-use consumer plastics and have absolutely no regulatory impact on the specialized engineering plastics procured by Zhejiang Dingli. Consequently, these policies do not dictate or influence how Zhejiang Dingli sources its plastic components. Finally, Zhejiang Dingli procures its minor engineering plastic components strictly through arm's-length commercial negotiations with independent suppliers in a highly competitive market. Zhejiang Dingli does not receive any subsidies for purchasing plastics, nor is it aware of any subsidies granted to its plastic suppliers. There are no government measures or directives that artificially lower Zhejiang Dingli's procurement costs for these materials."*

239. The TRA agrees with Zhejiang Dingli that plastics represent a smaller portion of costs than steel, hydraulics and electronic components. However, the TRA considers it is still relevant to consider whether prices reflect non-commercial factors.

240. The TRA has assessed the Plastic Pollution Control Action Plan (2021-2025)[95] and Circular Economy Plan (2021–2025)[96] and agrees that based on the content of the plans, there appears to be no direct links to the types of plastics used in boom lift production.

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[94] CHEMICALS H2 2025: PVC makers rethink trade flows amid excess capacity, regulatory changes | S&P Global
Propping Up a Failing Industry: How Overcapacity, Tariffs, and Subsidies Are Masking the Plastics and Petrochemical Crisis - Center for International Environmental Law
China aims to tackle over-capacity in some plastic and fibre petrochemicals | Reuters
[95] Opinions of the National Development and Reform Commission and the Ministry of Ecology and Environment on Further Strengthening Plastic Pollution Control
[96] AD0075 Application, Appendices E30.1.A and E30.1.B

241. Plans in provinces such as Shandong[97] target high end chemical materials and key materials for high end equipment, including “High-performance fibres and composite materials” such as those used for producing boom lifts.

242. Companies such as Shandong ChenGuang Automotive Parts Co.,Ltd[98], who supply parts for manufacturers of construction and industrial machinery, which are designated as a National High-tech Enterprise[99], a Provincial and Municipal Special New Small and-sized Enterprise or a Gazelle Enterprise, are granted benefits from the GOC including reduced rates of income tax, land-use tax[100], and assistance with sourcing financing[101].

Electrical parts

243. The applicant alleges that GoC intervention causes prices for electrical parts to reflect non-commercial factors in the boom lifts industry. The applicant’s allegations regarding distortions in the electrical parts sector focused on semiconductors in particular: semiconductors are key electronic components that use conductors and insulators to control the flow of electric currents, and are subsequently key to many technologies with electronics,[102] such as boom lifts. The OECD found that subsidies for semiconductor producers have increased considerably since 2020, noting its frequent designation as a strategic sector.[103]

244. The Commission found that amongst the top ten Chinese semiconductor firms, eight are either partially or fully owned by the State.[104]

245. The GoC provides support to the semiconductor industry in various forms. Firstly, it provides direct subsidies to the semiconductor industry, with the OECD

[97] Shandong Provincial Department of Science and Technology Policy Release Notice from 12 departments including the Shandong Provincial Department of Science and Technology on Issuing the "Shandong Province New Materials Industry Science and Technology Innovation Action Plan (2025–2027)"
[98] About Us - China Sealing Strips Manufacturers Suppliers Factory - Chenguang Automotive Parts
[99] @高新技术类企业: Please keep these tax incentive policies in mind by the State Administration of Taxation
[100] Shandong Provincial Department of Finance: Notice on Issues Related to Urban Land Use Tax for High-Tech Enterprises on Tax System Reform and Tax Incentives
[101] Shandong Provincial People's Government Information Summary Notice from the Shandong Provincial Department of Industry and Information Technology on Issuing the "Administrative Measures for the Recognition and Administration of Specialized, Refined, Distinctive, and Innovative" SMEs in Shandong Province
[102] What is a Semiconductor? | IBM
[103] Recent trends in semiconductor subsidies (EN)
[104] Commission Staff working document pages 556-558

reporting that Chinese firms receive subsidies amounting to approximately 10% of their revenue, significantly higher than OECD countries.[105]

246. In 2014, the China Integrated Circuit Industry Investment Fund (CICIIF) was first established. Now on its third phase, it provides capital to boost semi-conductor production and innovation, with the first two phases "focused on semiconductor equipment and materials, laying a solid foundation for the initial development of China's chip industry." The GoC holds a significant stake in the fund, with Reuters reporting the finance ministry holding 17% and China Development Bank Capital, another state-owned bank, holding 10.5%[106]. Six state owned commercial banks have also provided funding totalling just under a third of the total capital. The fund's total registered capital is 344 billion yuan, equivalent to about 50 billion USD.[107]

247. Investment in the semiconductor industry by state backed capital in China via funds such as the China Integrated Circuit Industry Investment Fund (CICIIF) has historically not reflected market conditions. An OECD report into distortions in the semi-conductor industry notes that *"there is a direct connection between some of the equity that Chinese authorities have injected in domestic semiconductor firms and the construction of new semiconductor fabs by these same firms. This therefore suggests that the decision to invest was likely influenced by government action and that the investments might not have proceeded absent government equity injections, in particular given their poor profitability to date."*[108]

248. Provinces where boom lifts are manufactured, such as Shandong[109], have also set up a range of subsidy programmes for semiconductors.

249. Shandong Province provides support for companies that directly supply boom lift producers in the PRC. Beigu Electronics, headquartered in Jinan, Shandong, was founded with the mission to disrupt the Chinese construction machinery industry's dependence on foreign companies for critical electronic components[110].

250. Beigu Electronics was recognised in 2022 as a Shandong Provincial Industrial Design Centre[111], and in 2023 as a Shandong Provincial Enterprise Technology

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[105] https://www.oecd.org/en/publications/oecd-magic-database-of-industrial-subsidies_ce94f33b-en/full-report/component-5.html#section-d1e1226-8d45490013
[106] China sets up third fund with $47.5 bln to boost semiconductor sector | Reuters
[107] Six banks to invest in big way in IC fund
[108] Measuring distortions in international markets: The semiconductor value chain | OECD, page 82.
[109] Chongqing, Chengdu, Shandong Strong Chip Policy Released! Who has stronger subsidies?_Zoranmy (Beijing) Intelligent Technology Co., Ltd
[110] Beigu Electronics Co., Ltd
[111] Beigu Electronics Co., Ltd

Centre[112]. Boom lifts feature prominently on their websites promotional material as a key industry which they supply parts to[113]. Article 11 of the Notice on Issuing the 'Shandong Provincial Industrial Design Centre Recognition and Management Measures' asserts that "The municipal industrial and information technology authorities are responsible for the daily management of their city's provincial-level industrial design centres". Municipal departments are also directed to "Actively participate in key technology breakthroughs and major project R&D to enhance industrial innovation capabilities"[114]. Recognition as a Shandong Provincial Enterprise Technology Centre grants companies access to preferential fiscal, and taxation polices under Article 14[115] including accelerated depreciation, tax deductions, and direct subsidies of up to 6 million RMB per enterprise.

Fabrications

251. The applicant alleges that the PRC's targeted industrial policies in fabrications cause prices to reflect non-commercial factors in the boom lifts industry.

252. Fabrications is a very broad term encompassing "parts, structures or assemblies" created "through operations such as cutting, bending, and joining materials."[116] Materials involved in the fabrication process are varied, and can include "metal, laminates, wood and other solid surface materials."[117] In the boom lifts industry, this translates to "fabricated metal components, sub-assemblies, and weldments" such as "turn table frames, outrigger assemblies, boom tubes, axle frames, chassis frame covers, and other lift components."[118]

253. The TRA considers that fabrications are inputs derived from other inputs, rather than a standalone input itself. The TRA therefore determines that if prices reflect non-commercial factors in upstream industries of any of the other PMS categories, then such determination would also apply for fabrications.

Gas

254. The applicant alleges that the GoC intervenes extensively in the natural gas market which causes prices to reflect non-commercial factors.

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[112] Beigu Electronics Co., Ltd
[113] Beigu Electronics Co., Ltd
[114] Notice from the Shandong Provincial Department of Industry and Information Technology on Issuing the "Administrative Measures for the Recognition and Administration of Shandong Provincial Industrial Design Centers."
[115] 鲁计［2002］号
[116] What Is Fabrication in Engineering? Guide & Key Processes
[117] What is Fabrication? (Definition, Advantages, Disadvantages and Examples) - TWI
[118] Aerial Lift Equipment and Fabrication - O'Neal Manufacturing Services

255. The GoC does maintain price controls over certain areas of the natural gas market, such as transportation, with *"Transportation prices for natural gas pipelines at all levels within provinces… set by provincial development and reform departments."*[119]

256. The National Development and Reform Commission published updated policy guidance on natural gas usage in 2024. The Administrative Measures on Natural Gas Utilization detail the four different categories for natural gas users in the PRC: priority, restricted, prohibited and permitted.[120] It states that *"For gas consumption projects in the prioritized category, local people's governments at all levels and relevant departments are encouraged to provide policy support in planning, land use, financing, and taxation, etc".*

257. Zhejiang Dingli commented that *"Under the latest Administrative Measures for Natural Gas Utilization (which took effect on August 1, 2024, replacing the previous 2012 policy), Zhejiang Dingli's operations [Redacted – commercially sensitive information]. The "Permitted" designation merely indicates that the government does not restrict or prohibit the use of natural gas in the company's specific manufacturing sector. It does not confer any special status, nor does it entitle Zhejiang Dingli to any government subsidies, financial support, tax incentives, or price discounts. To the best knowledge of Zhejiang Dingli, there are no government measures, policies, laws, or directives (including regional and industry specific measures) that may have impacted any aspect of energy costs."*

258. The TRA has received no evidence that either of the sampled exporters fall under the priority category of the Administrative Measures on Natural Gas Utilization.

Energy

259. The applicant alleges that GoC intervention affects the price of energy in the boom lifts market.

260. The TRA has determined in previous investigations that energy costs in the PRC reflect non-commercial factors. TRA investigations, AD0012, AD0021 and AD0047, AD0058 and AD0062 all found that government intervention distorted energy costs and that prices reflected non-commercial factors.

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[119] [Guiding Opinions on Improving the Provincial Natural Gas Pipeline Transportation Price Mechanism to Promote High-Quality Industry Development (Development and Reform Price [2025] No. 1014) - National Development and Reform Commission

[120] Natural Gas Utilization Management Measures Government Information Disclosure Government Affairs Disclosure - National Development and Reform Commission

261. The electricity in the PRC is distributed and sold by two organisations dependant on region; either the State Grid Corporation of China (SGCC)[121] or the China Southern Power Grid (CSPG).[122] The CSPG operates in Guangdong, Guangxi, Yunnan, Guizhou, Hainan, Hong Kong, and Macao, and the SGCC operates in all other provinces and municipalities in the PRC. As the sampled exporters' manufacturing facilities are based in Shandong and Zhejiang, the relevant authority is the SGCC.

262. Both companies are under the sole ownership of the State-owned Assets Supervision and Administration Commission of the State Council (SASAC)[123] and have corporate objectives that the organisations should implement state industrial policy and conform to the party line and principals of the CCP.[124] This demonstrates that the distribution and sale of electricity to companies in the PRC is significantly influenced by government policy and political objectives as opposed to purely commercial factors.

263. The WTO has found that price controls in the PRC take two forms; "government-set prices" or "government-guided prices".[125] Government-set prices are fixed prices set by the competent authorities, while government-guided prices are prices set by business operators within a range of prices set by the competent pricing departments or other related government departments, within which the real price is allowed to fluctuate. In this section, both forms of price control will be considered indicative of non-commercial factors influencing the price of energy in the PRC.

264. The WTO has found and considers electricity transmission and distribution to be a product subject to pricing controls set by the government.[126] Price controls are administered in the PRC by the Department of Pricing, which is part of the NDRC and its function is to "monitor, forecast and give warning of price changes, and propose price control targets and policy recommendations".[127] The products and services that are subject to price controls are listed in a Central Government Pricing Catalogue.[128] The current Central Government Pricing Catalogue was issued by the NDRC on 13 March 2020 (NDRC Order No. 31, 2020) and came into effect on 1 May 2020. The list includes "provincial and above provincial power grid transmission and distribution prices."

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[121] Company Introduction - State Grid Corporation of China
[122] Company Basic Information – China Southern Power Grid
[123] List of Central enterprises – SASAC
[124] Party Building – State Grid Corporation of China and Discipline inspection and Supervision – China Southern Power Grid
[125] WTO Trade Policy Review China: Report by the Secretariat - Sept 2021
[126] WTO Trade Policy Review China: Report by the Secretariat - Nov 2024
[127] National Development and Reform Commission (NDRC): About
[128] NDRC: Order of the National Development and Reform Commission of the People's Republic of China

265. The TRA places reasonable reliance upon the WTO finding that energy prices in the PRC are determined by price controls set by the government rather than by commercial factors.

266. The relevant legislation that regulates price controls is the Pricing Law of the PRC.[129] Articles of the pricing law that demonstrate the non-commercial determination of energy prices include:

- Article I *"This Law is enacted in order to standardize pricing, give play to the role of pricing in rationally allocating resources, stabilize the general level of market price, protect the lawful rights and interests of consumers and managers and promote the sound development of a socialist market economy";*

- Article 6 *"Commodity prices and service prices, with the exception of those whose prices shall be guided or fixed by the government under Article 18 of this Law, shall be regulated by the market, that is, fixed by the manager on his own in accordance with this Law";*

- Article 7 *"The manager shall follow the principles of fairness, lawfulness and good faith in fixing prices";*

- Article 18 *"When necessary, the government may guide or fix the prices for the following commodities and services:*
  - *a very small number of commodities that have a vital bearing on the development of the national economy and the well-being of the people;*
  - *a small number of commodities for which resources are scarce;*
  - *commodities placed under natural monopoly;*
  - *important public utilities; and*
  - *important public welfare services*"; and

- Article 23 *"For the setting of government guidance prices and government fixed prices for public utilities, public welfare services and commodities under natural monopoly that have a bearing on the immediate interests of the masses, a system for evidentiary hearing shall be established which shall be presided over by the government departments in charge of pricing and at which suggestions of consumers, managers and the other parties concerned shall be solicited and expounded as to their necessity and feasibility".*

267. The NDRC issued a notice in 2025 stating that "*the mechanism price [for new energy] shall be implemented in accordance with the current price policy and*

[129] Pricing Law of the People's Republic of China

shall not be higher than the local coal-fired power benchmark price".[130] This shows that energy remains subject to the pricing law, and that energy is subject to maximum pricing policies, indicating that prices are still significantly influenced by non-commercial factors.

268. The same NDRC notice from 2025 states that energy pricing should "*adhere to classified measures, […] maintain policy connection to existing projects, and stabilise the expected benefits of incremental projects" and "adhere to overall coordination, and make concerted efforts in policies such as industry management, price mechanisms, […] and better support the realisation of the goals of the new energy development plan".* This further demonstrates that energy pricing policy remains subject to national and industrial planning and remains a tool of the GoC to achieve its policy objectives.

269. In 2022, the NDRC released a press notice stating that 20% of electricity prices were not set by the market.[131] This demonstrates that even according to NDRC public statements there are large sections of the PRC economy that receive energy at non-market prices, and this is likely to indirectly affect the prices of all other energy users in a non-commercial way.

270. Zhejiang Dingli submitted *"Regarding power (e.g., electricity), Zhejiang Dingli respectfully submits that, while State-Owned Enterprises (SOEs) participate in the PRC's power sector, their presence does not distort the market for boom lifts. First, to the best knowledge of Zhejiang Dingli, the power generation sector is highly diversified and fiercely competitive. While SOEs participate in generation, they operate alongside a vast number of private and foreign-invested power producers. Second, while power transmission and distribution are operated by state-owned grid networks (such as the State Grid), this is a standard "natural monopoly" infrastructure model common in market economies worldwide to avoid redundant infrastructure. Finally, the procurement and sales of electricity for industrial users like Zhejiang Dingli are completely marketized. Following the 2021 power sector reforms, the GoC abolished the catalog pricing for industrial and commercial users. Zhejiang Dingli negotiated electricity prices directly with the electricity sales companies and mutually agreed on the rates in the contracts signed between the parties."*

271. Zhejiang Dingli also submitted *"Based on Zhejiang Dingli's understanding and operational experience, the electricity tariff it pays consists of two main categories: the commodity price of the electricity itself and associated regulated fees (such as transmission and distribution tariffs, line loss charges, system*

[130] Notice on Deepening the Market-oriented Reform of New Energy Grid-connected Electricity Prices and Promoting the High-quality Development of New Energy
[131] China's pricing mechanism highly market-based: National Development and Reform Commission (NDRC) People's Republic of China

operation fees, and government-mandated funds and surcharges). Regarding the commodity price of electricity: Following the comprehensive market oriented reform of China's power sector in 2021, electricity prices for industrial and commercial users are no longer determined by government-published catalog prices. Instead, they are determined directly by electricity users and power generation/sales companies within the open electricity trading market. Zhejiang Dingli negotiated electricity prices [Redacted – commercially sensitive information]. Therefore, the core price of electricity is determined entirely through arm's-length commercial negotiations between the transacting parties. The associated regulated fees (transmission and distribution tariffs, line loss charges, system operation fees, and government surcharges) are settled with the local State Grid entity based on standard, published provincial tariff schedules."

272. The TRA considers the points made by Zhejiang Dingli in respect of the 2021 "power sector reforms" have already been addressed. Furthermore, despite reforms in 2021, other publications by the NDRC already noted in previous paragraphs indicate the continued influence of non-commercial factors on energy prices.

273. Notices published by the NDRC in 2023 indicate that electricity prices continue to be split into tiers, depending on the organisation that is using it and factors such as end use (e.g. industrial production vs agriculture) and energy usage.[132]

274. Furthermore, the TRA has found evidence that energy pricing in the Zhejiang province continues to be influenced by non-commercial factors, given that substantial government financial support in building a "new power" system has resulted in photovoltaic and other renewable energy sources accounting for over 40% of the province's total installations, with photovoltaic surpassing coal power to become Zhejiang's largest power source,[133] and that the 'cross-subsidies' in renewables result in reduced electricity prices for industrial users.[134] The NDRC stated in 2024 that it and its provincial entities intended to accelerate the promotion of renewable energy substitution and application in key areas, to carry out integrated new energy source-grid-load-storage projects in industrial parks and large production enterprises, and to promote the direct supply of green electricity.[135]

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[132] [Notice on Provincial Grid Transmission and Distribution Prices and Related Matters in the Third Regulatory Cycle] - National Development and Reform Commission
[133] Zhejiang Provincial Economic Information Center
[134] Zhejiang Provincial Economic Information Center
[135] [Guiding Opinions on Vigorously Implementing the Renewable Energy Substitution Action (NDRC Energy [2024] No. 1537)] - National Development and Reform Commission

275. The TRA has identified that some boom lift manufacturers have received reduced fees or prices because of green energy subsidy programmes such as the Ministry of Finance 'Administrative Measures of Renewable Energy Electricity Price Surcharge Funds.'[136]

Construction industry

276. The applicant alleges that the GoC interferes in the construction industry by creating artificial demand.

277. To offset the adverse economic effects of the COVID-19 pandemic, the GoC invested heavily in its infrastructure to boost domestic demand as demand for exports fell. Bloomberg reports that *"Foreign markets helped fuel the country's rapid growth for four decades. But now China is back to doing business with a local customer — itself. Once again, Beijing is investing heavily in the country's own infrastructure, employing millions of people not just to build new roads, railway lines, and sewage systems but also to make the equipment necessary for those projects."*[137]

278. Targets unconnected from demand also play a role. *"Local governments, often evaluated based on growth metrics, encouraged developers to build at a pace that sometimes outstripped demand."*[138] These policies have resulted in China's now famous "ghost cities", as the property boom collapsed resulting in *"half-finished projects, ghost cities and millions of households trapped in negative equity"*[139] The fall of Evergrande, once one of the world's largest real estate developers, is a direct result of the rapid overexpansion of the Chinese real estate market and the GoC's reforms on the level of debt property developers could take on.[140]

279. China shows no signs of changing these policies, with more infrastructure projects to "expand domestic demand" being contemplated.[141]

280. TRA considers the boom lifts industry to be part of the 'construction machinery industry' terminology used by various publications of the GoC. As a substantial amount of boom lift sales are to the construction industry, the TRA considers the artificial demand created within the construction industry would reasonably have

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[136] Notice on Issuing the 'Measures for the Administration of Renewable Energy Electricity Price Surcharge Funds' _ State Council Department Document _ Chinese Government Website
[137] AD0075 application, appendix E.49
[138] Built for Tomorrow: Inside China's Ghost Cities — International Relations Review
[139] Why China's property crash must be kept top secret
[140] Ibid.
[141] China's massive infrastructure push targets domestic demand, growth stabilization | english.scio.gov.cn

a knock-on effect of creating a subsequent artificial demand within the boom lifts industry.

Labour

281. The applicant alleges that GoC intervention and the conditions of labour in the PRC has caused the price of labour to be distorted in the boom lifts market.

282. The TRA has determined in previous investigations that labour costs in the PRC reflect non-commercial factors. In AD0012, AD0021 and AD0047, the TRA found that government intervention distorted labour costs and that prices reflected non-commercial factors.

Labour cost – trade unions

283. The Trade Union Law of the PRC governs establishment and operation of labour unions, which significantly affects the ability of organised labour to demand higher wages.[142] Article 3 of the Trade Union Law states that all workers have the right to organise or join trade unions according to law, and that no organisations or individuals should obstruct or restrict them. However, article 2 states that "*Trade unions are mass organizations of the working class under the leadership of the CCP*", article 4 states how all trade unions must align ideologically and politically with the CCP, and article 32 states that trade unions should "*strengthen ideological and political guidance for employees*". Article 32 of the CCP constitution states that it "*exercises leadership over the trade unions*" within non-public sector entities in order to implement government policy.[143] These articles show that all trade unions must be politically and ideologically aligned with the CCP, reducing the ability of workers to advocate for higher wages as it requires the support of the CCP.

284. PRC workers do not have the right to establish independent trade unions to organise wage negotiations because all unions are required to be organised under the oversight of the All-China Federation of Trade Unions (ACFTU).[144] The ACFTU consists of many local and grassroots trade unions, but all unions are subject to oversight by the ACFTU.

285. The ACFTU's history of supporting labour and providing suitable and competitive advocacy on behalf of workers is controversial. The International Centre for Trade Union Rights has called into question the independence of the

[142] Trade Union Law of the People's Republic of China, Article 3
[143] Constitution of the Communist Party of China, Article 32
[144] Trade Union Law of the People's Republic of China, Chapter II Trade Union Organisation

ACFTU from CCP political influence,[145] highlighting that "*the ACFTU has rarely been a strong advocate for workers' rights. Instead, the union's primary role has been as a servant of the Chinese Communist Party, responsible for ensuring harmonious labour relations, economic development and political stability.*"

286. There are strong ties between ACFTU, the CCP, and company management. The Global Labour University (GLU), part of the International Labour Office, found that of the 1,811 union presidents surveyed within ACFTU companies:[146]

- 90.3% were members of the CCP
- 40.6% were middle-level managers
- 17.9%% were CPC committee directors or deputy-director of CCP committees
- 13.3% were retired factory heads or managers
- Only 4.2% were ordinary employees before becoming union presidents
- 23.3% were directly appointed by higher-level unions or CPC branches
- 51.7% of union president elections had only one candidate selected by the CCP or higher-level unions
- Only 2.6% were elected through open, competitive screening tests

287. These findings by the GLU show that despite the requirement in Articles 6 and 10 of the Trade Union Law of the PRC which mandate elections and democratic consultation,[147] most union presidents of the ACFTU were CCP members who were part of company management and most gained their positions through undemocratic election processes. This indicates that the leadership of ACFTU members is highly likely to align with the goals of the CCP and company management to the detriment of worker demands for improved wages and working conditions.

288. In 1982, the official recognition of the right to strike was removed from the constitution of the PRC,[148] [149] which removed a key element of workers' collective bargaining power on wages. Article 290 of the Criminal Law of the PRC also states that "*Where people are gathered to disturb public order to such a serious extent that work in general, production, business operation, teaching or scientific research cannot go on and heavy losses are caused, the ringleaders shall be sentenced to fixed-term imprisonment*" and that "*active participants shall be sentenced to fixed-term imprisonment […], criminal detention, public*

[145] Looking for excuses: How the All-China Federation of Trade Unions' responds to workers' calls for help
[146] All-China Federation of Trade Unions: Structure, Functions and the Challenge of Collective Bargaining
[147] Trade Union Law of the People's Republic of China, Articles 6 and 10
[148] 2024 ITUC GLOBAL RIGHTS INDEX
[149] Human Rights Council Universal Periodic Review on People's Republic of China

surveillance or deprivation of political rights".[150] Several news outlets and research groups have reported on the arrest of labour activists in the PRC for labour protests and advocacy.[151] [152] [153] This shows that strikes in the PRC can result in criminal prosecution, causing a chilling effect on industrial action and limiting the ability of workers to make demands of their employers.

289. The Trade Union Law states in article 23 that "*if an [organisation] violates labour laws and regulations and infringes upon the labour rights and interests of employees [...], the trade union shall represent the employees in negotiations with the [organisation] and demand that the [organisation] take corrective measures*" and article 28 states that "*When a work stoppage or slowdown occurs […] trade unions shall assist [organisations] in their efforts to restore production and work as quickly as possible*".[154] This shows that negotiations during labour disputes must use trade unions as employee representatives and that trade unions can be legally compelled to end industrial action, which further limits the ability of workers to demand higher wages and improved working conditions using industrial action.

Labour cost – hukou system

290. The household registration system, sometimes known as the hukou system, is a legal registration system that records basic information about workers and registers PRC citizens either a rural or urban hukou. PRC citizens working outside the township of their household registration are often referred to as "migrant workers" and systematically have lower average wages than non-migrant workers employed in the same areas.[155] Migrant workers can apply for permanent residence registration for themselves and their family if they acquire enough points which can be earned by "*legal and stable employment and legal and stable residence (including rentals), years of participation in urban social insurance, and years of continuous residence*",[156] which encourages migrant workers to work in urban areas even if it is for very low wages so they can improve their chances of applying for an urban hukou.

291. Many employees work outside their township due to access to better public services such as improved education access, subsidised medical insurance and pensions, and widespread access to affordable housing with fixed standards and

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[150] Criminal Law of the People's Republic of China, Article 290
[151] Wu Guijun trial tests China's tolerance of workers' strikes, Financial Times
[152] Prosecution of Labor Advocates Has Chilling Effect on Labor NGOs, Strikes Continue, Congressional-Executive Commission on China
[153] China Arrests At Least Three Labor Activists in Shenzhen, Radio Free Asia
[154] Trade Union Law of the People's Republic of China, Articles 23 and 28
[155] 2024 Migrant Workers Monitoring Survey Report
[156] Opinions of the State Council on Further Promoting the Reform of the Household Registration System

prices. The NDRC has stated that additional investment is needed to allow "*migrant populations to live and work in a city and enjoy the same public services as local residents with urban household registration*", that liberalising the system (i.e., increasing the amount of citizens with an urban status) is desirable but it would increase costs for businesses and government spending in both the short and the long term, and that "*completely liberalizing it in the short term is unrealistic*" so "*restrictions on household registration should be relaxed in an orderly and measured manner*".[157] This demonstrates that migrant workers have access to inferior public services relative to local urban workers and that the GoC intends to continue to liberalise the system rather than abolish the hukou system altogether.

292. Several liberalisations of the household registration system have increased the number of urban hukou holders, but there continues to be a large migrant population. 63.9% of the population of the PRC resided in urban areas in 2020, yet only 45.4% of the population of the PRC had an urban hukou registration in 2020.[158] Research published by the world bank estimates that 300-400 million migrants live in urban areas,[159] and the National Bureau of Statistic reported in 2021 that approximately 500 million people had household registrations separate from their current residence.[160]

293. Reforms to the system in 2022 removed hukou restrictions in cities with a population of less than 3 million, relaxed restrictions in cities with less than 5 million population and introduced minor reforms to restrictions in cities with over 5 million residents.[161] This means that the effect of migrant workers on wages is concentrated in large cities although the impact of the hukou system on wages is not strictly limited to large urban areas. The Centre for Strategic & International Studies[162] states that "*centrally directed hukou reforms have largely been watered down by local governments and offset by more migration, suggesting that recently announced hukou reforms will have little effect on the millions of rural migrants in major cities*."

294. China Briefing researched the impact of the household registration system on the PRC's economy, and reports that "*since hukou restricts the free mobility of*

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[157] Zhao Junjie: Review of the Reform Process of China's Household Registration System, Reform Evaluation and Trend Judgment
[158] Bulletin of the Seventh National Population Census [1] (No. 7) - Urban and Rural Population and Migrant Population- II. Migrant Population, National Bureau of Statistics
[159] Internal Migration in China : Integrating Migration with Urbanization Policies and Hukou Reform, World Bank Group
[160] Bulletin of the Seventh National Population Census [1] (No. 7) - Urban and Rural Population and Migrant Population- II. Migrant Population, National Bureau of Statistics
[161] Notice of the National Development and Reform Commission on Issuing the Implementation Plan for New Urbanization in the 14th Five-Year
[162] China's Hukou Reform in 2022: Do They Mean it this Time?, Centre for Strategic International Studies

Chinese workers, it strains overall economic growth. These effects are exacerbated because the PRC has a shrinking workforce that peaked in 2011 and has decreased every year since then, leading to double-digit growth in labour costs."

295. Employers do not have to pay social protection insurance for migrant workers if they have no contract of employment.[163] The National Bureau of Statistics reported that on 35.1% of migrant workers had a signed labour contract with their employer in 2016,[164] and the International Journal of Environmental research and Public Health indicates this number has increased to 47.7% in 2022.[165] This confers an advantage to the employer of reduced labour costs.

296. The hukou system consistently results in lower wages paid to migrant workers within professions.[166] The GLU found that migrant workers earned 20-50% less than urban workers in the same area of employment, and the Hong Kong University of Science and Technology found that migrant workers had a negative pay differential of between 8-36% relative to urban workers.[167]

297. The effect of the hukou system is that the labour markets which determined wages are affected by the non-commercial factor of the legal registration status of individuals in the PRC. The system either limits employment exclusively to workers with the correct hukou registration or introduces a tiered wage system for migrant and non-migrant workers.

298. Zhejiang Dingli has established a labour union which it states all employees are eligible to join.[168] Publications by LGMG on its website indicate that the company has a labour union, of which the Deputy Party Secretary is the Union Chair.[169] This further indicates that in the boom lifts industry, the decisions and direction by union management is likely to align with the goals of the CCP and company management, instead of the employees' interests.

299. Furthermore, as boom lifts manufacturers explicitly confirm to adhere to the relevant laws and regulations of the PRC affecting labour rights, including those set out above, the TRA considers the non-commercial factors as set out above to affect the boom lifts industry.

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[163] Improving social protection for internal migrant workers in China, International Labour Organisation
[164] Fewer of China's Migrant Workers Have Labor Contracts, Sixth Tone
[165] Research on the Influence of Labor Contract on the Urban Integration of Migrant Workers: Empirical Analysis Based on China's Micro Data
[166] All-China Federation of Trade Unions: Structure, Functions and the Challenge of Collective Bargaining
[167] Wage Discrimination in Urban China: How Hukou Status Affects Migrant Pay | Thought Leadership Briefs | Publications | HKUST Institute for Emerging Market Studies
[168] Labor Rights Protection Policy.pdf
[169] LGMG Headquarters Relocates, Ushering in a New Chapter - LGMG Authorized Distributor

Land-use rights

300. The applicant claims that property rights are regularly not respected in relation to ownership of land and land-use rights in the PRC, which has resulted in distorted land costs for producers of the goods concerned in the PRC.

301. The TRA has determined in previous investigations that land prices in the PRC reflect non-commercial factors, such as in AD0021 Optical Fibre Cables, where it was determined that the lease of land by local authorities was not an open process and led to land prices and rent rates that were artificially low and/or reflected non-commercial factors.[170] In AD0047 Excavators, it was also found that land was not bought and sold at prices determined by free market supply and demand.[171]

302. Several laws within the PRC state how land use rights are owned and allocated in the PRC.

303. Article 10 of the Constitution of the PRC states that "*The land in cities belongs to the State", and that "except for land that is owned by the state as stipulated by law, land in rural areas and urban suburbs is collectively owned*".[172] Article 10 also states that "for the needs of public interest, the state may expropriate or requisition land and provide compensation in accordance with the law", and that "the right to use land may be transferred in accordance with the provisions of the law".

304. The Ministry of Natural Resources states in Article 5 of the Provisions on the Transfer of State-owned Construction Land Use Rights through Bidding, Auction and Listing that land allocation will be done "based on economic and social development plans, industrial policies, overall land use plans, annual land use plans, urban planning, and land market conditions. After approval by the people's government at the same level, the plans shall be promptly released to the public."[173]

305. The Land Administration Law of the PRC states in article 2 that the State Council of the PRC owns all state land, that no individuals may own land and the right to use land is transferred according to law, that it may expropriate or requisition land in accordance with the law, and that it implements paid use of state-owned land except where the state allocates land use rights.[174] Article 4

[170] AD0021 Final Determination
[171] AD0047 Final Determination
[172] Constitution of the People's Republic of China - Chapter I General Principles - Article 10 (2018)
[173] Provisions on the Transfer of State-owned Construction Land Use Rights through Bidding, Auction and Listing
[174] [I7] [I7rd Law of the People's Republic of China - General Provisions (2019), third amendment (2019)

then states that those give land use rights "*must use the land strictly in accordance with the purpose determined by the overall land use plan*", article 15 states that "*People's governments at all levels shall organize the preparation of overall land use plans based on the national economic and social development plans*, […]", and article 23 states that "*the annual land use plan shall be prepared based on the national economic and social development plan, national industrial policy, overall land use plan and the actual situation of construction land and land use*". These articles demonstrate that land use right allocation must be done in accordance with state industrial and social planning, and that all levels of government are required to coordinate the allocation of land-use rights.

306. The Civil Code of the PRC includes property rights regulations in the PRC, superseding the previous the Property Law of the PRC when it entered into force in 2021.[175] It states in article 347 that "*The bidding, auction, or other means of public bidding shall be adopted in transferring a lot of land used for business purposes, such as for industrial, commercial, tourism, recreational, and commercial residential purposes, or where there are two or more intended users competing for the right to use the same lot of land*". However, this is expanded on in the Urban Real Estate Management Law of the PRC which states in article 13 that "*for commercial, tourism, entertainment, and luxury residential land, [..] if conditions do not permit and auction or bidding is not an option, bilateral agreement may be used. The transfer fee for land use rights transferred by way of bilateral agreement shall not be lower than the minimum price determined in accordance with national regulations*."[176] This law therefore allows land to be transferred via closed bilaterial agreements and introduces price fixing based on national regulations rather than the commercial value of the land.

307. The civil code also states in article 354 that where construction land is "*transferred, exchanged, contributed, donated or mortgaged, the parties shall enter into a corresponding contract in written form*". This shows that there are additional ways to subvert the process of acquiring land use rights via tendering and auctions in the PRC.

308. These laws demonstrate that the GoC strictly controls what land can be used for based on factors such as development plans and industrial policy, and that it has significant influence over access to land before and after it has been allocated to organisations. This control and influence over the market for land use rights results in the price of land being significantly determined by the industrial planning and political decision-making of the GoC rather than commercial factors such as the demand and supply of land within the PRC.

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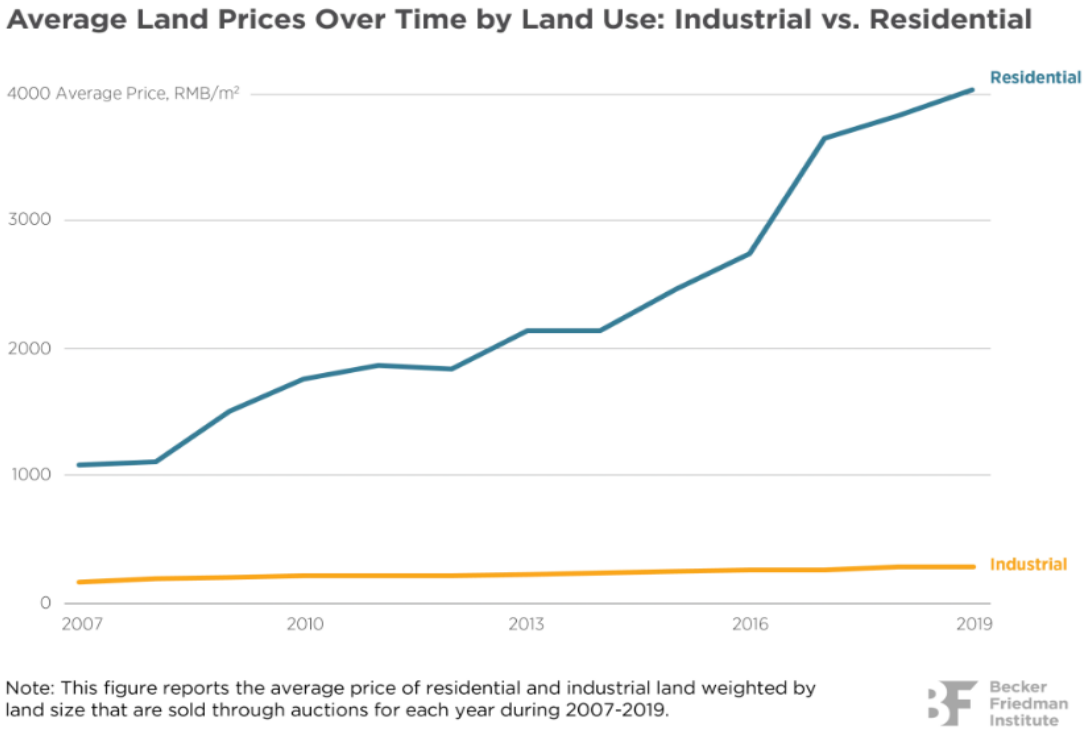
[175] Civil Code of the People's Republic of China – part II Property Rights
[176] Urban Real Estate Management Law of the People's Republic of China - Chapter II Land for Real Estate Development

309. Land is preferentially priced based on certain state industrial policies. For instance, encouraged foreign-funded projects with intensive land use can be priced at 70% of the national minimum price for the transfer of industrial land.[177] The Ministry of Natural Resources also limits the price of long term leases based on what it determines the land value to be and strictly limits rent price increases to less than 10%.[178] This shows how state industrial planning influences the price of land in the PRC depending on state priorities.

310. A strong indication that the price of land use rights for industrial use reflect non-commercial factors is that industrial land in the PRC is routinely priced at a significantly lower price than residential land. Research by the University of Chicago in 2022 found that the average land price of residential land in the PRC rose significantly whereas the price of industrial land rose only marginally between 2007-2019, resulting in the average price of residential land being over 10 times higher than industrial land in 2019.[179] The research proposes that residential land rates are primarily in place to raise local government revenue and reflect market realities to maximise revenue, whereas industrial land prices reflect subsidised industrial policies and is not representative of commercial reality.

[177] China Released Draft Encouraged Catalogue to Boost Foreign Investment, China Briefing (2024)
[178] Notice of the Ministry of Natural Resources on Improving Industrial Land Supply Policies to Support the Development of the Real Economy (2022)
[179] Is There an Industrial Land Discount in China? A Public Finance Perspective, Becker Friedman Institute for Economics, The University of Chicago

Figure 2: Average land prices over time by land use in the PRC: industrial vs. residential



Source: [Is There an Industrial Land Discount in China? A Public Finance Perspective (Beckler Friedman Institute for Economics)]

311. Favourable treatment is allowed for certain industries prioritised by the State. Decision No 40 of the State Council [2005], which set out the legal foundation for implementing measures to promote "industrial restructuring". Article 12 of Decision No 40 emphasised the "Catalogue of Guidance on Industrial Structure Adjustment", as issued by the NDRC, as an important basis for guiding the direction of investment, and formulating implementing policies.[180] The updated 2024 Catalogue for Guiding Industry Restructuring ("The Catalogue") classifies industries into the categories of 'encouraged', 'restricted' and 'obsolete', and these categories serve as a key reference for directing State support from national through to local levels.[181] The introduction directs regional government bodies to strengthen coordination and cooperation to promote the encouraged industries listed, by accelerating the formulation and revision of relevant policies such as "*finance and taxation, credit, land, import and exporter, and market supervision, and further improve the policy system to promote industrial restructuring.*"

[180] Niftylift Application Appendix F.5.B: Trade Remedies Authority | AD0075_S-0000009896-K9B8 (Zip file ending 'F6Z9')
[181] Niftylift Application Appendix F.6.1.B: Trade Remedies Authority | AD0075_S-0000009896-K9B8 (Zip file ending 'F6Z9')

312. The Catalogue (2024) demonstrates an increased focus on advancing technology, with various “high-tech” sectors explicitly being listed under the encouraged industry category. It also includes construction machinery as an encouraged industry under the broader ‘machinery’ category #14. The 14th FYP for the Construction Machinery Industry (2020–2025), which sets out the implementation plan for the CPC Central Committee’s strategic directives within the construction machinery sector, is identified as a “cornerstone industry in China’s national economic development”. Under this FYP, “aerial work platforms” and “boom-type lifting platforms” are explicitly listed.

313. Zhejiang Dingli submitted that *“While land in the PRC is technically state-owned, land-use rights (LUR) are commercial assets traded under market conditions. Since 2007, national regulations mandate that LUR for industrial purposes must be allocated through a transparent "Bid, Auction, and Listing" public process. Zhejiang Dingli acquired its land-use rights through [Redacted – commercially sensitive information]”*

314. Land-use rights are allocated at a regional level, and it has been identified that regions where boom lift manufacturing occurs, such as Zhejiang Province, work to provide support in line with the ‘Guiding Opinions’, and focus on implementing supporting policies on land use to promote the concentration of resources towards ‘efficient enterprises’.[182] The Zhejiang Province ‘415X’ Advanced Manufacturing Cluster Construction Action Plan (2023 – 2027) includes the task of remediating inefficient industrial land, and ‘*for approved projects, under the premise of complying with relevant technical specifications’,* providing as high as possible floor area ratio.[183] In May 2026, the Zhejiang Provincial Department of Natural Resources and other departments issued Guiding Opinions on Further Strengthening the Supply of Industrial Land and Continuously Promoting High-Quality Development of Industrial Economy, which included the direction to ‘*strengthen land use guarantees for industrial projects and substantially increase support and incentives’.*[184] It is clear that at a regional level, there are non-commercial factors significantly involved in the granting of land-use rights, and the rates/terms and conditions at which they are provided to encouraged industries.

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[182] ‘*Zhejiang strengthens industrial land supply guarantee, price stability and efficiency improvement’,* Zhejiang Economic and Information Centre: Zhejiang Provincial Economic Information Center

[183] *‘The “Zhejiang Province 415X Advanced Manufacturing Cluster Construction Action Plan (2023 – 2027) was issued’,* Zhejiang Economic and Information Centre: Zhejiang Provincial Economic Information Center

[184] ‘*Guiding Opinions on Further Strengthening the Supply of Industrial Land and Continuously Promoting High-Quality Development of Industrial Economy’,* Economic and Information Technology Department of Zhejiang: 浙江省自然资源厅 浙江省发展改革委 浙江省经信厅关于进一步加强工业用地供给持续推动工业经济高质量发展的指导意见|浙江省企业之家网

F2.1.4 Other factors which may be causing the artificially low costs or prices

315. When considering differences in costs and prices between exporters and comparators, the TRA has considered whether there are any other factors which may be responsible for causing the artificially low costs or prices.

316. The TRA did not identify any factor that could be causing the artificially low costs or prices. Therefore, the TRA does not believe there are any other factors that may account for the artificially low price between the PMS identified and prices being low.

F2.1.5 Conclusion on existence of a PMS

317. The TRA has found that prices in the domestic market for boom lifts in the PRC reflect non-commercial factors due to widespread state support and central industrial planning (including the construction industry), as well as the state ownership of key aspects of the Chinese economy. The market is defined by GoC influence and support, which is present in both the private sector and SOEs, including the sampled exporters. The TRA has found that the boom lifts domestic market in the PRC is served to a significant extent by enterprises under state ownership, control, or supervision.

318. The TRA has found that the benefits derived from a lack of enforcement of bankruptcy amongst SOEs in the PRC can impact the boom lifts industry, therefore PRC boom lifts producers and exporters are likely to benefit from bankruptcy, corporate and property laws that are applied in a discriminatory manner or are not adequately enforced.

319. In addition, downstream industries also benefit from bankruptcy, corporate and property laws being applied in a discriminatory manner or not adequately being enforced, which has an impact on the price of boom lifts in the PRC.

320. The TRA has determined that the price of finance, land, labour, energy (including gas and electricity) and raw materials (under all PMS categories listed in F2.4. PMS adjustments) used to produce boom lifts in the PRC reflect non-commercial factors, because of GoC state intervention and support mechanisms such as public policy, state-funded subsidies and investment and targeted industrial planning.

321. To conclude, the TRA has found that a PMS exists in the boom lifts industry in the PRC, through its determination that prices in the domestic boom lifts market in the PRC reflect non-commercial factors as defined in regulation 7(4)(c) of the Regulations.

F2.2. Proper Comparison

322. The TRA considered whether the PMS in the domestic market for boom lifts in the PRC permits a proper comparison between the like goods destined for consumption in the PRC and the goods concerned for the purposes of regulation 7(2)(b) of the Regulations.

F2.2.1 Relative effect of the PMS on costs of production in the domestic and export markets for boom lifts in the PRC.

323. The TRA looked at the relative effect of the PMS on the goods concerned and the like goods sold domestically in the PRC. Evidence provided to the TRA by both sampled PRC exporters demonstrates that the goods concerned and the like goods sold on the domestic market in the PRC are produced using the same manufacturing process and in the same production facilities. Furthermore, based on questionnaire responses from the sampled overseas exporters, inputs for goods sold on both the domestic and export markets are consistent in terms of prices, suppliers and volume.

324. Therefore, where the TRA has determined that prices reflect non-commercial factors or are artificially low, this has an equal effect on the like goods destined for consumption in the PRC and the goods concerned.

325. The TRA therefore considered whether there are other factors in the PRC boom lift market that prevent a proper comparison between the like goods in the PRC and the goods concerned.

F2.2.2 Import Penetration

326. The differing conditions of each market are highlighted through the import and export levels of MAE on each country.[185]total trade in the UK, whereas imports into the PRC only account for 8.1% of total trade. Chinese imports into the UK make up 12% of total imports, whilst UK exports to the PRC only constitute 1.2% of total imports. These figures were established using data from Global Trade Tracker and the HS6 codes' goods descriptions show that this data includes a range of MAE and other machines aside from boom lifts.[186]

327. Based on the responses received from UK producers in the questionnaires, the TRA has concluded that UK producers did not export any boom lifts to the PRC during the POI. Therefore, the TRA considers that the differing import and

[186] Global Trade Tracker (GTT), Analytics, country level trade flows. See: https://www.globaltradetracker.com/.

export levels between both countries suggest the UK market is open with a high level of import penetration, while the PRC market is restricted, with fewer imports of the like goods.

328. PRC exports to the UK must compete at internationally competitive prices, with competition from both domestic UK and international producers. However, domestic sales prices in the PRC compete mostly with other domestic producers of the like goods who are also affected by the PMS identified in the boom lifts domestic market. Exporters in the PRC can use their artificially reduced costs to gain UK market share from competitors who do not benefit from an artificially low-cost base due to the existence of a PMS.

F2.2.3 Conditions of Competition

329. Sales arrangements and lengths of payment terms for boom lifts consumers in the PRC market are notably different to those in the UK market. This affects the conditions of competition between the two markets with a direct effect on the price of goods.

330. The TRA has considered the effect of 'zombie' firms on the boom lifts market in the PRC. As described in Section F2.1.2.4, these enterprises often have cash-flow problems and would otherwise be unable to continue trading without preferential financial support from banks. The presence of 'zombie' firms in the PRC market fundamentally changes the conditions of competition, allowing domestic producers to sell off their overcapacity at higher prices than they may otherwise be able to. Artificial demand, overcapacity and 'zombie' firms are not characteristics in the UK market for boom lifts, and therefore their effect on the price of boom lifts is not present.

331. Sales of boom lifts in the PRC domestic market are typically made with longer payment terms than in the UK market. Differences in payment terms affect the conditions of competition because they alter the effective commercial value of a sale. Longer or more favourable payment terms reduce the purchaser's immediate cash-flow burden and provide an advantage comparable to financing support. Where such terms are more prevalent in the PRC domestic market than in the UK market, domestic sales are made under materially different commercial conditions from UK sales, meaning that the domestic price is not directly comparable with the export price.

F2.2.4 Relationship between cost and price

332. Export sales of the goods concerned to the UK by PRC producers are more profitable than domestic sales of the like goods in the PRC, despite little or no discernible difference in the costs of production. The effects of the PMS on the

domestic boom lifts markets make the UK a more desirable market for PRC manufacturers to expend their overcapacity by engaging in different pricing and sales strategies than in their domestic market.

F2.2.5 Conclusions on whether a proper comparison between the domestic price and export price is possible due to the PMS.

333. The TRA has concluded that the PMS identified in the PRC domestic market for boom lifts prevents a proper comparison between the like goods destined for consumption in the PRC and the goods concerned for the purposes of regulation 7(2)(b) of the Regulations. The TRA determined that prices reflect non-commercial factors or are artificially low and this has an equal effect on the like goods destined for consumption in the PRC and the goods concerned.

334. The TRA has also concluded that the domestic sales price is affected by market conditions in the PRC, whereas the export sales price is affected by market conditions in the UK and the prevailing conditions of competition and relationship between price and cost are materially different. It is therefore not possible to perform a proper comparison between the domestic price and the export price due to the effects of the PMS.

F2.3. Constructed normal value

335. The TRA has determined that it is not appropriate to use the comparable price of the like goods in the PRC to calculate the normal value, in accordance with regulation 7(2)(b) of the Regulations. Consequently, the TRA has used an alternative method to calculate the normal value.

336. The TRA has constructed the normal value of the goods in accordance with regulation 8(1)(a) of the Regulations, by determining the costs of production, adjusted to account for artificially low costs, plus a reasonable amount for AS&G costs and for profits, in accordance regulations 11, 12 and 13 of the Regulations.

337. To calculate the dumping margin for the PAD, the TRA compared PCNs that had both domestic and export sales. However, for this SEF the TRA has constructed the normal value for all exported PCNs using data subsequently provided by LGMG and Zhejiang Dingli. The TRA considers that this approach provides a more accurate calculation of the dumping margin.

F2.3.1 Costs of production

338. Where the TRA determines the costs of production for the purposes of regulation 8(1)(a) of the Regulations, it will do so in accordance with regulation 11 of the Regulations.

339. Where, in accordance with regulation 11(3) of the Regulations, the records of the overseas exporter are in accordance with Generally Accepted Accounting Principles (GAAP) in the PRC and reasonably reflect the costs associated with the production and sale of the like goods in the PRC, the TRA will, in accordance with regulation 11(2) of the Regulations, normally calculate the costs of production of the like goods on the basis of records kept by the overseas exporter.

340. Verification activities were conducted to assess the completeness, relevance, and accuracy of the information provided by sampled parties. The TRA is satisfied that the exporters' records meet the requirements set out in regulation 11(3) of the Regulations.

341. The TRA has therefore used the sampled exporters' record as the basis to calculate the costs of production and has then applied adjustments to the costs which TRA has found reflect non-commercial factors as set out in regulation 11 of the Regulations.

342. As set out in regulation 11(6) of the Regulations, the TRA has powers to make adjustments in accordance with regulation 13 of the Regulations. The TRA has applied adjustments to the steel, hydraulics, electrical parts, engines, batteries and traction + other raw material and input costs, as it has determined that those costs reflect non-commercial factors, as per the findings set out in F2.4. PMS adjustments.

F2.3.2 Reasonable level of administrative, selling and general costs (AS&G)

343. Where the TRA determines a reasonable amount for AS&G costs for the purposes of regulation 8(1)(a) of the Regulations, it must do so in accordance with regulation 12 of the Regulations.

344. Regulation 12(2) of the Regulations sets out that, subject to regulation 12(3) of the Regulations, the TRA must determine reasonable amounts for the AS&G costs based on the actual data pertaining to the production and sales by the overseas exporter of the like goods, in the ordinary course of trade, in the domestic market of the exporting country or territory. Regulation 12(3) of the Regulations sets out alternative methods where the TRA cannot determine reasonable amounts in accordance with Regulation 12(2) of the Regulations.

345. The TRA has determined the AS&G costs using the sampled exporters actual submitted AS&G data in accordance with regulation 12(2).

346. The verification process identified that the records of both sampled exporters are in accordance with the Generally Accepted Accounting Principles of the PRC and reasonably reflect the actual AS&G costs pertaining to the production and sales of the like goods destined for consumption in the PRC.

347. Both sampled exporters offset their AS&G costs with income gained through investments and other financial means. The TRA has determined that income gained through activities not related to the production and sale of boom lifts should not be used to offset the AS&G costs. Therefore, the income from these activities was discarded when determining a reasonable level of AS&G costs.

348. The TRA considered the effect of sales to associated parties when determining whether sales by Zhejiang Dingli and LGMG were made in the ordinary course of trade as per regulation 9(1)(b) of the Regulations.

349. The TRA excluded domestic sales made from LGMG to associated companies, as during verification activities LGMG confirmed that these sales were made at lower prices than to non-associated customers and therefore were not considered to be in the ordinary course of trade as per regulation 9(1)(b) of the Regulations. The TRA considered the remaining domestic sales transactions of the like goods and used the AS&G costs of profitable sales to determine reasonable amounts of AS&G costs for LGMG.

350. Domestic sales to associated customers made by Zhejiang Dingli were included, as verification activities confirmed that the association had no effect on price, and therefore these sales were considered to be in the ordinary course of trade as per regulation 9(1)(b) of the Regulations. The TRA considered the domestic sales transactions of the like goods and used the AS&G costs of profitable sales to determine reasonable amounts of AS&G costs for Zhejiang Dingli and then amended these costs to remove the income gained through investments and other financial means.

F2.3.3 Reasonable level of profits

351. Where the TRA determines a reasonable amount for profits for the purposes of regulation 8(1)(a) of the Regulations, it will do so in accordance with regulation 12 of the Regulations.

352. Regulation 12(2) of the Regulations sets out that, subject to regulation 12(3) of the Regulations, the TRA must determine reasonable amounts for profits on the basis of the actual data pertaining to the production and sales by the overseas exporter of the like goods, in the ordinary course of trade, in the domestic market of the exporting country or territory. Regulation 12(3) of the

Regulations sets out alternative methods where the TRA cannot determine reasonable amounts in accordance with Regulation 12(2) of the Regulations.

353. The verification process identified that the records of both sampled exporters are in accordance with the Generally Accepted Accounting Principles of the PRC and reasonably reflect the actual profits pertaining to the production and sales of the like goods destined for consumption in the PRC.

354. The TRA considered the effect of sales to associated parties when determining whether sales by Zhejiang Dingli and LGMG were made in the ordinary course of trade as per regulation 9(1)(b) of the Regulations.

355. The TRA excluded domestic sales made from LGMG to associated companies, as during verification activities LGMG confirmed that these sales were made at lower prices than to non-associated customers and therefore were not considered to be in the ordinary course of trade as per regulation 9(1)(b) of the Regulations. The TRA considered the remaining domestic sales transactions of the like goods and used the profits of profitable sales to determine reasonable amount of profit for LGMG.

356. The TRA considered the domestic sales transactions of the like goods and used the profits of profitable sales to determine reasonable amounts of profit for Zhejiang Dingli. Domestic sales to associated customers made by Zhejiang Dingli were included, as verification activities confirmed that the association had no effect on price, and therefore were considered to be in the ordinary course of trade as per regulation 9(1)(b) of the Regulations.

357. The TRA has considered whether prices reflecting non-commercial factors would impact on the profit margins and has determined that they would not be impacted. As noted above in Section F2.1.2.2-3, the PRC market is highly competitive but only for domestic companies. Therefore, were distortions to cease to have an effect, all companies would be impacted equally, and the competitive nature of the market would remain. The TRA has therefore determined that under such circumstances, sales of the like goods in the PRC domestic market would continue to operate as they currently do, just at a higher price point, meaning that profitability would remain unchanged.

F2.4. PMS adjustments

358. In accordance with regulations 11(6) and 12(4) of the Regulations, the TRA may make adjustments to costs of production or AS&G costs in accordance with regulation 13 of the Regulations.

359. The TRA may make adjustments where paragraph 13(3) of the Regulation applies, and for the purpose of paragraph 13(2) of the Regulations.

F2.4.1 Raw materials and inputs required to produce boom lifts- cost to make categories.

360. The applicant alleged that the costs associated with raw materials to produce boom lifts reflect non-commercial factors.

361. Since boom lifts are a complex, composite product, the TRA determined that it was necessary to divide the raw materials required to produce a boom lift into categories.

362. Upon the initiation of the case, the TRA identified a suitable categorisation system for the cost to make "CTM" ("CTM categories") within which to group the raw material inputs and identified the following categories, based on the raw material and inputs required to produce boom lifts:

a. steel;
b. engines;
c. tyres;
d. batteries; and
e. hydraulic components.

363. The TRA consulted on these categories by including questions regarding the proposed categories in the registration forms. Having assessed the responses received, the TRA decided on the following categories:

a. steel;
b. hydraulics;
c. electrical parts;
d. engines;
e. batteries;
f. plastics;
g. traction; and
h. other (includes any other raw material and input not included in the other categories).

364. The TRA asked for data in accordance with the abovementioned categories in the questionnaires issued on 27 February 2026.[187]

365. In accordance with regulations 11(6) and 12(4) of the Regulations, the TRA may make adjustments to costs of production or AS&G costs in accordance with regulation 13 of the Regulations. The TRA may make adjustments where paragraph 13(3) of the Regulations applies, and for the purpose of paragraph 13(2) of the Regulations.

[187] Link to questionnaires published on the public file

366. The case team noticed upon an initial comparison between the sampled exporters and the benchmark producer that there was a significant difference in the cost-to-make for the Traction and Other categories reported by the benchmark producer compared to the sampled exporters. The TRA considered that it is possible that there are differences in how the benchmark producer and sampled exporters categorise raw materials and inputs, therefore the case team decided to combine the costs for these categories into “Traction + Other” to negate differences in how costs are categorised and to more accurately isolate differences in cost due to the PMS. As the sum of the ‘Traction’ and ‘Other’ categories is equal to the ‘Traction + other’ category, the overall cost to make per unit does not change.

367. Therefore, the PMS categories used when assessing cost-to-make data against comparator values for the SEF were:

a. steel;
b. hydraulics;
c. electrical parts;
d. engines;
e. batteries;
f. plastics and
g. traction + other (“other” includes any other raw material and input not included in the other categories).

F2.4.2 Assessing against comparator values

368. In making adjustments, the TRA has had regard to corresponding costs in an appropriate representative country, in accordance with regulation 13(4)(a) of the Regulations. For the purposes of regulation 13(4)(a) the TRA may determine whether a third country is an appropriate representative third country by considering the factors set out in regulation 13(5)(a) to (c) of the Regulations.

369. The TRA considered whether undistorted data was available from the PRC that could be used as a benchmark. However, the distortions were found to affect the whole boom lifts sector in the PRC, including upstream and downstream industries, and therefore the TRA considered appropriate representative third countries.

370. Following its assessment of initial claims regarding the presence of a PMS and the receipt of questionnaire responses from interested parties and contributors, the TRA considered an appropriate representative third country that

could be used if it was determined that a PMS existed in the PRC that prevented a comparison between the domestic and export prices of the goods.

371. Mexico was identified as, potentially, an appropriate representative third country suitable owing to:

- a similar level of economic development to the PRC;
- the availability of reliable information; and
- Mexico has domestic producers of boom lifts.

372. A note was published on the public file indicating that the TRA was considering Mexico as an appropriate representative third country on 9 March 2026. Interested parties were given a period of 10 calendar days to provide comments on the proposed selection of Mexico.

373. Comments were received from the applicant on 19 March 2026 stating that it believed the TRA should choose Brazil as the appropriate representative third country.[188] The applicant also requested that, should the TRA choose Mexico, public data sources should be used instead of Mexican producers' data due to the presence of producers in Mexico associated with Chinese companies.

374. Zhejiang Dingli also commented on 25 March 2026 stating that it believed Mexico to be appropriate representative third country but that it believed public data sources should be used as benchmark data.[189]

375. Following the deadline for interested parties to comment on the proposed appropriate representative third country selection expiring, and having reviewed the submissions received, the TRA determined that Mexico would be used as the appropriate representative third country due to the reasons stated above.

376. The TRA invited producers from Mexico, via a note to the public file published on 2 April 2026, to register to the case and to participate as a 'third country producer'.

377. The following Mexican producers completed registration forms:

- Oshkosh Equipment Manufacturing S. de R.L. de C.V. ("JLG Mexico")[190]; and
- LGMG DE MEXICO, S.A. DE C.V. ("LGMG Mexico").[191]

[188] Response to Notification of Proposed Appropriate Representative Third Country
[189] Response to the Applicant's Submission of 16 March 2026
[190] Registration of Interest Oshkosh Equipment Manufacturing s. de r.l. de c.v.
[191] Registration of Interest LGMG DE MEXICO SA DE CV.

378. On 5 May, the TRA published the notification of sampling decision for appropriate representative third country benchmark producer and published the third country producer questionnaires.

379. The TRA has received third country producer questionnaire responses from the following parties:

- Oshkosh Equipment Manufacturing S. de R.L. de C.V. ("JLG Mexico");
- LGMG DE MEXICO, S.A. DE C.V. ("LGMG Mexico"); and
- Skyjack México, S. de R.L. de C.V. ("Skyjack Mexico)".

380. The TRA published the non-confidential questionnaire responses to the public file on 19 August 2026.

381. The case team notes that JLG Mexico and LGMG Mexico are associated companies with two Chinese exporting producers registered to the case, JLG Tianjin and LGMG respectively.

382. Furthermore, JLG Mexico do not produce any products that fall within the scope of this investigation.

383. Skyjack Mexico are a completely non-associated producer of boom lifts based in Mexico.

384. The TRA decided to use Skyjack Mexico as the basis for price comparisons, as it produces products included in the scope of the investigation and are not associated with any party registered to the case. Verification activities were conducted remotely with Skyjack Mexico via MS Teams from 10 August to 12 August 2026.

F2.4.3 PMS adjustments on costs in respect of the production and sale of the like goods in the PRC

385. As explained in Section F2.1.5, the TRA has determined that the prices of the raw materials and input purchases used to produce boom lifts reflect non-commercial factor due to the existence of PMS. The TRA has then proceeded to consider whether the PMS had a material impact on the prices of these raw material and input purchases and are artificially low.

386. For the purposes of this SEF, the TRA has used CTM data provided by the third country producer Skyjack Mexico, as stated in section F2.4.2 Assessing

against comparator values. In our provisional determination, the TRA used publicly available data sources through Global Trade Tracker (GTT) to assess against comparator values to assess the material impact of the PMS and determine whether prices are artificially low. For more information, please refer to section G2.3.1 of the PAD.

387. The case team compared the cost-to-make data provided by the sampled exporters with the cost-to-make data provided by the benchmark producer for the following raw materials and inputs:

- steel;
- hydraulics;
- electrical parts;
- engines;
- batteries;
- plastics
- traction + other
- energy (including natural gas and electricity)

388. The costs by PCN and CTM category of each sampled exporter and the benchmark producer were compared to find the percentage difference by CTM category for each PCN. The cost difference by PCN for each CTM category was then used to calculate a weighted average percentage difference to find the adjustment for each CTM category. This adjustment was then multiplied by the proportion of raw materials purchased from the PRC for each sampled exporter in order to ensure that costs of raw materials and inputs sourced from countries which are not under the effects of a PMS are not adjusted.

389. The TRA also adjusted energy costs between the sampled exporters and the benchmark producer by comparing the weighted average unit price for electricity and natural gas to find the percentage difference in unit price for each type of energy. The electricity and gas adjustments were combined resulting in a total energy adjustment that was applied to all energy costs.

390. The TRA considered whether adjustments to the benchmark data were necessary by using an econometric model. However, this approach was not feasible because there was insufficient publicly available data on the costs of raw materials and other inputs.

391. The TRA also considered whether adjustments were needed to the benchmark data to account for the differences in the types of batteries used in the production of boom lifts in the PRC and Mexico. The TRA ultimately

determined that no adjustments were necessary to the benchmark data for batteries.

392. The TRA determined that adjustments were necessary to the benchmark data to account for raw material and inputs sourced from the PRC, in order to remove the effects of costs reflecting non-commercial factors in the PRC. Therefore, the PMS adjustments were adjusted by the ratio of raw materials sourced from all countries except the PRC by the benchmark producer relative to each raw material's total costs.

393. Where regulation 13(3) applies, the TRA may make adjustments for the purpose of regulation 13(2) of the Regulations. The following costs in respect of the production and sale of the like goods in the PRC required adjustment to determine the normal value for the like goods in the PRC, due to substantial government intervention having a material impact and resulting in artificially low prices. These numbers have been ranged to avoid revealing confidential information:

Table 3: PMS adjustments on CTM categories

	Exporter	
PMS category	**Zhejiang Dingli**	**LGMG**
Steel	[100-130%]	[100-130%]
Hydraulics	[35-65%]	[35-65%]
Electrical Parts	[35-65%]	[55-85%]
Engines	[20-50%]	[20-50%]
Batteries	[0-30%]	[55-85%]
Plastics	[520-550%]	[110-140%]
Traction + Other	[135-165%]	[70-100%]
Energy	[5-35%]	[5-35%]

391. The TRA found that prices reflect non-commercial factors in the following areas, however it did not make any adjustments:

- Labour
- Land-use
- Finance
- AS&G

- Profits

F3. Constructed export price

394. In accordance with regulation 15(1) of the Regulations, the export price is the price the goods concerned are sold for, or the agreed price at which they are to be sold, to either an importer in the UK or a third party outside of the UK for export to the UK.

395. The TRA may construct export price when it determines that the price is unreliable due to an association or compensatory agreement as per regulation 15(2) of the Regulations.

396. The TRA has determined that the export price is unreliable because of an association or a compensatory arrangement between the sampled overseas exporters and the sampled importer of the goods concerned in the UK for the purposes of regulation 15(2) of the Regulations.

397. The TRA has determined that there is an association (such as to satisfy regulation 15(7)(a) of the Regulations) between the sampled overseas exporters and the sampled importers for the following reasons:

- The sampled overseas producing exporter Zhejiang Dingli controls the business carried on by the sampled importer Dingli UK and;
- The sampled overseas producing exporter LGMG controls the business carried on by the sampled importer LGMG UK.

398. Based on the questionnaire responses from both sampled exporters, the TRA has determined that the association with the importer has an effect on the price at which goods are sold to the associated importer.

399. The TRA has constructed the export price on the basis of the price at which the goods concerned are first sold to an independent buyer in the UK under regulation 15(4)(a) of the Regulations and pursuant to regulations 15(2) and (3) of the Regulations.

400. The export price has been calculated for each sampled exporter by using the first sales reported by their associated importers to an independent UK customer, in accordance with regulation 15(4)(a) of the Regulations, and then adjusted, in accordance with regulation 15(5), by removing the costs associated with export and import.

401. As the TRA has determined that both sampled importers are associated to the sampled exporters, the TRA has calculated the profit that would usually be

accrued by an importer of the goods concerned with no association or compensatory arrangement with an overseas exporter pursuant to regulation 15(5)(b) of the Regulations.

402. The TRA calculated a representative UK importer profit margin based on the profit margins reported by the importers listed below during the POI, as reported in their financial statements published on Companies House. The weighted average of these importers' profit was 7.70%, which was therefore considered by the TRA to be a reasonable margin for profit and therefore used in establishing export price for both sampled exporters. The importers used for calculating the reasonable rate of profit were:

- Access Platform Sales Limited
- AJ Access Platforms Limited
- Hire Safe Solutions
- Summit Platforms Ltd
- Workplatform Ltd

403. In the PAD, a simple average of these importer's profits was used, which resulted in a profit of 6.83%. However, the TRA has determined that a weighted average is more representative and has made this change for the Statement of Essential Facts.

F4. Fair comparison

404. To ensure a fair comparison, the normal value and export price need to be compared at the same level of trade; normally on an ex-factory level and in respect of sales made as near as possible the same time, in accordance with regulation 16(1) of the Regulations.

405. In accordance with regulation 16(2) of the Regulations the TRA may make adjustments for any differences which affect price comparability including differences relating to:

- conditions and terms of sale
- taxation
- levels of trade
- quantities
- physical characteristics.

406. The two sampled overseas exporters reported fair comparison adjustments to their sales data to adjust the domestic sales and the export sales to ex-works level.

407. The TRA considered whether the fair comparison adjustments made to the domestic sales would need to be made to the constructed normal value to be able to compare to the export price at the same level.

408. The TRA made conditions and terms of sale and levels of trade adjustments to the export price of the two sampled exporters to adjust the export price to ex-works level.

F5. Dumping margin

409. In accordance with regulation 17(1)(a) of the Regulations, the TRA compared a weighted average normal value with a weighted average export price transactions to calculate the dumping margin for each sampled overseas exporter.

410. Where the TRA has limited its examination of overseas exporters in accordance with regulation 56 or 57 of the Regulations, it must determine an anti-dumping amount for non-sampled overseas exporters.

411. In accordance with regulation 37(3), the dumping amount for cooperating non-sampled overseas exporters is calculated as the weighted average of the amounts determined for the overseas exporters in the sample.

412. For all other PRC exporters, the TRA established a residual amount in accordance with regulation 38 of the Regulations which has been determined by using a method of selecting the highest dumping margin established for a PCN that had a high export sales volume for each sampled exporter.

413. The dumping margins are shown in the table below:

Table 4: Dumping margins

Overseas exporter/producer	Dumping margin (%)
Zhejiang Dingli Machinery Co Ltd	21.01%
Lingong Heavy Machinery Co Ltd	48.92%
Non-sampled cooperating exporters/producers (see Annex 1)	27.67%
All other PRC exporters (residual dumping margin)	82.89%

Section G: Injury

414. Injury is the term used when there is evidence of a UK industry being harmed by dumped goods. Paragraph 5 of Schedule 4 to the Act defines 'injury' to a UK industry in particular goods as:

- material injury, or the threat of material injury, to the industry, or
- material retardation of the establishment of the industry.

415. In accordance with regulation 27(2) of the Regulations, as the TRA has determined that goods have been or are being dumped into the United Kingdom, it must determine whether:

- UK industry has suffered or is suffering injury in accordance with regulation 30 of the Regulations (determination of injury); and
- the dumped goods have caused or are causing that injury to that UK industry.

416. To determine whether a UK industry is suffering or has suffered injury from imports of the goods concerned, in line with regulation 30 of the Regulations, the TRA has examined four factors:

a) the volume of the dumped goods during the injury period;
b) the effect of the dumped goods on prices of the like goods in the UK market for like goods during the injury period;
c) the consequent impact of the dumped goods on UK industry during the injury period;
d) any other factors it considers relevant.

417. Pursuant to regulation 35(1) of the Regulations, the TRA examined whether any known factors other than the dumped goods (other known factors) have caused or are causing injury to the UK industry. The TRA identified and considered other known factors which included:

- the volume and prices of imports imported into the UK from other countries;
- reduction in demand or changes in the pattern of consumption of the like goods;
- development in technology;
- export performance and productivity in the UK industry;
- trade deflection as a result of trade policy changes and/or actions of other countries and/or jurisdictions; and
- state of the construction sector.

G1. Injury analysis

418. To conduct the injury analysis, the TRA has used the information relating to the UK industry that was provided in the questionnaire responses.

419. In making its injury assessment the TRA has not had regard to information supplied by Snorkel on the basis that it does not satisfy the requirements of reg 47(2) as explained in paragraphs 42, 43 and 44 and was otherwise incomplete or inadequate for the purposes of injury assessment. Therefore, the TRA limited its examination to the applicant's information when making its injury assessment.

420. The TRA notes the applicant comprises the vast majority of the of UK production and UK market share of the UK industry. Therefore, the TRA is satisfied that using the applicant's information only is sufficient for the purposes of assessing injury to the UK industry. The TRA is satisfied that not using information provided by Snorkel has had no material effect on the outcome of the TRA's injury assessment.

421. Therefore, where the TRA refers to the "UK industry" in this section, it is drawing conclusions as to UK industry, with reference to the information supplied by the applicant.

422. Secondary sources used by the TRA include, official import statistics published by HMRC, raw customs declaration data and International Powered Access Federation (IPAF) data.

423. HMRC Overseas Trade in Goods Statistics (OTS) import data published by HMRC is at an 8-digit commodity code level. The HMRC OTS import data contains goods under the 8-digit commodity code level that are not in scope of the investigation. The HMRC OTS import data is based on country of dispatch, which refers to the country where the last commercial transaction took place. This is not necessarily the country of origin/manufacture or the last country from which the goods were shipped to the UK.

424. The TRA obtained raw customs declaration data from HMRC. The HMRC raw customs declaration data was extracted on 13 April 2026. This data is subject to periodic adjustments, and so figures may differ slightly if extracted at a different time.

425. The HMRC raw customs declarations data is at the 10-digit commodity code level and is based on the country of origin. Where possible, the TRA compared country of origin to country of dispatch data. However certain limitations exist with the use of the HMRC raw customs declaration data. This is detailed in the paragraphs below.

426. Whilst the HMRC OTS import data has undergone a cleaning process and is considered an official international trade statistic, the HMRC raw customs declaration data is not, and may be subject to errors and/or omissions.

427. The use of customs data in this analysis could result in some distortions with the incorporation of out-of-scope boom lifts. However, it is not possible to differentiate the goods into individual units for different types of boom lifts in any further granular detail.

428. HMRC import data is the only source for import data the TRA has identified that provides it with a full and complete dataset for the injury period. More importantly, it is the only source for data that the TRA has identified that includes imports from other third countries. The use of it means that a level of consistency is applied when analysing import trends and market shares from different countries.

429. The TRA has determined that the HMRC import data is the most appropriate source of import data to analyse import volume trends and to estimate market share. In the full circumstances, the TRA will treat the analysis using the HMRC data with the appropriate level of caution.

430. As stated in paragraphs 91 and 92, data from interested parties on production, consumption and sales has been submitted in number of units.

431. In addition to alleging material injury, the UK industry raised a threat of material injury allegation, made if the TRA should not find material injury in respect of trailer mounted boom lifts.

432. The TRA has assessed whether threat of material injury in respect of trailer mounted boom lifts exists and has found no positive evidence of this. Therefore, the TRA proceeded with its injury assessment based on material injury only.

G1.1 Volume of dumped goods

433. In accordance with regulation 31 of the Regulations, in considering the volume of dumped goods during the injury period for the purposes of regulation 30(2)(a), the TRA has assessed whether there has been a significant increase in the dumped goods in the UK either in absolute terms (the volume of dumped goods being imported into the UK market) or relative to domestic production or domestic consumption.

434. To calculate the relative and absolute volumes, we calculated the size of UK consumption to gauge the total size of the market for like goods within the UK over the POI. This has been done by combining 10-digit customs declaration

data obtained from HMRC with the figures from UK industry. As these figures from UK industry are verifiable, we have confidence in those figures. HMRC data is regarded as accurate and sufficient for all reasonable standards.

G1.1.1 Volume of dumped goods in absolute terms

435. Assessing the volume of the goods concerned in absolute terms gives an indication of the rate at which imports of these goods increased or decreased during the injury period.

436. The table below shows the import volume of boom lifts from the PRC and total import volumes into the UK throughout the injury period and the year prior to the start of the injury period. The table also shows the indexed trend in imports from the PRC as a proportion of total imports

437. The applicant claimed that year 1 of the injury period may not provide a representative baseline because during that period the industry was experiencing a recovery from the COVID-19 pandemic, which affected purchasing patterns. As delayed construction projects restarted following the easing of COVID-19 restrictions, construction activity[192] and demand for boom lifts increased, contributing to higher volumes of both PRC imports and total imports in that year.

438. To assess this claim and to understand a wider context of the injury period data for this assessment, the TRA also analysed import data for the year preceding the injury period (pre-year 1)

[192] Construction statistics, Great Britain - Office for National Statistics

Table 5: Import volume of boom lifts from the PRC and total import volume, all in-scope commodity codes during the injury period and pre-year 1

	Pre-Year 1	Year 1	Year 2	Year 3	Year 4 (POI)
Imports into the UK from the PRC (indexed)	66	100	92	80	101
Total imports into the UK (indexed)	73	100	94	84	91
Imports from the PRC as a percentage of total imports (indexed)	90	100	98	95	112

Source: HMRC raw customs declaration data
Notes: Indexed time series, Year 1 of the injury period = 100
Pre-Year 1 includes Non-EU Dispatch data (October 2020-December 2020) and EU Dispatch data (January 2021- September 2021)

439. After comparing the volumes between pre-year 1 and year 1, the TRA has determined that import volumes of boom lifts during year 1 were unusually high and could constitute an unrepresentative baseline. Therefore, it is necessary to examine the volume trends whilst also considering the volume levels in pre-year 1. When examining imports in pre-year 1, imports from the PRC and total imports into the UK were respectively 34% and 27% lower than in year 1.

440. Looking at data from the injury period, imports of boom lifts from the PRC initially decreased by 8% and 20% in year 2 and year 3 respectively when compared to year 1, before rebounding in the POI, where volumes increased by 21% when compared to year 3.

441. The decline in import volumes from the PRC in year 2 and year 3 is in line with the general decline of total imports of boom lifts into the UK during those years (as illustrated in table 5, total imports decreased in year 2 and 3 by 6% and 16% respectively when compared to year 1).

442. However, during the injury period, total imports decreased by 9% whereas PRC imports increased by 1% and imports from the PRC as a percentage of total imports increased by 12% in the same period.

443. In summary, import volumes from the PRC declined in years 2 and 3 before increasing by 1% from the year 1 baseline by the POI. However, the TRA has treated these trends with caution as per the applicant's comments regarding year 1 not providing a representative baseline. Accordingly, the increase of 1% in import volumes over the injury period does not show a significant increase of imports in absolute terms.

G1.1.2 Volume of dumped goods relative to domestic production

444. Assessing import volumes in relative terms gives an indication of the rate at which imports of these goods increased or decreased during the injury period when compared to the UK domestic production of the like goods.

445. The following table shows the import volumes of boom lifts from the PRC throughout the injury period in comparison to the UK industry's domestic production of the like goods during the same period. As the data provided by the UK industry in its questionnaire responses was provided in units, the TRA has converted the data of imports from kgs to units.

Table 6: PRC imports (units) in relation to UK production (units), all in-scope commodity codes during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Imports into the UK from the PRC (indexed)	100	92	80	101
UK production (indexed)	100	96	95	92
PRC imports as a share of UK production (indexed)	100	91	71	115

Source: Applicant's questionnaire response and HMRC raw customs declaration data
Notes: Indexed time series, Year 1 of the injury period = 100

446. UK production of the like goods decreased throughout the injury period to be 8% lower in the POI than it was in year 1 of the injury period.

447. Imports of the goods concerned into the UK relative to the UK industry's production decreased in year 2 and 3, which is in line with the decrease in PRC imports in absolute terms explained in G1.1.1 Volume of dumped goods in absolute terms. However, during the POI, PRC imports as a share of UK production increased by 15% when compared to year 1 of the injury period.

448. While PRC imports decreased in years 2 and 3, the PRC import volume ended the POI 1% higher than year 1 of the injury period, while UK production declined consistently over the same injury period. Therefore, relative to domestic production volumes, the PRC import volumes have shown a significant increase of 15% during the injury period.

449. The TRA has concluded that there is a significant increase in imports relative to domestic production volumes over the injury period.

G1.1.3 Volume of dumped goods relative to domestic consumption

450. Assessing import volumes in relative terms gives an indication of the rate at which imports of these goods increased or decreased during the injury period when compared to the UK consumption.

451. To assess imports relative to UK consumption, the TRA first estimated the total UK consumption of the goods concerned. This was derived using industry (IPAF) reports on boom lift rental fleet size, together with the average retention period for boom lifts.[193] The IPAF reports showed that, in line with standard industry practice, a retention period of five years was applied to estimate annual UK consumption.

452. The TRA calculated the market share of PRC imports by dividing total imports of the goods concerned by total UK consumption. As kilogrammes are the primary unit of import volume data, the TRA converted these figures into number of units by applying the PRC's import share to estimate import volumes in number of units.

Table 7: PRC imports relative to UK consumption, all in-scope commodity codes during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Imports into the UK from the PRC (indexed)	100	92	80	101
UK consumption (indexed)	100	104	91	96
PRC imports as a share of UK consumption (indexed)	100	99	94	114

Source: Applicant's questionnaire response and HMRC raw customs declaration data
Notes: Indexed time series, Year 1 of the injury period = 100

453. UK consumption fluctuated slightly during the injury period with an overall drop of 4% between year 1 and the POI.

454. Imports of goods concerned from the PRC into the UK relative to UK consumption reduced in year 2 and year 3 of the injury period, in line with the

[193] IPAF rental market reports 2025. See: https://www.ipaf.org/en-gb/resource-library/ipaf-rental-market-reports.

decrease in imports observed from the PRC in section G.1.1.1 Volume of dumped goods in absolute terms, but were 14% higher in the POI than year 1 of the injury period. This increase occurred despite the drop in UK consumption, indicating the dumped goods increased their share of the UK market over the injury period.

455. The TRA has found that there has been a significant increase in imports of the goods concerned relative to UK consumption.

G1.2. Effect of dumped goods concerned on prices

456. To assess the effect of the dumped goods on prices of the like goods in the UK during the injury period, in accordance with regulation 30(2)(b) and 32 of the Regulations, the TRA has considered whether:

- there has been significant price undercutting by the dumped goods as compared with the price of the like goods produced in the UK; and
- the dumped goods have depressed or suppressed domestic prices of the like goods produced in the UK to a significant degree.

G1.2.1. Price undercutting

457. Price undercutting is where the imported goods are consistently sold at a price below that of the like goods in the UK.

458. An undercutting margin (%) reflects the extent to which landed prices of the goods concerned imported from the PRC are lower than the UK sales prices of the like goods.

459. To calculate an undercutting margin for the POI, the TRA used sales data provided by the sampled overseas exporters and their associated UK importers, and sales data provided by the UK industry and compared the UK sales price (ex-factory) with the import price (the landed price) for similar products. The landed price is the price of the goods concerned when they arrive at a UK port, and equates to the cost, insurance and freight (CIF) import price plus any relevant import duties and other costs associated with importing.

460. The TRA determined that it would not be appropriate to calculate the landed price using the overseas exporters' CIF import prices. This was because of the direct association between the PRC exporters and the associated importers of the goods concerned in the UK, as explained in paragraphs 396 - 398 in F3. Constructed Export price.

461. The CIF import price was calculated based on the price that the relevant goods were first sold to an independent buyer in the UK, with relevant

adjustments for importer profits and AS&G costs. This is in accordance with regulations 15(2) and 15(4)(a) of the Regulations.

462. For both sampled exporters, the landed price was constructed by taking the calculated CIF import price and adding the applicable post-importation costs. This includes adjustments where applicable for customs duty, storage fees, brokers fees, handling fee at import port, freight from import port to warehouse, and/or warehousing fees.

463. The TRA calculated an overall undercutting margin of 25.17% for the POI and there was undercutting across all PCNs that matched with those produced by the UK industry.

464. The TRA also assessed price undercutting for the entirety of the injury period.

465. The TRA calculated the price undercutting during the injury period by calculating an average PRC import price by using the sales data provided by the sampled exporters in their questionnaire responses[194]. Based on the registration form responses from the PRC exporters, the sampled exporters collectively accounted for more than half of the volume of exports of the goods concerned during the POI.

466. Accordingly, the TRA considers that using the sampled exporters' sales data to calculate the average PRC import price is a reliable and representative basis to calculate an average PRC import price.

467. The UK industry average price was then compared to the PRC average import price to assess price undercutting during the injury period. The price undercutting analysis for the injury period is set out in the table below.

Table 8: Price undercutting during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Price undercutting (%)	24%	2%	32%	27%

Source: Applicant's and sampled overseas exporters' questionnaire responses

468. As observed in Table 8, the UK industry suffered from undercutting for the totality of the injury period by the dumped goods. The TRA notes that the undercutting margin was notably lower in year 2. The TRA has established that this was due to an increase in the average PRC import price during that period.

[194] Even though this analysis is based on only two sampled exporters, the TRA considers their pricing representative of a broader importer market as they account for a substantial share of the UK imports.

As explained in Section G1.1.1, year 2 formed part of the market's adjustment following the high COVID-19 purchasing in year 1.

469. In this context, the reduction in PRC import volumes in year 2, alongside the increase in their average price, indicates that the lower undercutting margin was linked to temporary market conditions during the adjustment period, rather than an absence of price pressure from the dumped goods across the injury period.

470. Despite the lower undercutting margin in year 2, PRC import prices remained below UK industry prices and undercutting ranged from 24% to 32% in the remaining years of the injury period. The applicant was forced to *"accept lower realised prices to maintain any sales volumes"*. [195] Furthermore, as stated in paragraph 463, the undercutting margin calculated for the POI on a PCN level was of 25.17%.

G1.2.2. Price depression

471. Price depression occurs when the UK industry is forced to reduce its prices to compete against lower priced dumped goods.

472. To assess price depression, the TRA analysed the trends in the average domestic sales price of the UK like goods year on year for the injury period to determine whether the evolution of the prices indicate that prices were depressed and compared it with the trends of the PRC average import prices.

473. For this assessment, the UK average price and the PRC average import price have been calculated via the same method as stated in paragraphs 456 to 459. The assessment can be seen in the table below.

Table 9: Price depression during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Average PRC import price (£/unit) (indexed)	100	134	113	127
Average UK sales price (£/unit) (indexed)	100	104	126	122

Source: Applicant's and sampled overseas exporters' questionnaire responses
Notes: Indexed time series, Year 1 of the injury period = 100

[195] Niftylift's non-confidential questionnaire response

474. The TRA assessed the changes in the average domestic sales price of the UK like goods year-on-year during the injury period and has compared them with the changes in the average PRC import price, to determine whether the evolution of the prices indicate price depression.

475. Domestic sales price increased during the injury period. As noted by the applicant in the application, this increase is attributed to shifting focus to more expensive machines to counter the injurious effects of the PRC imports.[196] This, therefore, increased the value and unit price of the domestic sales.

476. Since the average sales price of the like goods increased over the injury period, the TRA has determined that there is no evidence of price depression, as UK industry did increase its sales prices over the injury period. However, this assessment should be considered in totality with the other price effects analysis. Therefore, the TRA will now consider whether the data shows evidence of price suppression.

G1.2.3. Price suppression

477. Price suppression occurs where lower priced imports of the goods concerned prevent, to a significant degree, the UK industry from increasing its domestic sales prices to a level that would otherwise have occurred.

478. To assess whether there was any evidence of price suppression, the TRA examined changes to domestic sales prices and changes to the cost of production for the like goods produced in the UK during the injury period.

[196] Niftylift NC application

Table 10: Average UK industry sales prices and costs of production during the injury period

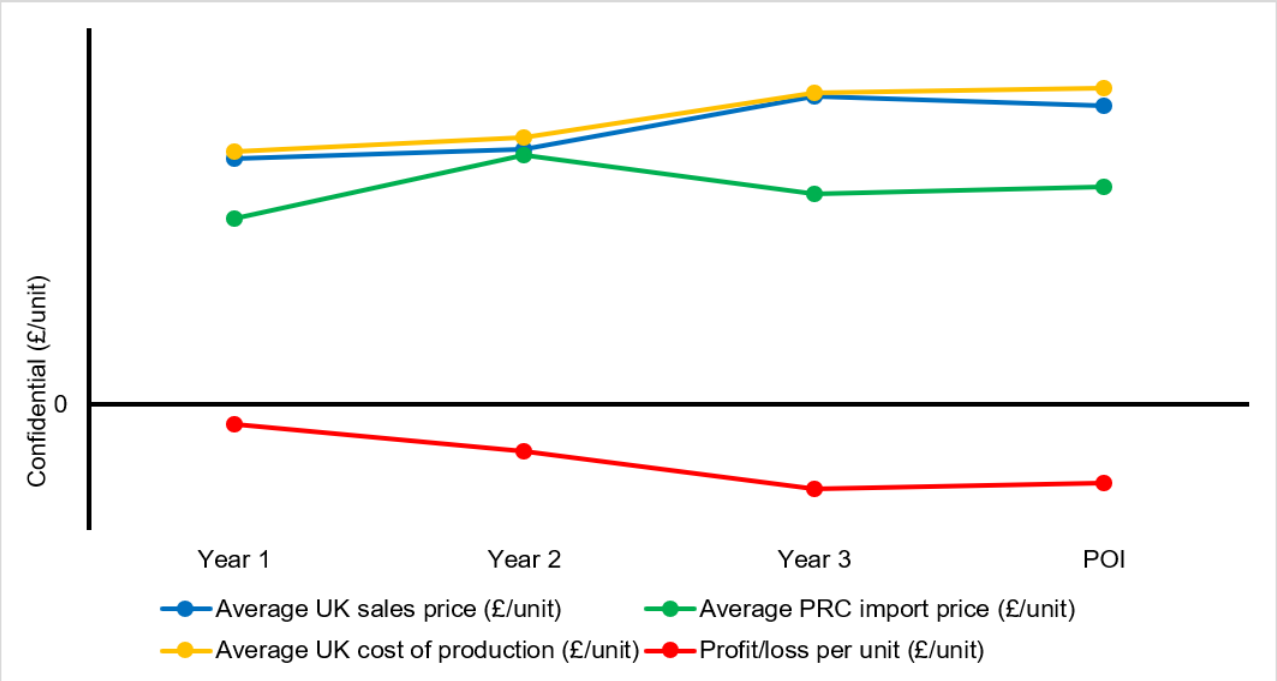
	Year 1	Year 2	Year 3	Year 4 (POI)
Average UK industry domestic sales price per unit (£/unit) (indexed)	100	104	126	122
Average UK industry costs of production per unit (£/unit) (indexed)	100	105	124	125

Source: Applicant's questionnaire responses
Notes: Indexed time series, Year 1 of the injury period = 100

479. Both domestic sales prices and UK industry's costs of production increased during the injury period, however production costs increased by a slightly greater extent than sales prices, while profitability declined (as noted in Figure 3). By the POI, costs increased by 25% since year 1 whilst domestic sales price increased by 22%. This indicates that the UK industry was unable to pass on the full increase in its costs during the POI.

480. The TRA also considered the UK's industry's profitability. Although the production costs through the injury period did not consistently surpass the sales prices, the graph below shows that the UK industry made losses on the UK sales of the like goods year on year. Any price increase over the cost of production achieved by the UK industry during the injury period was insufficient to restore profitability.

Figure 3: UK industry sales prices, UK industry costs of production, UK industry profit/(loss), and PRC import prices



Source: Applicant's and sampled overseas exporters' questionnaire responses

481. The TRA then considered whether this inability to increase prices was linked to dumped imports from the PRC. The UK industry stated that it offered discounts with prices significantly below the list price in order to compete with PRC prices.[197]

482. Figure 3 shows that PRC prices were consistently below UK industry prices during the injury period. Furthermore, when comparing PRC prices with prices of imports from other countries (please refer to G3.1. Volume and the prices of third country imports for more information), the TRA has found that PRC prices were also consistently lower than those of other countries.

483. The TRA has concluded that there was price suppression to a degree, caused by the lower priced imports from the PRC. The UK industry was unable to increase or maintain its prices in line with rising costs of production, rising input costs or restore profit margins, indicating that costs were absorbed rather than passed on to customers.

G1.3. Impact of dumped goods concerned on UK industry during the injury period

[197] Niftylift's non-confidential questionnaire response

484. In considering, for the purpose of regulation 30(2)(c), the impact of the dumped goods on the UK industry, the TRA must consider all relevant economic factors and indices having a bearing on the UK industry including:

- actual and potential decline in sales, profits, output, market share, productivity, return on investments, and utilisation of capacity;
- factors affecting domestic prices of the like goods;
- the magnitude of the margin of dumping;
- actual and potential negative effects on cash flow, inventories, employment, wages, growth, the ability to raise capital or investments.

485. The following sections will address each of these factors in turn before undertaking a holistic assessment of the impact on UK industry.

G.1.3.1 Sales

486. The TRA assessed the changes in the volume and the value of the UK industry's domestic and export sales during the injury period.

487. The TRA notes this market takes roughly 6 to 9 months from an order until delivery to the customer. Due to the market conditions, the orders may have been placed in the previous financial year to realise profits in the following year.

488. The following table shows how the UK industry's domestic sales of the like goods developed throughout the injury period.

Table 11: UK industry's domestic sales during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Domestic sales volume (number of units) (indexed)	100	96	98	86
Domestic sales value (£ GBP) (indexed)	100	100	123	105
Average domestic sales price (£ GBP / unit) (indexed)	100	104	126	122

Source: Applicant's questionnaire response
Notes: Indexed time series, Year 1 of the injury period = 100

489. The volume of domestic sales reduced throughout the injury period and was 14% lower in the POI than its initial level. The UK industry stated that they had to fulfil backlog of orders placed at the end of 2020 and the beginning of 2021 until mid-way through year 3 of the injury period and this is likely why the decline in sales volume was not as significant during the start of the injury period as in the POI.

490. Although domestic sales values increased by 5% during the injury period, this reflected fewer units being sold at higher average prices, the UK industry explained that the increase in average price was principally due to shifting its focus on selling more expensive machines rather than an improvement in the volume or profitability of its domestic sales.

491. With regards to the export sales, the UK industry informed the TRA that it has had to increase export sales as a result of uncompetitive price levels in the UK. As stated in its questionnaire response, "*Niftylift's increased reliance on exports reflects diversion away from the UK market, consistent with increasing domestic injury caused by extreme downward pressure from dumped and subsidised imports."* The TRA therefore examined the development of export sales alongside production and sales in the UK market during the injury period.

Table 12: UK industry's export sales during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Export sales volume (number of units) (indexed)	100	119	134	98
Export sales value (£ GBP) (indexed)	100	137	148	103
Average export sales price (£ GBP / unit) (indexed)	100	115	110	105
Exports as a % of total sales volume (indexed)	100	105	107	103

Source: Applicant's questionnaire response
Notes: Indexed time series, Year 1 of the injury period = 100

492. Export sales value and exports as a percentage of total sales increased throughout the injury period. Export sales by volume increased during year 2 and 3, however dropped in year 4 where it decreased by 2% when compared to year 1.

493. Export sales volumes increased by 19% in year 2 and 34% in year 3 compared with year 1, while export sales values increased by 37% and 48%, respectively. Over the same period, UK industry production for the UK market declined by 4% in year 2 and 5% in year 3 and domestic sales volumes

remained below their year 1 level. Although domestic sales value increased in year 3, this reflected higher average selling prices rather than increased sales volumes, the positive export trends possibly indicate a focus on sales to the export market rather than a reliance on the domestic markets while domestic sales remained subdued.

494. The TRA therefore considered that the temporary growth in export sales reflected, at least in part, an attempt to offset the deterioration in domestic sales rather than evidence that the decline in domestic sales resulted from an independent commercial shift away from the UK market.

G.1.3.2 Profits

495. The TRA assessed changes in profitability for the like goods sold domestically during the injury period. The following image shows how the UK industry's profit before tax developed throughout the injury period.

Table 13: Profits of the UK industry for like goods during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Profit before tax (PBT) (indexed)	(100)	(29)	(138)	(123)

Source: Applicant's questionnaire response
Notes: Indexed time series, Year 1 of the injury period = 100, figures in parentheses are negative

496. The UK industry made losses on its sales of the UK like goods in every year of the injury period. These losses were higher in year 3 and in the POI than the beginning of the injury period.

497. The profitability trend in table 13 differs from the movements in average sales prices and production costs shown in figure 3. Figure 3 shows that the gap between UK industry's average sales price and cost per unit narrowed in year 3, while table 13 shows a larger aggregate loss in that year.

498. The TRA considers that these indicators are not directly comparable. Figure 3 presents annual UK average sales price per unit, while table 13 presents aggregate profit before tax for domestic sales of the like goods. Aggregate profitability may also be affected by other factors such as sales volumes, shifting the focus to more expensive machines, the allocation of costs and the timing of production, delivery and revenue recognition. As we previously noted, boom lifts typically have a lead time between order and delivery, meaning that the costs and revenue associated with a sale may be recorded in different financial years.

499. This trend is in line with what the TRA would expect to see based on its findings that the UK industry was selling its like goods on the UK market below costs of production.

500. The UK industry was making losses throughout the injury period, and there was an actual decline in profits. The UK industry's losses for sales of its domestically sold boom lifts presented a challenge to its financial and operational health.

G.1.3.3 Market Share

501. The TRA assessed the changes in the market share by volume of the UK industry during the injury period.

502. The following table shows how the UK industry's and the PRC's market share developed throughout the injury period.

Table 14: Evolution of the UK industry's market share during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
UK industry's market share	100	93	107	90
PRC's market share in UK (indexed)	100	99	94	113

Source: Applicant's questionnaire response and HMRC raw customs declaration data
Notes: Indexed time series, Year 1 of the injury period = 100

503. During the injury period UK industry lost market share overall. After initially dropping by 7% during year 2, the UK industry experienced a temporary recovery and increased 14%., This increase was not sustained, with market share falling again during the POI by 17%. The UK industry's market share decreasing during the POI aligns with the decline in their sales volumes in the POI and with the increase of PRC's market share.

504. In contrast, imports from the PRC showed a net gain in market share over the period and overall increased by 13%. PRC market share initially decreased by 1% and 5% respectively in year 2 and year 3 (as explained in section G1.1. Volume of the dumped goods, imports from the PRC decreased during those years) PRC's market share then grew by 19%, capturing market share at the same time as the UK industry's market share decreased 17%.

505. It should be noted the analysis of market share needs to be considered with a level of caution. The TRA has been unable to accurately identify to what level the HMRC data used to calculate UK consumption is impacted by incorporating data of imports of goods out of scope of this investigation. However, the TRA

remains satisfied that this data represents the best facts available and would generally return a similar trend to that which would be expected given the totality of the information reviewed.

506. Based on the evidence assessed, the TRA has established that the PRC market share rose during the injury period whilst the UK industry's market share decreased during the same period.

G.1.3.4 Outputs (production), production capacity and production capacity utilisation

507. The TRA assessed the changes in the output and production capacity utilisation of the UK industry during the injury period.

508. Output is measured by the volume of like goods (units) produced by the UK industry during the injury period. Production capacity is a measure of the maximum boom lifts that can be produced over a respective period.

509. Production capacity utilisation illustrates how much of the UK industry's capacity is being used over a set period to produce boom lifts.

510. The TRA assessed total output by analysing the volumes of all boom lifts produced for the domestic market during the injury period based on figures the UK industry provided. The TRA has also observed the volume trends relative to production capacity.

Table 15: Production capacity, output and capacity utilisation during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Total production capacity (number of units, indexed)	100	80	91	107
Total production (number of units) (indexed)	100	96	95	92
Total production capacity utilisation (indexed)	100	120	105	86

Source: Applicant's questionnaire response
Notes: Indexed time series, Year 1 of the injury period = 100

511. Total production capacity declined by 20% in year 2 before recovering slightly by 9% below the baseline in year 3. However, by the POI there was an increase in capacity by 7% compared to year 1, indicating that the UK industry expanded

its available production capacity over the period, especially during the POI. This supports the applicant's questionnaire response discussing *"investing in new plant and machinery"* in order to "*enhance long-term competitiveness, productivity and technological leadership".*[198]

512. In contrast, production volumes followed a downward trend. Output declined from year 1 by 4% and 5% in years 2 and 3 respectively, before falling further by 3% during the POI. This indicates that the increase in capacity observed in years 3 and 4 was not matched by a corresponding increase in production.

513. This corresponds with the UK industry's comments in its questionnaire response that it needed to produce machines for inventory to maintain minimum production levels, rather than producing for confirmed orders.[199]

514. Since production capacity increased but total production of the like goods decreased, capacity utilisation deteriorated over the period, indicating underutilised capacity. Total production capacity utilisation fluctuated during the injury period, reaching a maximum of 20% higher than year 1 in year 2, before declining in the POI, ending 14% below baseline.

515. Thus, while production capacity would ordinarily be expected to remain stable once the production line was established, it appears in these circumstances, it may have varied depending on the product mix and the level of capacity available for particular products during the injury period. Taking the declining domestic sales, fall in market share and increasing inventories, the trend seems to support the increased underutilisation of production capacity during the POI.

G.1.3.5 Growth

516. The TRA assessed the changes in the growth of the UK industry during the injury period. Growth has been measured by comparing trends in total UK consumption of boom lifts with the UK industry's domestic sales volumes (by units), the UK industry's market share, production and total employment figures.

517. The following table shows how the trends developed throughout the injury period.

[198] Niftylift's non-confidential questionnaire response
[199] Niftylift's non-confidential questionnaire response

Table 16: Growth of the UK industry during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
UK consumption (number of units) (indexed)	100	104	91	96
UK domestic sales volume (number of units) (indexed)	100	96	98	86
UK market share (number of units) (indexed)	100	93	107	90
UK domestic production (number of units) (indexed)	100	96	95	92

Source: Applicant's questionnaire response, HMRC data and IPAF
Notes: Indexed time series, Year 1 of the injury period = 100

518. UK consumption fluctuated during the injury period dropping below baseline by the POI. Over the entirety of the injury period, UK consumption declined by 4% while the UK industry experienced pronounced declines: 14% decline in domestic sales, a 10% decline in market share, and an 8% decline in domestic production. This indicates the UK industry's performance deteriorated across key indicators to a greater extent than the decrease in demand across the UK.

519. The TRA has concluded that the combination of declining domestic production, decreasing domestic sales and worsening market performance in a context of a relatively stable UK consumption evidence increased competitive pressure on the UK industry during the injury period, does not demonstrate any growth for the UK industry.

G.1.3.6 Employment and productivity

520. The TRA assessed the changes in the employment and productivity of the UK industry during the injury period.

521. Employment trends were assessed by analysing how the number of employees for the like goods (both for export and UK sales) sold in the UK have changed throughout the injury period. Productivity is measured as the output (number of like goods produced) per employee during the injury period.

522. The following table shows the UK industry's employment and productivity throughout the injury period.

Table 17: UK industry employment and productivity during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Number of employees (indexed)	100	133	133	114
Average productivity (indexed)	100	72	71	81

Source: Applicant's questionnaire response
Notes: Indexed time series, Year 1 of the injury period = 100

523. UK industry's employment increased over the injury period by 14%. The UK industry noted that due to the 2020 COVID-19 pandemic, employment figures for year 1 may be unrepresentative of the normal employment figures. This is due to the aftermath effects of COVID-19 pandemic, the number of employees were lower. Therefore, using year 1 as the baseline year might overstate the increase in number of employees employed during the injury period.

524. In contrast, over the injury period productivity declined, with a fall of 19% from year 1 to the POI. This is in line with the declining trend of domestic sales, total production and loss of UK's market share.

525. The TRA has concluded that there was under-utilisation of labour and decreased productivity during the injury period.

G.1.3.7 Wages

526. The TRA assessed the changes in the level of wages paid by the UK industry during the injury period.

527. Wages were assessed by analysing the trends formed over the injury period. The TRA considered whether this indicator has been trending positively or negatively, which may contribute to its determination of the current state of the UK industry.

528. The following table shows the mean wage of the UK industry over the injury period.

Table 18: UK industry's wages for employees involved in the like goods during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Hourly mean wage for FTE (indexed)	100	112	111	113
Hourly national living wage in the UK (indexed)	100	117	128	137

Source: Applicant's questionnaire response and National Minimum Wage and National Living Wage rates - GOV.UK
Notes: Indexed time series, Year 1 of the injury period = 100

529. The average mean wage paid by the UK industry increased by 13% during the injury period. The UK industry stated in its questionnaire response that, even though the number of employees increased, the rise in wages was mainly due to inflation of 3%. The UK industry's wages grew at a slower rate than the statutory minimum benchmark, indicating that wage growth did not keep pace with the hourly national living wage.

G.1.3.8 Investments, return on investments (ROI) and cashflow

530. The TRA assessed the changes in the level of investments, the return on these investments (ROI) and cash flow for the domestically sold like goods during the injury period.

531. The following table and graph show how these factors developed throughout the injury period.

Table 19: Investments, ROI and cash flow to the like goods during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
ROI (% of net assets) (indexed)	(100)	(277)	(418)	(277)
Cash flow (£ GBP) (indexed)	(100)	(253)	(467)	(374)
Investments (£ GBP) (indexed)	100	111	143	166

Source: Applicant's questionnaire response
Notes: Indexed time series, Year 1 of the injury period = 100

532. Investment trends show a steady upward trajectory with the highest being during the POI of 66% which the applicant's questionnaire claim that "*UK industry is making fixed asset investments including plant and machinery*".[200]

533. The UK industry invested during the injury period to develop and improve its machines to remain competitive. However, despite these investments, ROI decreased during the injury period to -418% during year 3 and -277% in the POI. The declining trend in ROI is in line with the negative trends in profitability.

534. Cash flow remained negative throughout the injury period and deteriorated in year 3, reaching an indexed level of -467%, before slightly improving to -374% during the POI.

535. The TRA notes that the cash flow figures differ from those presented in the PAD, following verification activities which identified and corrected errors in the underlying data.

536. The continued negative cash flow, together with losses in like goods and negative ROI indicates a deterioration in the UK industry's financial position during the injury period.

G.1.3.9 Inventory volumes

537. This factor examines whether goods are being retained in inventory rather than being sold. The TRA assessed this factor by tracking year-end manufactured inventory over the injury period.

Table 20: The UK industry's inventory volumes (units) during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Inventory at the end of the year (number of units) (indexed)	100	102	145	173

Source: Applicant's questionnaire response
Notes: Indexed time series, Year 1 of the injury period = 100

538. Inventory volumes increased during the injury period, with a notable increase in year 3 by 45% and the POI ending 73% when compared to the baseline year.

539. The UK industry explained that the increase in inventory volumes is due to unsold machines that are destined for UK markets being diverted into other channels, including building inventory for other markets.[201]

[200] Niftylift's non-confidential questionnaire response
[201] Niftylift's non-confidential questionnaire response

540. The TRA has found that the increase of the inventory of manufactured like goods throughout the injury period indicates a build-up of goods. Given production levels decreased, this increase was not caused by increased production nor was it due to increased demand in the UK market. As such, the TRA assess that this increase is likely due to declining domestic sales, in line with previous findings.

G.1.3.10 Factors affecting domestic prices of the like goods

541. One of the main drivers in the price of boom lifts is the cost of the primary raw material, steel. Steel is a commodity with the price set by international market conditions based on supply and demand and represents a significant proportion of total production costs, as boom lifts rely heavily on high-strength steel for their structural components.

542. Steel used in boom-lift production can be divided into several categories, including structural steel, high-strength low-alloy steel, hot rolled coil and specialised steel grades used for load-bearing components. This has been confirmed by the various engineering categories EN 10025[202], EN 10149[203] included in manufacturers technical documentation.

543. After assessing the questionnaire responses and conducting further research, the TRA has established that hot rolled coil is the primary raw material used to produce boom lifts.

544. The TRA has assessed global hot rolled coil steel prices during the injury period. The TRA used industry standard steel price such as Trading Economics to calculate monthly average prices for the steel grades most used in boom lift production. These indices reflect the prevailing market value of raw materials relevant to UK manufacturers.[204]

545. The TRA also examined HMRC Overseas Trade at 8-digit commodity code level for hot rolled coil during the injury period.

Table 21: Average Value of Hot-Rolled Coil during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Average Value (£/Kg)	100	91	83	77

Source: HMRC 8-digit data
Notes: Indexed time series, Year 1 of the injury period = 100

546. As illustrated on table 21, prices of hot rolled coil fluctuated but decreased overall during the injury period ending the period 23% lower than it was in year

[202] https://www.testcert.co/en-GB/standards/en-10025-structural-steel-s235-s460-composition-properties-complete-2026-reference-testcert
[203] https://www.ssab.com/en/brands-and-products/ssab-docol/automotive-steel-grades/hsla-steel/s900mc?utm_source=copilot.com
[204] https://tradingeconomics.com/commodity/steel

1. Therefore, increased raw material costs cannot be considered to have contributed to poor economic performance of the UK industry.

G.1.3.11 The magnitude of the margin of dumping

547. The margin of dumping is outlined in F5.Dumping margin and the dumping margins are displayed in the table below.

Table 22: Dumping margins

Overseas exporter/producer	Dumping margin (%)
Zhejiang Dingli Machinery Co Ltd	21.01%
Lingong Heavy Machinery Co Ltd	48.92%
Non-sampled cooperating exporters/producers (see Annex 1)	27.67%
All other PRC exporters (residual dumping margin)	82.89%

548. The impact on UK industry by the margin of dumping, which is deemed significant, cannot be negligible given the volume and the prices of imports concerned.

G1.4 Other factors considered relevant

549. In accordance with regulation 30(2)(d) of the Regulations, to determine whether a UK industry has suffered injury, the TRA must consider other factors if deemed relevant.

550. The TRA has not identified any additional factors that it deems relevant for this injury analysis.

G.2 Conclusion on injury assessment

G2.1 Conclusion: volume analysis

551. The TRA concluded that while import volumes of boom lifts from the PRC increased during the injury period but not to a significant degree in absolute terms (G1.1.1 Volume of dumped goods in absolute terms), when the import volumes were assessed relative to UK industry's production and UK consumption, the volume of the goods concerned did show a significant increase (G1.1.2 Volume of dumped goods relative to domestic production and G1.1.3 Volume of dumped goods relative to domestic consumption).

G2.2 Conclusion: price analysis

552. The UK industry experienced significant price undercutting during the injury period. The TRA calculated an undercutting margin for the POI of 25.17% (see Section G1.2.1 Price Undercutting) and saw price undercutting throughout the injury period. This indicates that the sales prices of the goods concerned were lower than the UK sales prices of like goods.

553. While there was no evidence of price depression since the UK industry did not reduce their sales price as stated in (Section G1.2.2. Price Depression), the TRA found evidence of significant price suppression and determined that this was caused by the considerably lower priced dumped imports (G1.2.3. Price Suppression).

554. When considered as a whole, the TRA has determined that the price effect assessments demonstrate that imports of boom lifts from the PRC significantly undercut and suppressed the prices of like goods. No evidence of price depression was identified. These consistently lower priced imports from the PRC are also likely to maintain, and increase, demand for further imports of boom lifts from the PRC to the UK.

G2.3 Conclusion on economic factors

555. The TRA's assessment of economic factors throughout the injury period demonstrates that the following indicators point to material injury suffered by the UK industry:

- **Sales:** domestic volumes decreased despite a slightly fluctuating UK consumption.
- **Profits:** UK industry suffered losses on sales of its domestically sold like goods over the injury period, most significantly during the POI.
- **Output (production) and production capacity utilisation:** output and production capacity utilisation decreased over the injury period in line with decreasing sales.
- **Market share:** UK industry lost market share during the injury period.
- **Growth:** there was no indication of growth, as UK industry did not grow its market share, volume of domestic sales decreased and outputs declined.
- **Investments and ROI:** the level of investments increased during the injury period. However, UK industry experienced no return on investment.
- **Cash flow:** remained negative and deteriorated throughout the injury period.
- **Inventories:** inventory levels increased during the injury period, indicating an accumulation of unsold goods. This is consistent with the decline in the UK industry's domestic sales volumes over the same period.
- **Productivity:** decreased over the entirety of the injury period.

- **Wages:** wages increased over the injury period. However, wages grew at a much slower rate than the statutory minimum benchmark, indicating that wage growth did not keep pace with the hourly national living wage increase.

556. The following factors showed improving developments in absolute terms while in relative terms indicate that UK industry has suffered injury:

- **Domestic and export sales value:** domestic and export sales values increased during the injury period, whilst volume decreased during the injury period. However, the TRA has established that the increase in value is likely caused by more expensive machines being sold. Even though domestic sales value increased during the injury period, the UK industry failed to gain market share or make profits. Export sales followed a similar patten, with higher sales value alongside lower volumes.

557. The TRA assessed that the following factors could not be used to determine injury:

- **Employment:** employment and number of employees involved in the production of like goods increased during the injury period.

558. The TRA determined that the majority of the economic factors it has assessed indicate that UK industry has suffered injury by showing negative developments in absolute and/or relative terms during the injury period.

559. With regards to factors affecting the domestic prices of the like goods (G.1.3.10 Factors affecting domestic prices of the like goods) the TRA determined that the price of one of the main raw materials used in the production of boom lifts decreased over the injury period. The UK industry was therefore not paying more for this input and as a result increased raw material costs could not account for the injury experienced during that period.

560. Although the decrease in the main raw material cost may have reduced some pressure on the UK industry's costs of production, it was not sufficient to offset the adverse effect of the decline in profits made from domestic sales (in fact, the UK industry was loss-making during the entirety of the injury period). The evidence therefore did not indicate that movements in the price of this raw material contributed materially to the UK industry's declining profitability.

561. Overall, the economic factors indicate that the UK industry for the like goods has suffered injury, with negative trends – in absolute or relative terms – observed throughout the injury period.

G2.4 Conclusion: Injury

562. The TRA have assessed injury to UK industry on a holistic basis by examining volume effects, price effects, economic factors and other factors. The conclusion of this assessment is that UK industry has suffered and is suffering injury.

563. The TRA is satisfied that the identified volume trends and the associated price effects of the imports of the goods concerned, alongside the negative changes in economic factors for the UK industry, indicates causation.

564. The volume of PRC imports of boom lifts increased in relative terms compared to UK consumption, UK industry's market share and profit margins during the injury period and the PRC increased its share of total imports into the UK. Despite UK consumption being relatively stable during the injury period, UK industry's market share declined at the same time as PRC imports gained market share, indicating that imports of boom lifts from the PRC have captured market share from UK industry, increasing the pressure on UK industry to reduce its costs to compete. This has had an injurious effect that is represented in the negative trends seen in the economic factors.

565. The goods concerned were priced considerably lower than the UK industry's like goods throughout the period and were lower than UK industry's cost of production. The price pressure caused by the lower priced imports suppressed the UK industry's prices on domestic like goods below the costs of production. Despite the increasing value of sales, which was caused by the different product mix sold during the injury period, this was not borne out in the profit, as the UK industry made losses on the sale of the domestic like goods throughout the injury period.

566. The TRA has concluded that the increase in these lower priced imports directly coincided with the negative developments in the economic factors that indicated UK industry has suffered injury, as demonstrated in section G1.3. Impact of dumped goods concerned on UK industry during the injury period.

G3. Causation and non-attribution

567. The TRA found that the UK industry suffered material injury during the injury period as noted above. Having reached this finding, the TRA assessed whether the injury was caused by the dumped goods and whether injury caused by other factors could be attributed to those goods.

568. Based on a holistic assessment of all the data, the TRA has identified volume trends and associated price effects of dumped imports from the PRC that correspond with negative changes in economic factors for UK industry, establishing a clear causal link. The injury suffered by the UK industry is therefore attributed to the dumped imports of boom lifts from the PRC.

569. In accordance with regulation 35(2) of the Regulations, injury caused by other known factors must not be attributed to dumped imports of the goods concerned. The TRA considered whether any other known factors, other than the dumped goods, caused or are causing injury to the UK industry. In doing so, the TRA considered:

- Volume and the prices of third country imports;
- Contraction in demand or changes in the pattern of consumption of the like goods in the UK;
- Developments in technology;
- Export performance of the UK industry;
- Trade deflection; and
- State of the UK construction sector

570. These factors were identified on review of the submissions from all parties. The TRA also considered the other known factors specifically identified within regulation 35(3) of the Regulations.

G3.1. Volume and the prices of third country imports

571. The TRA examined volumes and prices of imports from third countries to determine whether these had caused injury to the UK industry.

572. As set out under Section G1.Injury analysis, the TRA has relied on HMRC raw customs declarations data at the 10-digit commodity code level. The table below illustrates the development of import volumes of boom lifts from the five top exporting countries (which includes the PRC) when compared to the PRC's year 1 figure over the injury period.

Table 23: Volume of UK imports of boom lifts from top five exporting countries over the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
China (PRC)	100	92	80	101
Germany	24	20	59	72
Italy	11	10	23	24
Spain	14	12	18	13
Sweden	5	5	18	20

Source: HMRC raw customs declaration data
Notes: Indexed time series, Year 1 of the injury period = 100 and used PRC Year 1 as the base year for other countries.

573. The indexed baseline for imports from the PRC was used across years in the injury period, but also across countries to show the differences in volumes of imports in year 1. In year 1, the volume of imports from the PRC was 76% higher than that from the second largest exporting country. Although this gap narrowed to 29% by the POI, imports from the PRC remained much higher than the next four highest volume countries.

574. While the PRC import volumes declined between year 2 and year 3, they recovered in the POI to a level comparable to the baseline. Germany experienced the largest increase in imports during the injury period in comparison to the other four countries whose volume increases were more modest or decreased overall. However, the import volumes of the other four top exporting countries remain far below the volume of imports from the PRC.

575. The TRA reviewed average import prices per kgs for all the top exporting countries in the figure below.

Table 24: Average import price of top five exporting countries of boom lifts over the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
China (PRC)	100	103	99	100
Germany	145	199	242	192
Italy	157	181	220	219
Spain	149	161	173	178
Sweden	253	291	227	244

Source: HMRC raw customs declaration data
Notes: Indexed time series, Year 1 of the injury period = 100 and used PRC Year 1 as the base year for other countries.

576. This table shows that the average PRC import price is consistently lower than the other top exporting countries throughout the injury period. Furthermore, prices from imports from other countries consistently increased during the injury period, whereas the prices of imports from the PRC remained stable.

577. The following table shows UK market share of PRC's imports and other third countries.

Table 25: PRC UK Market share compared with other major boom lift exporting countries to the UK.

Countries	Year 1	Year 2	Year 3	Year 4 (POI)
PRC	16-27%	16-26%	15-25%	18-30%
Germany	4-6%	3-6%	11-19%	13-21%
Italy	2-3%	2-3%	4-7%	4-7%
Spain	2-4%	2-3%	3-6%	2-4%
Sweden	0.84-1%	1-2%	3-6%	4-6%

Source: Market consumption data based on IPAF Report 2025 and UK industry sales. Imports to UK based on HMRC 10-digit data. Market share is calculated as imports by countries to total UK consumption. Numbers on the table have been ranged to avoid revealing confidential information

578. Table 25 shows that the PRC's market share is the largest when compared to the other top exporting countries of boom lifts and continued to increase during the injury period.

579. The TRA has established that, while imports from the other third countries increased during the injury period, this was not at the same rate as imports of the goods concerned. We note that the market share of imports did increase across a number of countries through the injury period as well; however, as shown in Table 24, the price of imports from other third countries were materially higher each year of the injury period compared to prices of PRC imports, and all but Sweden (with prices far above the PRC) showed an increasing trend while PRC import prices remained stable across the entire injury period.

580. Therefore, based on the evidence assessed, the TRA determined that the impact of third country imports was not sufficient to break the causal link between the goods concerned and the indicative injury suffered by the UK industry.

G3.2. Contraction in demand or changes in the pattern of consumption of the like goods in the UK

581. As indicated in earlier sections, UK demand remained fluctuated slightly during the injury period but overall remained relatively stable.

582. There is no evidence that contraction in demand or changes in the pattern of consumption of the like goods could break the causal link between the goods concerned and the material injury suffered by UK industry.

G3.3 Developments in technology

583. The TRA examined whether any technological advancements in the production of the like goods, which could have improved efficiency, improved productivity or reduced costs for overseas producers and/or overseas exporters, occurred during the injury period that could have materially altered the competitive position of the UK industry.

584. The TRA has not received evidence to suggest that there have been any significant innovations or process improvements in boom lift manufacturing that materially altered market conditions or the UK industry's competitive position.

585. Accordingly, the TRA has concluded that there is no evidence to suggest that developments in technology is a factor that breaks the causal link between PRC imports and the UK industry's injury.

G3.4. Export performance

586. The TRA reviewed the export performance of the UK industry.

587. The TRA found that export sales increased during year 2 and year 3 of the injury period but then suffered a slight decline during the POI by 2% when compared to year 1.

Table 26: UK industry export sales during the injury period

	Year 1	Year 2	Year 3	Year 4 (POI)
Export sales by volume (number of units) (index)	100	119	134	98
Export sales by value (£ GBP) (index)	100	137	148	103

Source: Applicant's questionnaire response
Notes: Indexed time series, Year 1 of the injury period = 100

588. While evidence shows that export sales declined slightly in the POI in absolute terms and this represents a negative trend, export increased during year 2 and year 3. Therefore, the TRA has established that the reduction in the POI cannot reasonably be considered the cause of injury to the UK industry.

589. Any impact from weaker export performance is likely to be limited and secondary, particularly when compared with the scale of domestic market developments and the timing of dumped imports. Accordingly, export performance is not a determinative factor in the injury assessment.

590. The UK industry has stated that its focus on export growth is a defensive response to maintain production levels and partially absorb costs despite still trying to invest in UK assets and domestic sales.

591. Together, these indicators suggest that the UK industry's reliance on exports were responses to deteriorating domestic market conditions, not factors that explain or interrupt the causal link between PRC imports and the UK industry's injury.

G3.5. Trade deflection as a result of trade policy changes and/or actions of other countries and/or jurisdictions

592. The TRA considered if trade policy changes and/or actions of other countries and/or jurisdictions could have resulted in a trade deflection of PRC exports of boom lifts, re-routing PRC exports away from other countries' markets toward the UK market. The TRA specifically considered the impact of US Section 301 import tariffs, and the impact of trade remedy investigations in other countries and/or jurisdictions concerning imports of boom lifts originating in the PRC.

593. The UK industry stated that "*US tariffs introduced in early 2025 increased export costs for PRC producers and may therefore have contributed to the injury suffered by the UK industry*."

594. US Section 301 import tariffs only apply to the US market and cannot be considered the primary cause of material injury to the UK industry, which was evident over the injury period. If anything, US import tariffs would have further exacerbated material injury caused by PRC goods concerned resulting from trade deflection of these goods away from the US market and towards the UK market.

595. The TRA is aware that both the US and the EU have conducted trade remedy investigations concerning imports of boom lifts originating in the PRC in the last five years. The US conducted both the antidumping and subsidy investigations, which were initiated in March 2021, and completed in September 2021 (subsidy)

and December 2021 (anti-dumping).[205] The EU's anti-dumping investigation initiated in November 2023 and completed in April 2025.[206]

596. As a result of these trade remedy investigations, in the US market as of December 2021 the PRC boom lifts were subject to an anti-dumping duty ranging from 31.70% to 165.30%[207], and to a countervailing duty ranging from 11.95% to 448.70%.[208] In the EU market as of April 2025, the PRC boom lifts were subject to an anti-dumping duty ranging from 6.4% to 54.6%[209], and to a countervailing duty ranging from 7.3% to 14.2%.[210] These trade remedy measures could have caused trade deflection of PRC exports of boom lifts, if PRC exports shifted away from both the US and the EU markets, and towards other markets, including the UK.

597. The TRA concludes that both the US and the EU investigations and the resulting imposition of trade remedy measures in both the US and the EU markets, could explain the time coincidence between the increased import volumes of PRC boom lifts into the UK and the material injury to the UK industry.

598. Therefore, TRA's findings is that trade remedy actions of the US and the EU do not break the causal link between the increased import volumes of PRC boom lifts into the UK as well as the prices of PRC boom lifts on the one hand, and the material injury to the UK industry on the other hand.

G3.6. State of the UK construction sector

599. Zhejiang Dingli commented on construction conditions in the UK over the injury period. It stated that "*public data shows that construction conditions in the UK were weak or uneven during and around the relevant period: ONS reported*

[205] US Department of Commerce, Initiation of Antidumping Duty and Countervailing Duty Investigations of Mobile Access Equipment and Subassemblies Thereof from China
[206] European Commission, Trade defence investigations
[207] US Department of Commerce, Final Determination in Antidumping Duty Investigation of Mobile Access Equipment and Parts Thereof from China
[208] US Department of Commerce, Final Determination in Countervailing Duty Investigation of Mobile Access Equipment and Subassemblies Thereof from China
[209] European Commission, Commission Implementing Regulation (EU) 2025/796 of 24 April 2025 imposing a definitive countervailing duty on imports of mobile access equipment originating in the People's Republic of China and amending Implementing Regulation (EU) 2025/45 imposing a definitive anti-dumping duty on imports of mobile access equipment originating in the People's Republic of China
[210] European Commission, Commission Implementing Regulation (EU) 2025/796 of 24 April 2025 imposing a definitive countervailing duty on imports of mobile access equipment originating in the People's Republic of China and amending Implementing Regulation (EU) 2025/45 imposing a definitive anti-dumping duty on imports of mobile access equipment originating in the People's Republic of China

falls in construction output in the three months to October 2025 and again in November 2025."

600. The TRA reviewed the Office for National Statistics (ONS) reports. Whilst monthly construction output did decrease towards the end of 2025, overall annual construction output increased by 1.8% in 2025 compared with 2024; this is the fifth consecutive year of annual growth.[211] The value of new work in 2024 rose by 1.4%.

601. Zhejiang Dingli commented that "IPAF reported a 2% contraction in the UK MEWP rental fleet" and that "financing conditions remained restrictive for a substantial part of the injury period, with Bank Rate at 5.0% in August 2024, 4.75% in November 2024 and 4.5% in February 2025."

602. As mentioned, the TRA found that there was continued growth in annual construction output and new orders, demonstrating that investment decisions were still being made despite higher interest rates.

603. If financing conditions were a dominant driver of injury, there would be a contraction affecting all suppliers.[212] Instead, imports continued to increase and capture market share, while domestic producers continued to experience injury.

604. The TRA ascertained, based on its findings, that this would not break the casual link.

G4. Conclusion on other factors and causation

605. In accordance with regulation 35 of the Regulations, injury caused by other known factors must not be attributed to dumped imports of the goods concerned. The TRA considered whether any other known factors, other than the dumped goods, caused or are causing injury to the UK industry. The impact of third country imports, reduction in demand or changes in the pattern of consumption of like goods, developments in technology, trade deflection as a result of trade policy changes and/or actions of other countries and/or jurisdictions, export performance and productivity of the UK market and weakness in the construction sector were reviewed.

606. With regards to the third country imports and prices, we determined that the volumes of imports from other countries increased during the POI. However, the PRC imports were consistently higher during the injury period and the POI. In addition, the PRC import prices were consistently lower, while price of imports

[211] Construction output in Great Britain - Office for National Statistics
[212] Construction statistics, Great Britain - Office for National Statistics

from other countries rose in comparison with PRC import prices throughout the injury period and the POI in comparison to imports from third countries. The TRA therefore determined that the impact of third country imports was not sufficient to break the causal link between the goods concerned and the injury suffered by the UK industry.

607. The TRA considered the potential impact of reduction in demand of boom lifts or changes in the pattern in consumption within the UK market. UK consumption fluctuated slightly; therefore demand-side factors are not the cause of the injury and do not explain the scale or timing of the injury.

608. There was no evidence provided of significant innovations or process improvements in the boom lifts sector that would materially affect market conditions or the UK industry's competitive position to consider developments in technology to break the causal link.

609. Volume of exports declined slightly during the POI but increased during year 2 and year 3 of the injury period. Accordingly, export performance was not the cause of injury.

610. With regards to the condition of the construction sector, TRA established found that there was continued growth in annual construction output and new orders. Therefore, it was not the cause of injury.

611. The TRA also considered whether trade deflection as a result of trade policy changes and/or actions of other countries and/or jurisdictions was the cause of injury and established that there was no evidence any trade deflection was the cause of injury or break the causal link.

G5. Injury margin

612. The injury margin is the extent at which the UK industry is being injured. The default method is to base the injury margin for each exporter on its underselling margin. This is calculated by comparing a benchmark UK price (the target price) with the import price (the landed price) for each PCN. The target price is the price that a UK producer would expect to sell its like goods at if it were not being affected by the dumped goods.

613. The total amount of underselling is then expressed as a percentage of the total import value of the goods concerned. This method was used to calculate an injury margin for each cooperating exporter.

G5.1 Reasonable level of profit

614. To calculate the injury margin, the TRA determined the target price for the UK industry by adding a reasonable rate of profit to its cost of production.

615. The reasonable rate of profit represents the profit the UK industry could reasonably be expected to achieve under normal conditions of competition, in the absence of dumped imports of the goods concerned. In its provisional determination, the TRA set the normal rate of profit at 11%.

616. In its questionnaire response, the applicant proposed "*a conservative normal rate of profit of [8–12] %, based on the EBIT margin achieved in a [SENSITIVE] financial year that it considered representative because it was unaffected by significant major asset investments or external market forces. As an alternative, the applicant proposed a rate of [10–14] %, based on a lower assumed level of profit reinvestment, noting that it had historically reinvested a significant proportion of its profits to support the expansion of its business activities*".

617. Following verification, the applicant submitted evidence in support of increasing its reasonable level of profit from [12–19] % to [16–24] %. [213]

618. The TRA assessed whether the evidence demonstrated that the higher profit margin would have been achievable in the absence of injury. In reaching this conclusion, the TRA considered the information submitted by the UK industry on the profit it could reasonably achieve without injury, together with its historical profitability, the investment requirements for boom lift production, wider UK market conditions and publicly available findings from investigations concerning the same or related construction machinery.

619. In considering all information including additional evidence supplied by the applicant, the TRA concluded that keeping the normal rate of profit (before tax) of 11% was reasonable for the purpose of calculating the target price.

G5.2 Landed price

620. The landed price is the price of goods concerned when they enter the UK market after clearing customs. This figure was based on exporter sales data.

621. As set out in Section G1.2.1, given the full circumstances of the case the TRA constructed the landed price by recalculating the CIF import price with relevant adjustments.

G5.3 Target price

[213] Link to NC version of reasonable level of profit submitted by Niftylift

622. The target price is the price that a UK producer would expect to sell its like goods without the influence of dumped goods being imported into the market.

623. The TRA calculated this price by using UK industry's costs of production for the like goods, administrative, selling and general (AS&G) costs and applying a normal rate of profit (before tax). An adjustment was made to deduct domestic freight in order to get to ex-works.

G5.4 Underselling amount

624. The TRA calculated an underselling amount by comparing the UK target price to the landed price of the two sampled cooperating exporters. The total amount of underselling is expressed as a percentage of the total CIF import value of the goods concerned. This method was used to calculate an injury margin for the two sampled cooperating exporters and non-sampled cooperating exporters.

625. The TRA calculated the injury margin for non-sampled cooperating exporters: this was the weighted average of the injury margins calculated for each of the sampled, cooperating exporters.

G5.5 Residual injury margin

626. In accordance with regulation 38 of the Regulations, the TRA calculated a residual injury margin for overseas exporters where it has not determined an individual estimated anti-dumping amount, and the exporter is not a non-sampled overseas exporter within the meaning of regulation 37. This was based on the level of the highest underselling margin for the PCN with the highest sales volume when compared to the total import volumes during the POI. This was calculated using evidence provided by the sampled PRC producers.

627. The injury margins are shown in the table below. The sampled cooperating exporters, Zhejiang Dingli and LGMG, will receive their own individual rate. Non-sampled cooperating exporters will receive the non-sampled rate (those that completed a registration form but were not sampled). Non-cooperating exporters from the PRC will receive the residual rate.

628. The injury margins are shown in the table below.

Table 27: Injury margins

Overseas exporter/producer	Injury margin (%)
Zhejiang Dingli Machinery Co Ltd	87.05%
Lingong Heavy Machinery Co Ltd	160.92%
Non-sampled cooperating exporters/producers (see Annex A)	95.48%
All other PRC exporters (residual injury margin)	218.33%

Section H: Lesser duty rule, alternative measures and forms of measures

629. The TRA calculated anti-dumping amounts and injury margins for LGMG and Zhejiang Dingli and for all other PRC exporters. In accordance with paragraph 18(7) of Schedule 4 to the Act, and regulation 36 of the Regulations, the recommended import duty should be set at a level that does not exceed the anti-dumping amount, in relation to the goods as determined by the TRA as part of its final affirmative determination, or the amount which the TRA is satisfied would be adequate to remove the injury to the UK industry in the goods if that amount is less than the anti-dumping amount.

630. Table 28 provides the comparison of the dumping and injury margins, and the implementation of the lesser duty rule to arrive at intended definitive anti-dumping amount that is the lesser amount.

Table 28: Anti-dumping amounts

PRC Exporter	Dumping Margin (%)	Injury Margin (%)	Anti-Dumping Amount (%)
Zhejiang Dingli Machinery Co Ltd	21.01%	87.05%	21.01%
Lingong Heavy Machinery Co Ltd	48.92%	160.92%	48.92%
Non-sampled cooperating exporters/producers (see Annex A)	27.67%	95.48%	27.67%
All other PRC exporters (residual margins)	82.89%	218.33%	82.89%

Section I: Economic interest test

I1. Economic interest overview

I1.1. Legislative framework

631. In accordance with paragraph 17(8E) of Schedule 4 to the Act, the TRA must advise the Secretary of State whether and why it considers that applying an anti-dumping amount in accordance with each option contained in the recommendation would meet the economic interest test.

632. The EIT is set out in paragraph 25 of Schedule 4 to the Act and is met in relation to the application of an anti-dumping measure if the application of the measure is in the economic interest of the UK.

633. In line with paragraph 25 of Schedule 4 to the Act, the TRA has taken account of the following in conducting the EIT:

- the injury to UK industry in the like goods caused by dumping of the goods concerned and the benefits to that UK industry in removing that injury;
- the economic significance of affected industries and consumers in the UK;
- the likely impact of implementing an anti-dumping measure on affected industries and consumers in the UK;
- the likely impact of implementing an anti-dumping measure on particular geographic areas, or particular groups, in the UK;
- the likely consequences of implementing an anti-dumping measure for the competitive environment, and for the structure of markets for like goods, in the UK; and
- such other matters as the TRA considered relevant.

I2. Evidence base

634. The TRA has received evidence from registered parties through their registration forms and questionnaires. This evidence has fed into the analysis in this section.

635. The TRA has supplemented these questionnaire submissions with background research, business and consumer surveys[redacted] and collated additional data and information from sources such as Dun & Bradstreet, ONS and HMRC.

636. As stated in paragraphs 43 to 45, the TRA has had regard to Snorkel's questionnaire submission where it satisfied the requirements of regulation 47(2)(a) to (d) of the Regulations. Certain information supplied by Snorkel and used for the EIT assessment met the requirements of regulation 47(2) therefore the

TRA has had regard to information and relied upon information which met those requirements and/or was otherwise adequate and/or complete.

I3. Injury caused by dumped imports of the goods and the benefits to the UK industry in removing that injury

637. In Section G, the TRA found that the UK industry has been suffering material injury due to dumped imports of boom lifts from the PRC. Evidence from the injury analysis shows that PRC exporters increased their presence in the UK market over the injury period, while UK producers saw a decline in sales and market shares despite broadly stable demand. The injury assessment concluded that there would be further injury if a measure were not imposed.

I4. The economic significance of affected industries and consumers in the UK

638. We have identified the following groups in the UK boom lifts supply chain as potentially being affected by the imposition of a measure.

- **Upstream businesses:** Businesses which produce raw materials needed to produce the like goods in the UK.
- **UK producers of boom lifts.**
- **Importers of boom lifts:** Businesses that import boom lifts into the UK.
- **Downstream businesses:** These include direct end users of boom lifts, dealers, and businesses that provide boom lifts rental services.

639. There is some overlap between downstream businesses and importers (for example some downstream businesses import boom lifts to use in their business activity e.g. construction). We have attributed all known businesses to one category based on their main activity to avoid double counting.

640. For all businesses assessed we have used the most recent available accounts from Dun & Bradstreet (D&B), typically within the last five years.

I4.1. Upstream businesses

641. From UK producers' questionnaires, the TRA identified 337 UK upstream businesses that supply a wide range of raw materials (fabrications, steel, hydraulics, batteries, engines, plastics, paints, etc.) to UK producers. The TRA

sampled 15 businesses, of which five submitted business survey responses. These sampled businesses collectively account for 32% of the total value of inputs purchased by UK producers from UK upstream businesses during the POI. We selected businesses based on availability of financial data, value of input purchases, and to capture a range of business sizes.

642. On average, selected upstream businesses employed approximately 6,300 workers, with a total GVA of £542m, turnover of £2bn, and an EBITDA margin of 12%. About 0.28% of their turnover comes from sales to UK producers, indicating that the like goods are not important to upstream businesses.

643. Given that the selected businesses generally demonstrate strong profit margins with stable growth, the TRA has concluded that they are likely to have low vulnerability to negative economic impacts.

I4.2. UK producers

644. As discussed in Section E: The UK industry and market there are two UK producers of boom lifts: Niftylift and Snorkel. Niftylift operates three sites within the UK: two in Milton Keynes and one in Yorkshire; while Snorkel operates a single site in Tyne and Wear.

645. The TRA's significance analysis indicates that boom lifts are very important to both UK producers accounting for a significant portion of their revenue in the POI.

646. UK producers' most recent published accounts show that both producers employed an average of 800 employees, with about 30-40% directly involved in the production of the like goods. Data from D&B show that UK producers have an average GVA of £43m, turnover of £177m, and an EBITDA margin of 4% across all production. Due to the low EBITDA margins, particularly for Snorkel which has seen negative profit margins in recent years, the TRA has concluded that UK producers have medium vulnerability to negative economic impacts.

I4.3. UK importers

647. We identified at least 1,200 UK importers of boom lifts using HMRC imports data. Less than ten of these importers registered with the case and submitted PSQs. A subset of importers was subsequently selected to complete a full questionnaire, of which five provided a complete submission.

648. Out of the 1,200 importers identified, for the EIT, we selected 13 businesses in our sample, including six of the businesses who submitted either a PSQ

and/or questionnaire. We selected businesses based on availability of data, regularity of imports, and to capture a range of business sizes.

649. These 13 importers accounted for approximately 3% of total import transactions of all UK importers involving the in-scope boom lifts 8-digit level commodity codes during the POI.

650. The selected importers have a total employment of 5,700, GVA of £585m, turnover of £1.8bn, and an average EBITDA margin of 15%. Approximately 23% of their import/sales transactions are related to boom lifts on average, indicating that boom lifts are very important to these businesses.

651. As some of the selected importers (particularly smaller importers) have seen declining employment, sales and GVA figures in recent years, the TRA concluded that this group have a medium vulnerability to negative economic impacts.

I4.4. Downstream businesses

652. We obtained information regarding downstream businesses through producer and importer PSQs and questionnaires.

653. We identified 217 downstream businesses. Out of these 217 businesses, we sampled ten, of which five submitted a downstream business survey response. We selected these businesses based on availability of data, value of boom lifts purchases, and to capture a range of business sizes. The sampled businesses represented around 44% of domestic sales value by UK producers & importers in the POI.

654. Financial data from D&B shows that selected downstream businesses employ approximately 8,600 people, have a GVA of £724m, turnover of £1.4bn, and an average EBITDA margin of 27%. About 7% of their turnover is related to boom lifts, indicating that boom lifts are somewhat important to downstream businesses. Selected downstream businesses generally have very good profitability and growth. Given this, the TRA concludes that this group have low vulnerability to negative economic impacts.

I4.5. Consumers

655. Boom lifts are not an end-consumer product. Boom lifts are typically sold to downstream businesses who use them in their operations.

I4.6. Summary table

656. Table 29 presents data on the economic significance of the different sectors of the supply chain for boom lifts.

Table 29: Significance metrics for the UK businesses potentially affected by a measure

	Upstream Businesses	UK Producers	Importers	Downstream Businesses
Total known businesses	337	2	At least 1,200	217
Total selected businesses for analysis	15	2	13	10
Estimated importance of the goods to this group	**Not Important** (sales to the UK producers vs turnover)	**Very Important** (Boom lifts sales vs turnover)	**Very Important** (% of import transactions from relevant commodity codes)	**Somewhat Important** (Boom lifts purchases from the UK producers & importers vs turnover)
Total employment of selected businesses	6,312	782	5,658	8,633
Total GVA of selected businesses (£m)	542	43	585	724
Total turnover of selected businesses (£m)	2,133	177	1,775	1,370
Average EBITDA margin for selected businesses (%)	12%	4%	15%	27%
Estimated relative economic significance when compared to other supply chain groups	**Middle**	**Lower**	**Middle**	**Higher**
Assessment of vulnerability to negative economic impacts	**Low – Strong profit margins and stable growth**	**Medium – Low profit margins**	**Medium – Some small businesses with poor profitability and growth**	**Low – Strong profit margins**

Methodology: The importance of boom lifts to each of the groups was estimated using the comparison metrics set out in brackets for each group. The significance metrics were derived by taking annual averages of available financial data for the selected businesses for the most recent years (typically within the last five years) from D&B. GVA was estimated by adding EBITDA and total employee remuneration for each year. EBITDA margin was estimated by dividing EBITDA by company turnover. The assessment of vulnerability to negative economic impacts was made by looking at published accounts during the same period. The figures (GVA, turnover and EBITDA) provided for UK Producers are not specific to boom lifts but reflect both businesses as a whole. For importers who submitted questionnaires, the estimated importance of boom lifts was calculated as revenue from boom lifts versus total company turnover.

I5. The likely impact of the measure on affected industries and consumers in the UK

657. In this section, we examine the overall impact of the proposed measure on the potentially affected groups identified. This is conducted by looking at how prices and quantities of goods in the boom lifts supply chain might change if: (i) a measure is imposed, and (ii) a measure is not imposed. The possible impacts for potentially affected groups are then considered and compared across the two scenarios.

I5.1. Inputs and assumptions in quantification of economic impacts

658. The TRA modelled the boom lifts market as a single market, which consists of three groups selling to downstream businesses. These are the UK producers, PRC producers, and third country producers.

659. The TRA utilised HMRC 10-digit customs declaration data, questionnaire submissions, and industry data on UK consumption to estimate the sales volumes, sales values, market shares, and average prices of boom lifts supplied by PRC producers (the goods concerned), UK producers (the like goods), and third-country producers (the like goods) in the UK market.

660. For our analysis, the level of the measure was calculated as a weighted average of the anti-dumping duties, weighted by import volume. This equates to an average duty of 40.5%.

661. Based on the TRA's knowledge of the product and the product supply chain, the TRA assumed that demand for boom lifts is relatively price inelastic and used a range of price elasticities of demand (PED) from 0 to -1 in its impacts analysis.

662. Tariff pass-through (PT) is defined as the proportion of tariff costs that would be passed onto market segments downstream of production. We have assumed a high proportion of PT (between 75% and 100%). This aligns with evidence from producers' and importers' questionnaires which suggests that changes in costs due to measures are likely to be passed on to downstream businesses.

663. The TRA assumed UK producers' average costs are equal to the sum of average variable and fixed costs that are incurred in the production and sale of the like goods. The TRA assumed the average costs for downstream businesses is equal to the average price per unit of boom lifts that they purchase. The TRA assumed the

average costs for importers is equal to the average price of imported boom lifts from PRC (goods concerned) and third countries (the like goods).

664. In the impacts analysis, the TRA assumed that UK importers maintain an average mark-up of 15%, which is the average EBITDA margin for selected importers considered in section I4.3.

I5.2. Prices and quantities in the event a measure is not imposed

665. Table 30 summarises the scenarios used to quantify the economic impacts of the proposed measure. These scenarios are designed to estimate the potential upper and lower bounds of the economic impacts of a measure on the different groups within the UK boom lifts supply chain. Actual impacts are likely to lie within the ranges presented in table 30 and will depend on a range of factors, including the extent to which producers pass on changes in costs to downstream businesses and the responsiveness of demand for boom lifts to changes in prices.

666. Under the scenario where the measure is not imposed (Scenario A), the TRA has assumed that both UK producers would exit the UK boom lifts market, with their market share being captured by PRC producers. Prices charged by PRC and third-country producers are assumed to remain unchanged.

667. The TRA considers this to be a plausible outcome, given that boom lifts imports from the PRC are, on average, priced significantly below those supplied by UK and third-country producers. In addition, the financial information provided by both UK producers indicates a moderate level of vulnerability to economic shocks. Notably, one UK producer has reported negative profit margins in recent years, while the other has incurred substantial losses on sales of the like goods.

668. Under Scenario A, the exit of the UK producers is expected to result in only a modest reduction in average boom lifts prices in the UK of up to 2%, alongside an increase in the volume of boom lifts sold of between 0% and 2%, depending on the price elasticity of demand. The relatively limited price effect reflects the structure of the UK market, where third-country producers account for the majority of UK boom lifts market share and have substantially higher average prices than both UK and PRC producers. As a result, although UK producers' market share is assumed to be captured by lower-priced PRC imports, the continued dominance of higher-priced third-country suppliers dampens the overall reduction in average market prices. These outcomes are also contingent on the assumption that competitive pressures between PRC and third-country producers are sufficient to prevent any subsequent increase in prices.

I5.3. Prices and quantities in the event a measure is imposed

669. If a measure is imposed, the TRA assumes that all producers increase their prices by the level of the measure, resulting in price increases of between 30.4% (assuming a 75% tariff pass-through rate) and 40.5% (assuming a 100% tariff pass-through rate). The TRA further assumes that market shares remain unchanged.

670. The impact of higher boom lift prices on total quantities sold in the UK will depend on the responsiveness of demand to price changes. Under a relatively high price elasticity of demand (PED of -1), the TRA estimates that the increase in prices could reduce the total quantity of boom lifts sold in the UK by between 30.4% and 40.5%. Conversely, under a scenario of perfectly inelastic demand (PED of 0), the TRA estimates that the total quantity sold would remain unchanged despite the increase in prices.

671. Overall, the estimated change in quantity ranges from 0% to 40.5%, depending on both the extent to which the costs associated with the measure are passed through to downstream businesses and the responsiveness of demand to higher prices. Evidence from questionnaires suggests that any reduction in demand is likely to be towards the lower end of this range, as boom lifts are not readily substitutable therefore limiting purchasers' ability to switch to alternative products in response to price increases. In addition, industry evidence suggests that demand is largely driven by external macroeconomic factors such as GDP growth and the scale of investment into construction projects. Furthermore, questionnaire responses indicate that price is not the only factor that influences consumer purchase decisions. Factors such as technical specifications, reliability, and expected resale value all determine purchase decisions for boom lifts.

Table 30: Scenarios used in quantification of economic impact

Scenario without the proposed measure	
Scenario A	Both UK producers exit the UK boom lifts market without the measure. UK producers' market shares are redistributed to PRC producers. There will be no changes to prices of PRC and third country producers.
Scenario with the proposed measure	
Scenario B	All boom lifts producers increase their prices by the level of the measure. UK producers continue to remain in the UK boom lifts market. Market shares remain the same.

I5.4. Likely impacts on affected industries and consumers

672. The TRA estimates the welfare impacts for each scenario by looking at the change in producer and consumer surplus. Consumer surplus is the welfare a consumer gets from buying a product. Producer surplus is the welfare a producer gets from selling a product.

673. As boom lifts are not a direct consumer product, the impacts analysis assumes that the consumers of boom lifts are downstream businesses.

674. Surplus is estimated using the following formulas:

$$\text{Producer Surplus} = (\text{Price per unit} - \text{Average cost}) * \text{Quantity sold}$$

$$\Delta\ \text{Consumer Surplus} = \left(-\frac{1}{2}\right) * \left(\text{Quantity}_{_tariff} + \text{Quantity}_{_no_tariff}\right) * (\text{Price}_{_tariff} - \text{Price}_{_no_tariff})$$

where:

$\text{Quantity}_{_tariff}$ is the quantity of boom lifts consumed in the UK with the measure;

$\text{Quantity}_{_no_tariff}$ is the quantity of boom lifts consumed in the UK without the measure;

$\text{Price}_{_tariff}$ is the average price of boom lifts sold in the UK market with the measure;

$\text{Price}_{_no_tariff}$ is the average price of boom lifts sold in the UK market without the measure.

675. Table 31 shows the welfare impacts for the different affected supply chain groups for each of the modelled scenarios. The impacts on different groups are explained in the following sections.

I5.4.1. Upstream industries

676. Whilst the TRA could not quantify the change in welfare for upstream industries (due to data availability), the impact analysis indicates that an imposition of an anti-dumping measure is likely to benefit UK producers and have analogous benefits for upstream industries.

I5.4.2. UK producers

677. The TRA estimates that UK producers would benefit from the imposition of a measure. The welfare gain associated with the measure, relative to a scenario in which no measure is applied, is estimated to range between £4.9m and £10.7m. This benefit arises primarily from an increase in the average price of boom lifts sold in the UK market, improving the profitability and viability of domestic production.

678. In contrast, the absence of a measure is likely to have a significant adverse impact on UK producers. The TRA considers that, without a measure, UK producers would be unable to compete on a level-playing field with PRC producers, increasing the likelihood of their exit from the UK boom lifts market and resulting in the loss of any economic surplus.

I5.4.3. UK importers

679. The impact of the measure on UK importers' surplus is estimated to range from a reduction of £13.8m to an increase of £16.1m per annum. The outcome will depend on both the extent to which the costs associated with the measure are passed through to downstream businesses and the responsiveness of demand to resulting price changes. Where demand is relatively price elastic (PED of -1), importers are expected to experience a reduction in surplus as higher prices lead to lower sales volumes. Conversely, where demand is inelastic (PED of 0), importers are expected to benefit from an increase in surplus, as sales volumes remain unchanged despite higher prices, resulting in increased revenues per unit sold.

I5.4.4. UK downstream businesses

680. Downstream businesses are subject to the greatest range in estimated welfare impacts, as indicated in Table 31. The impacts analysis suggests that imposing a measure could decrease the surplus that would otherwise be received by downstream businesses if a measure was not imposed, by between £120.3m to £181.5m. The exact figure will depend on how sensitive demand for boom lifts is to changes in prices, and the degree to which boom lifts producers choose to pass on changes in costs to downstream businesses.

681. The negative welfare impact on downstream businesses is due to an increase in the average price of boom lifts in the UK market, if a measure is imposed compared to if a measure is not imposed.

I5.4.5. Overall welfare impacts

682. Imposing a measure is likely to lead to an overall welfare loss of between £102.2m to £186.7m, depending on the sensitivity of demand for boom lifts to changes in prices, and the degree to which boom lifts producers choose to pass on changes in costs to downstream businesses. It is important to note that the impacts analysis does not consider the estimated welfare change to upstream industries, nor does it consider the estimated change in tariff revenue from a measure being imposed.

Table 31: Estimated welfare impact of imposing a measure (as compared to not imposing a measure) on affected UK industries and consumers

Scenario	Change in UK producers' surplus (£m)	Change in importer surplus (£m)	Change in consumer surplus (£m)	Total change in surplus (£m)
Scenario B1 - high PT high PED	£6.4	-£13.8	-127.5	-£134.9
Scenario B2 - high PT low PED	£10.7	£16.1	-158.3	-£131.5
Scenario B3 - low PT high PED	£4.9	-£10.1	-181.5	-£186.7
Scenario B4 - low PT low PED	£7.0	£11.0	-120.3	-£102.2
Max	£10.7	£16.1	-£120.3	-£102.2
Min	£4.9	-£13.8	-£181.5	-£186.7
Average	£7.2	£0.8	-£146.9	-£138.8

Notes: Total change in welfare is the sum of the change in surplus for UK producers, UK importers and UK consumers (where consumers are defined as downstream businesses and not as consumers that are private individuals). The TRA could not quantify change in welfare for UK upstream businesses. Total change in welfare does not account for change in tariff revenue because the TRA cannot directly attribute as a benefit or a cost to any affected industries and consumers. PED = Price Elasticity of Demand. PT = Tariff to Price Pass Through.

I6. Likely impact on particular geographic areas or particular groups in the UK

I6.1. Likely impact on particular areas

683. The TRA has assessed the geographical significance of affected groups using employment and working-age population data at the Travel to Work Area (TTWA) level. As noted above, UK producer activity is located across four sites: Niftylift UK's two sites in Milton Keynes and one site in Yorkshire, and Snorkel's site in Tyne and Wear. This analysis did not identify any TTWAs where estimated employment from the UK boom lifts supply chain constituted a significant proportion of the working-age population for that TTWA, indicating that there are unlikely to be significant geographical impacts from either the imposition or non-imposition of a measure.

I6.2. Likely impact on particular groups

684. The TRA considered the potential impact on particular groups, including those with protected characteristics as defined under the Equality Act 2010. The TRA has found no evidence to suggest that any particular groups would be disproportionately affected by a measure.

I7. The likely consequences for the competitive environment and for the structure of markets for goods in the UK

685. The assessment of likely consequences for the competitive environment and structure of the UK market considers four areas:

- The impact on the number or range of suppliers;
- The impact on the ability of suppliers to compete;
- The impact on incentives to compete vigorously; and
- The impact on the choices and information available to consumers.

686. Information on UK boom lift consumption is limited as industry sources capture only part of the market. The TRA has therefore used evidence from a range of sources to provide estimate for the boom lifts market.[214] Evidence suggests that UK producers accounted for approximately 11%-19% of the total domestic consumption in the POI.

[214] To estimate UK boom lifts consumption and market shares, the TRA has use data from questionnaire response and industry report: IPAF: International Powered Access Federation. (2025). IPAF rental market reports 2025. See: https://www.ipaf.org/en-gb/resource-library/ipaf-rental-market-reports.

Imports from the PRC for the like goods increased from approximately 16%-27% of the UK consumption in year 1 of the injury period to approximately 18%-30% during the POI. The rest of the market was supplied by imports predominantly from Germany, Italy and Spain.

687. Although precise market share data is limited, the UK boom lifts market appears competitive, with supply coming from UK producers and a wide range of overseas sources (76 countries).

688. If an anti-dumping measure is not imposed, UK producers are likely to exit the UK boom lifts market. Furthermore, the existence of anti-dumping and countervailing measures on MAE (including boom lifts) in major markets such as the EU and USA could lead to an increase in overseas suppliers from the PRC in the UK boom lifts market in the absence of an anti-dumping measure. Consequently, the overall impact on the number and range of suppliers remains unknown without the imposition of an anti-dumping measure.

689. The TRA has found no evidence to suggest that the imposition or non-imposition of a measure would have an impact on the ability of suppliers to compete, the incentives of suppliers to compete vigorously or on the choices and information available to consumers.

I8. Such other matters as the TRA considers relevant

690. The TRA has found no evidence of any other factors for the period of the measure.

I9. Conclusions

691. In accordance with paragraph 25 of Schedule 4 to the Act, the EIT is met if the application of the measure is in the economic interest of the UK. This test is presumed to be met unless the TRA is satisfied that the application of the measure is not in the economic interest of the UK.

692. We have determined the UK industry has been suffering injury due to the dumping of boom lifts from the PRC. The injury assessment concluded that there would be further injury were a measure not recommended.

693. In the economic significance section, the TRA found that boom lifts are very important for UK producers and importers, somewhat important for downstream businesses and not important for UK upstream businesses. The TRA also found these groups have low to medium vulnerability to negative economic shocks.

694. In the assessment of the likely economic impact, the TRA concluded that the imposition of a measure would have an overall welfare reducing effect on the UK

economy. The quantification of the likely impact indicated that a measure would have a welfare reducing effect on UK downstream businesses, which will be greater than any potential welfare enhancing effect on the UK producer and importers. The TRA was unable to quantify the change in welfare for upstream industries due to data availability.

695. The TRA did not find any evidence of geographical impacts of the imposition of a measure as employment did not constitute a significant proportion of the working-age population in any TTWAs within the boom lifts supply chain.

696. In the competition assessment, the TRA found no evidence that the imposition of a measure would significantly alter the existing competitive environment. The TRA concluded that a measure would enable UK producers to compete on a more level-playing field. In the absence of a measure, there is a risk that UK producers may exit the UK boom lifts market.

697. The TRA found no evidence of any other relevant factors to consider for the EIT.

698. Having considered the evidence submitted by the relevant parties and all the factors listed in the legislation, we do not consider the negative impacts to be disproportionate to the need to remove the injury caused to UK industry. **The TRA therefore concludes that the EIT is met for the proposed requirement of a measure.**

Section J: Intended final determination and recommendations

699. In accordance with paragraph 11(1) of Schedule 4 to the Act, the TRA has determined that:

- the relevant goods have been or are being dumped in the UK; and the dumping of the relevant goods has caused or is causing injury to a UK industry in those goods.

700. The TRA intends to make a final determination on imports of the goods concerned originating from the PRC as described in the notice of initiation that fall under the commodity codes:

8427 1010 10	8427 2090 00	8428 9090 80
8427 1010 90	8427 9000 80	8431 2000 60
8427 1090 00	8428 1020 00	8431 3100 00
8427 2019 10	8428 1080 00	8431 3900 10
8427 2019 90	8428 9090 20	8431 3900 90

701. The TRA intends to recommend that the Secretary of State impose an ad-valorem duty for a period of five years on the goods concerned subject to the final affirmative determination.

702. The TRA has concluded that the application of the anti-dumping measure(s) it intends to recommend to the Secretary of State meets the EIT.

703. In accordance with paragraph 18(6) of Schedule 4 to the Act, the TRA intends to recommend that the Secretary of State impose the lower of the two margins (the dumping margin) as the anti-dumping amount. Individual margins as well as the residual amount are shown below.

Table 32: Recommended ad valorem duty rates

PRC Exporter	Anti- Dumping Amount (%)
Zhejiang Dingli Machinery Co Ltd	21.01%
Lingong Heavy Machinery Co Ltd	48.92%
Non-sampled cooperating exporters/producers (see Annex A)	27.67%
All other PRC exporters (residual margins)	82.89%

Annex A: Interested parties and contributors

704. The table below lists the information submitted to the TRA by interested parties and contributors to date and the extent to which information submitted has been considered by the TRA in reaching its decisions on the SEF.

Interested party name	Party type	Type of information received
Niftylift Limited ("Niftylift", "the applicant")	UK producer	Application (link 1, 2, 3, 4, 5 and 6) Registration form Questionnaire response and Annex, Questionnaire Appendices
Snorkel Europe Limited ("Snorkel")	UK producer	Questionnaire response
Fronteq (Changzhou) Machinery Co Ltd	Overseas exporting producer	Registration form
Sunward Intelligent Equipment Co Ltd	Overseas exporting producer	Registration form
Dingli Group, including: • Zhejiang Dingli Machinery Co Ltd ("Zhejiang Dingli"); and • Zhejiang Dingli Machinery UK ("Zhejiang Dingli UK").	Sampled overseas exporting producer Sampled importer	Registration form Questionnaire response, Questionnaire response Registration form Questionnaire response
Guangxi LiuGong Group, including: • Jiangsu LiuGong Machinery Co Ltd; and • LiuGong Machinery Hongkong Co Ltd.	Overseas producer Associated exporter	Registration form Registration form

Terex Group, including: • Terex (Changzhou) Machinery Co Ltd ("Terex Changzhou"); and • Terex Global GmbH ("TGG").	Overseas exporting producer Associated exporter	Registration form Registration form
Zoomlion Intelligent Access Machinery Co Ltd	Overseas exporting producer	Registration form
Hered (Shandong) Intelligent Technology Co Ltd	Overseas exporting producer	Registration form
XCMG Group, including: • XCMG Fire-Fighting Safety Equipment Co Ltd, the PRC producer; and • Xuzhou Construction Machinery Group Importer & Export Co Ltd.	Overseas producer Associated exporter	Registration form Registration form
Hunan Sinoboom Intelligent Equipment Co Ltd ("Sinoboom")	Overseas exporting producer	Registration form
Haulotte Access Equipment Manufacturing (Changzhou) Co Ltd	Overseas non-exporting producer	Registration form
Shandong Chufeng Heavy Industry Machinery Co Ltd	Overseas non-exporting producer	Registration form
Jovoo Industries Inc	Overseas non-exporting producer	Registration form
Jinan Juxin Machinery Co Ltd	Overseas non-exporting producer	Registration form

Liugong Machinery (UK) Limited ("Liugong UK")	UK importer	Registration form
LGMG Group, including: • Lingong Heavy Machinery Co Ltd. ("LGMG"); • LGMG Machinery UK Limited ("LGMG UK"); • LGMG Europe BV ("LGMG EU") ;and • LGMG DE MEXICO, S.A. DE C.V. ("LGMG Mexico").	Sampled overseas exporting producer Sampled UK importer Sampled associated exporter Third country producer (Mexico)	Registration form Questionnaire response, Questionnaire response, Questionnaire response Registration form Questionnaire response Registration form Questionnaire response Registration form Questionnaire response
Oshkosh JLG Group, including: • Oshkosh JLG (Tianjin) Equipment Technology Co Ltd ("JLG Tianjin"); • JLG Industries (United Kingdom) Limited ("JLG UK"); • JLG EMEA B.V. ("JLG EMEA"); and • Oshkosh Equipment Manufacturing S. de R.L. de C.V. ("JLG Mexico").	Overseas exporting producer UK importer Associated exporter Third country producer (Mexico)	Registration form Registration form Registration form Registration form Questionnaire response
XCMG UK Sales and Services Limited ("XCMG UK")	UK importer	Registration form
Ministry of Commerce of People's Republic of China ("MOFCOM")	Foreign government	Registration form Submission containing comments on PMS

China Chamber of Commerce for Import and Export of Machinery and Electronic Products	PRC trade body	Registration form
JCB Access Ltd	Contributor	Registration form
HAULOTTE ACCESS EQUIPMENT MANUFACTURING (CHANGZHOU) CO., LTD	Overseas producer	Registration form
Haulotte UK Limited	Contributor	Registration form Questionnaire response
Jinan Morn Technology Co Ltd	Contributor	Registration form Questionnaire response
Noblelift Intelligent Equipment Co Ltd	Contributor	Registration form Questionnaire response
[Name withheld by request]	Contributor	Registration form Questionnaire response
Skyjack Mexico	Third country producer	Questionnaire response