Trade Remedies Authority

Anti-dumping and Subsidy Investigations:

Application form

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

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

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

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About us

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

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

About you

You can apply to us to open an investigation if you are a UK producer of goods or a representative of a UK producer and you have evidence of unfair trade practices relating to the dumping or subsidy of goods imported into the UK.

You must provide sufficient evidence of dumped or subsidised goods being imported in the UK and that the dumped or subsidised imports have caused or are causing injury to the UK industry (in compliance with the Act)

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

About this form

Complete this form and the relevant annexes if you want to apply for a new anti-dumping or subsidy investigation. This form will give us the information we need to decide whether to initiate an investigation into your concerns. You can find more information on how we assess applications in our guidance.

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

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

What happens next

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

Once you have done this:

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

How to complete this application form

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

Please also note the following points:

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

- Limit all sales/currency/income figures to two decimal places and use the appropriate currency symbol (e.g. £1,300.00).
- All figures should be reported net of tax unless otherwise stated.
- For definitions of the incoterms used throughout this document, please visit the International Chamber of Commerce.

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F.88.1.B	Ministry of Industry and Information Technology and other 17 departments on printing and distributing the implementation plan for the "robot +" application, ENG
F.89.A	The China patent award in not a national award, CN
F.89.B	The China patent award in not a national award, ENG
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F.91	MAE Subsidy Complaint (CONFIDENTIAL) [Please refer to Appendix A.52, Summary of Confidential Appendices]
F.92.A	The Government Tax Bureau in Guangzhou, CN
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F.93.A	Interim Measures Guidance Fund, CN
F.93.B	Interim Measures Guidance Fund, ENG
F.94.A	Notice on the issuance of the "Three-Year Action Plan for the Development of Artificial Intelligence Industry in Hunan Province (2019-2021), CN
F.94.B	Notice on the issuance of the "Three-Year Action Plan for the Development of Artificial Intelligence Industry in Hunan Province (2019-2021), ENG
F.95.A	Notice of the Ministry of Industry and Information Technology and other 17 departments on printing and distributing the implementation plan for the "robot +" application (2022), CN

F.95.B	Notice of the Ministry of Industry and Information Technology and other 17 departments on printing and distributing the implementation plan for the "robot +" application (2022), ENG
F.96.A	Decision of the State Intellectual Property Office on the award of the 23rd China Patent Award, 26.07.2022 CN
F.96.B	Decision of the State Intellectual Property Office on the award of the 23rd China Patent Award, 26.07.2022 ENG
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SECTION A: About The Goods

This section of the application form is about the imported goods you want us to investigate. These imported goods will be referred simply to as 'the goods'.

You can only ask us to investigate imported goods if you (or the industry you represent) produce 'like goods'. Like goods are defined as goods which are similar to the goods under investigation in all respects or have characteristics which closely resemble them. When we decide what are like goods, we will consider the following non-exhaustive list of criteria:

- physical likeness, such as physical characteristics
- commercial likeness, including competition and distribution channels
- functional likeness, such as end-use or if the goods can be substituted for each other
- similarities in production, such as method and inputs
- other relevant characteristics

A.1. The Imported Goods

1. Describe the imported goods you are concerned about (if possible, please attach digital versions of images, brochures, catalogues, etc which show the goods in question).

1. The imported goods concerned targeted by this Application are 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. The goods concerned may contain additional features that provide for functions beyond the primary lifting function.
2. The goods concerned may be imported as finished boom lifts or in sections, assembled or unassembled. They consist of:
   (a) booms including articulated and telescopic or straight (with or without jibs) (described below), or sub-assemblies thereof, assembled or not;
   (b) chassis or sub-assemblies thereof, assembled or not;
   (c) boom turret or turntables or sub-assemblies thereof, assembled or not;
   (d) platforms, baskets, or cages, or sub-assemblies thereof, assembled or not.

3. Boom lifts are a type of mobile access equipment ("**MAE**"). Boom lifts are also referred to as cherry pickers, and MAE is also referred to as Mobile Elevating Work Platforms (MEWP), aerial work platforms (AWP) and elevating work platforms (EWP).

4. MAE are machines used for the lifting of people, equipment and/or materials to provide temporary access to unreachable places. MAE are used in a variety of different applications. They generally consist of a platform that is lifted in the air by a hydraulic system and that is attached to a movable, grounded base.

5. MAE can be categorised according to lift type. The lift type then has the following defining features (each of which are discussed below):

   (a) vehicle type (i.e. how the boom lift is moved);

   (b) maximum working height;

   (c) power type; and

   (d) drive type.

Lift type

6. The product scope covers the following types of MAE only: (a) articulated boom lifts; and (b) telescopic or straight boom lifts.

7. An articulated boom lift (also called a knuckle lift) consists of an aerial work platform elevated by an articulated elevating assembly consisting of a separately-controlled lower riser and an upper boom structure (or the "arm") providing the ability to reach horizontally at various heights.[1] An example of an articulated boom lift is shown below:[2]

[1] Association of Equipment Manufacturers (AEM), 'Mobile Elevated Work Platform Statistics Program Product Definitions and Quick Links' (last revised 9 June 2024), p. 8, attached as Appendix A.4.
[2] LGMG, 'AR14J-H Articulated Boom Lifts – LGMG MEWPS' (2025), attached as Appendix A.5.

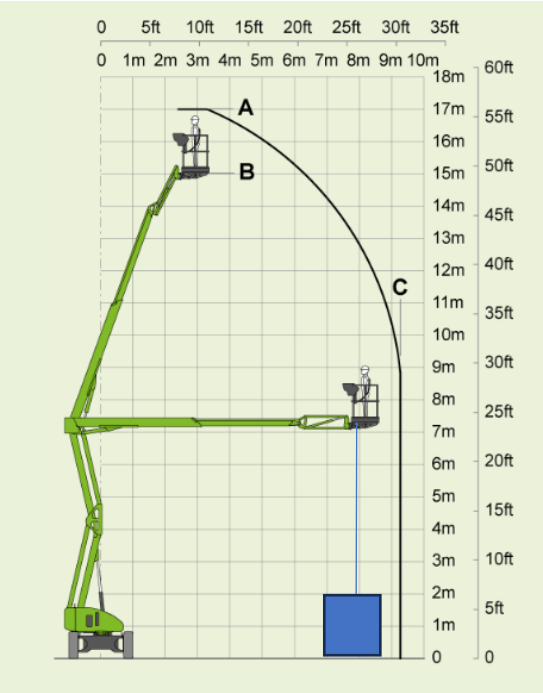
8. A telescopic or straight boom lift consists of an aerial work platform elevated primarily by a straight, telescopic boom providing the ability to reach directly to work at height (ideal for hard-to-reach places).[3] An example of a telescopic or straight boom lift is shown below:[4]

9. Articulated booms are used to reach around obstacles and for work in narrower places. Telescopic boom lifts do not have bendable arms like articulated boom lifts that can manoeuvre around obstacles.

10. Some units may incorporate a jib at the end of the boom (a projecting arm attached to the platform to extend the reach of the boom).

11. The platform of boom lifts can be extended outward, entirely beyond the footprint of the machine, as shown in the diagram below.[5] This is called "outreach" and it is the main distinguishing feature between boom lifts and other types of MAE, discussed in further detail in Section A.3. The blue square is the furthermost point which the operator can reach at ground height (below 6m).

[3] AEM MEWP Definitions, p. 2, attached as Appendix A.4.
[4] LGMG, 'T20JE (T65JE) Telescopic Boom Lifts – LGMG MEWPS' (2025), attached as Appendix A.6.
[5] Niftylift, 'HR17 4x4 Self Propelled', attached as Appendix A.7.



Vehicle type

12. The following vehicle types are covered by the product scope:[6]

    (a) *Self-propelled:* Self-propelled machines are compact, manoeuvrable and drivable while working at height, saving time on tasks.

    (b) *Towable / trailer-mounted:* Towable booms are low-weight and road-towable for easy, low-cost site-to-site transportation. Once they have been towed into position and legs extended, they have no way to move.

    (c) *Self-drive:* Low-weight, manoeuvrable and drivable when stowed for faster repositioning and set-up. Self-drives are different to trailer-mounted boom lifts as trailers do not have any form of drive, whereas self-drive boom lifts have an engine. In addition, self-drives would not be clearly covered by another vehicle type as they could not be classified as self-propelled. The misalignment comes from the understanding of what self-propelled could mean in the HS codes and how people will interpret (or use) the term "self-propelled" in the HS codes. The use of the term self-propelled in the industry describes a machine that can be moved while the cage is in the air (which would exclude self-drives). On the other hand, the use of the term "self-propelled" in commodity codes could be interpreted as a machine that has the ability to move itself (i.e. not reliant on a human or another vehicle to push/pull it into place) (which would include self-drives).

    (d) *Track-drive / spider lift:* Drivable when stowed with continuous tracks for maximum traction, even on slopes. Once positioned, four hydraulically

[6] Niftylift, 'Mobile Elevating Work Platforms Overview', attached as Appendix A.8.

operated legs extend from each corner to stabilise the equipment, allowing the boom to be safely deployed.

13. Set out below are images showing these different types of boom lifts:[7]

Self-drive:[8]

Towable / trailer-mounted:[9]

14. The product scope does not cover MAE that is vehicle mounted, vertical masts, push-around or scissor lifts. Set out below are images showing these different types of machines:

[7] City Hire, 'Everything you need to know about Powered Access Guide' (17 October 2022), p. 3, attached as Appendix A.9.
[8] Niftylift, 'Self Drive Boom Lifts', attached as Appendix A.10.
[9] Niftylift, 'Trailer Mounted Boom Lifts', attached as Appendix A.11.

Vehicle mounted:[10]

Vertical mast:[11]

Push-around:[12]

[10] City Hire - Powered Access Guide, p. 6, attached as Appendix A.9.
[11] Haulotte, 'Vertical Mast Lift, attached as Appendix A.12.
[12] Speedy Powered Access, 'PECO – Technical Specifications and Product Information', attached as Appendix A.13.

Scissor lift:[13]

Maximum working height

15. Maximum working height refers to the combined measurement of the platform's elevation and the operator's reach while standing on it in its fully extended position (i.e. not when the MAE is stowed).

16. The product scope does not cover boom lifts with a maximum working height below 6 metres.[14] The commodity codes used to import boom lifts refer to "a maximum working height of 6 meters or more" in their descriptions.[15]

[13] Advanced Access Platforms, 'Genie GS-4069 Bi Product Page', attached as Appendix A.14.
[14] i.e. boom lifts with maximum platform floor height below 4 metres. This is because working height is the absolute maximum height of the platform plus 2 metres: City Hire - Powered Access Guide, p. 1, attached as Appendix A.9.
[15] See, for example, commodity code 8427 1010 10: UK Government, 'UK Integrated Online Tariff: Commodity code 8427101010', available: here.

Power type

17. The following power types are covered by the product scope:

(a) Electric battery powered:

(i) lithium battery; or

(ii) lead-acid battery;

(b) Combustion:

(i) petrol (gas); or

(ii) diesel;

(c) Hybrid (i.e. the ability to power the machine by batteries or an onboard engine):[16]

(i) battery and petrol;

(ii) battery and diesel; or

(iii) battery and hydrogen; or

(d) Bio-Energy.

Drive type

18. The following drive types are covered by the product scope:

(a) 2-wheel drive (a drivetrain configuration where engine power is directed to two wheels only, typically either the front or the rear pair);

(b) 4x4 (power is distributed to all four wheels); or

(c) 4x4x4 (a four-wheeled vehicle with four-wheel drive and four-wheel steering).

Boom lift assemblies

19. Please refer to Appendix A.49 for a diagram of machine assemblies, using the Applicant's HR17 Hybrid 4x4 as an example. Each of these assemblies is explained below.

20. The chassis (base) assembly is the stable base with wheels or tracks that supports the other machine assemblies. It provides the foundation for the equipment and allows the machines to be moved to different locations.

21. The turret assembly is the rotating structure mounted on the chassis (base). This component enables the boom to rotate horizontally around a central axis, providing a wide range of motion and access to different work areas without having to reposition the entire vehicle.

22. The lifting mechanism assembly includes:

(a) The superstructure part that connects the booms to the chassis.

(b) A links/riser provides vertical lift to the telescope booms.

23. The telescope boom assembly is the elevating structure that consists of several booms housed inside one another, which extend in a straight line.

24. A fly boom assembly (also known as a jib) refers to a smaller boom section attached at the end of the main boom.

25. A cage assembly (also known as a platform) is the mobile enclosure in which the operator stands.

26. The following assemblies would remain the same for a self-propelled machine regardless of the drive type:

(a) cage;

(b) fly boom;

(c) telescopic boom; and

(d) lifting mechanism.

27. There is no significant difference for the chassis and turret assembly based on the drive type.

28. The only major difference would be for a stick boom type machine where there essentially is no lifting mechanism.

29. In this case, there is just a superstructure and a telescope boom along with a fly boom and cage assembly.

30. However, in some instances there may not be a fly boom. The cage interfaces with the end of the telescope section.

31. Set out below is an example of a machine with no fly boom assembly:

[16] If the machine is electric powered and equipped with an onboard engine that charges only the batteries (no ability to drive/move the machine using the onboard engine only), the machine must be considered as electric and not as hybrid.

Excluded products

32. The following goods are excluded from the product scope:[17]
    (a) scissor lifts;
    (b) vertical masts;
    (c) person lifting equipment mounted on vehicles (including trucks or railroad equipment) of Chapter 86 and Chapter 87 of the Harmonised System;
    (d) telehandlers (primarily used for the lifting of goods rather than persons);
    (e) forklifts (designed exclusively for the lifting of goods).
33. The Applicant notes that telehandlers and forklifts are not considered MAE/MEWPs.

Appendix reference: A.4, A.5, A.6, A.7, A.8, A.9, A.10, A.11, A.12, A.13, A.14

2. Explain where the imported goods you are concerned about are being exported from.

1. The imported goods concerned are being exported from the People's Republic of China ("**China**").

Appendix reference: N/A

3. Provide the tariff classification(s) for the imported goods.

1. The imported goods are commonly classified under the following commodity codes:

   8427 1010 10; 8427 1010 90; 8427 2019 10; 8427 2019 90; 8427 9000 80; 8428 1020 00; 8428 1080 00; 8428 9090 20; 8428 9090 80.

2. In addition, pre-assembled parts for boom lifts are commonly classified under the following commodity codes:

[17] We note that the EU anti-dumping (AD698) and anti-subsidy (AS704) investigations into MAE from China included scissor lifts and vertical masts within the product scope. Commission Implementing Regulation (EU) 2025/45 of 8 January 2025 imposing a definitive anti-dumping duty and definitely collecting the provisional duty imposed on imports of mobile access equipment originating in the People's Republic of China, OJ L 45, 9.1.2025, available: here; 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, OJ L 796, 25.4.2025, available: here.

8431 2000 60; 8431 3100 00; 8431 3900 10; 8431 3900 90.

3. The commodity codes used to import boom lifts are the same commodity codes that are used to import all other types of MAE (including scissor lifts and vertical masts). Please refer to Appendix A.1 (noting that this is the Applicant's general interpretation, as the codes could be interpreted and therefore used differently by different importers). It is therefore not possible to say with 100% certainty under which exact commodity code imports of boom lifts originating in China would have been recorded.

4. The Applicant understands that the commodity codes used by the main Chinese manufacturers and/or their dealers importing boom lifts into the UK are: (i) 8428 9090; (ii) 8428 1080; and (iii) 8428 1020. Please refer to Appendix A.2 (which includes data sourced from the UK Trade Info website).

5. The Applicant is aware that Chinese exporting producers have begun establishing operations in countries such as Poland, Romania and Hungary. As such, it is expected that there will be an increase in goods consigned from these countries. This has already started happening in other markets. For example, in a notice dated 30 June 2025, the US Customs and Border Protection determined there is substantial evidence that Sinoboom North America, LLC imported finished MAE comprised of numerous Chinese-origin subassemblies and subassembly components into the US as a product of Poland only, without appropriately disclosing China as the country of origin.[18]

Appendix reference: A.1, A.16

4. Give details regarding whether the imported goods are currently subject to any anti-dumping/countervailing/safeguard measures or ongoing investigations in other countries.

1. MAE (including articulated boom lifts, telescopic boom lifts, scissor lifts and vertical masts, and pre-assembled or ready-to-assemble sections thereof) originating in China is subject to anti-dumping measures[19] and countervailing duties[20] in the EU.

2. MAE (consisting of boom lifts, scissor lifts, and material telehandlers, and subassemblies thereof) originating in China is subject to anti-dumping

[18] U.S. Customs and Border Protection, EAPA Case 7907 – Sinoboom North America LLC, Notice of Determination as to Evasion, June 2025 (CBP EAPA 7907), attached as Appendix A.15; U.S. Customs and Border Protection, EAPA Case 7907 – Sinoboom North America LLC, Notice of Determination as to Evasion, 30 June 2025 (CBP EAPA 7907), attached as Appendix A.16.
[19] Commission Implementing Regulation (EU) OJ L 45, 9.1.2025, more information available: here.
[20] Commission Implementing Regulation (EU) OJ L 796, 25.4.2025, more information available: here.

measures[21] and countervailing duties[22] in the US. The Applicant notes that while this was the wording of the US Order, telehandlers are not MAE/MEWPs (they have very different uses and design requirements; the common use being that they both lift something (telehandlers lift goods, MEWPs lift people)).

Appendix reference: A.17

A.2. The Like Goods

1. Describe the like goods produced by the UK industry (if possible, attach digital versions of images, brochures, catalogues, etc).

Products produced by the Applicant

1. The Applicant is one of the world's leading manufacturers of boom lifts and a pioneer in safety and sustainability.
2. The Applicant produces articulated boom lifts and telescopic / straight boom lifts in each of the vehicle, power and drive types covered by the product scope. The Applicant launched a telescopic boom lift in 2024 – the HR22. This **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]** was first introduced to the UK market in September 2024.
3. In particular, the Applicant's self-propelled boom lifts – known as Height Riders (HR) – are award-winning and one-of-a-kind in the market. The machines are engineered to be lighter and more compact, as low-weight designs allow for easier transportation, lower floor loadings, and greater return on investment for hire firms. The HRs require significant R&D investment to be designed this way, and form part of the Applicant's premium range of products. The HR Narrows (HRNs) can be driven through narrower spaces, so are heavier to maintain balance.
4. The Applicant's boom lifts outperform competitors' boom lifts on weight and outreach, as the Applicant's boom lifts are manufactured to be lighter with a higher outreach.
5. The Applicant is the recipient of various local, national and international awards and achievements,[23] some of which are listed below. These awards demonstrate the Applicant's focus on innovation to remain competitive and continuing investment in R&D:
   (a) The IPAF International Awards for Powered Access Product of the Year awards, which are judged by the industry world leading

[21] Federal Register, 'Certain Mobile Access Equipment and Subassemblies Thereof From the People's Republic of China: Antidumping Duty Order', Vol. 87, No. 72, 14 April 2022, available: here.
[22] U.S. Department of Commerce, Certain Mobile Access Equipment and Subassemblies Thereof From the People's Republic of China: Countervailing Duty Order and Amended Final Affirmative Countervailing Duty Determination, 86 FR 70439, 10 December 2021, attached as Appendix A.17.
[23] Niftylift – Awards & Achievements, attached as Appendix A.44.

professionals. These awards recognise the Applicant's HR22SE (2025), HR15 H_2E (2024), HR17NE (2021) and HR21 4x4 (2018) as world leading products.

(b) The Queen's Awards for Enterprise for Innovation in 2019 for the HR28 4x4 Hybrid; and

(c) The Milton Keynes Business Achievement Awards in 2025 for: (i) Business of the Year; and (ii) Manufacturing and Supply Chain.

6. The lowest maximum working height of a new boom lift that the Applicant produces is 12.1m. It is still possible to purchase Nifty90s (9m) and HR10 (10m) from the Applicant through used machine sales, but not as a new machine. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. However, the Applicant's current focus is on producing machines for other markets to support the business while the UK and EU markets are impacted by dumped and subsidised imports of boom lifts from China. **[THIS PARAGRAPH HAS BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT THE OPERATIONS OF THE APPLICANT]**

7. The highest maximum working height of a boom lift that the Applicant produces is 28m. However, the Applicant is regularly asked by customers to produce boom lifts with greater maximum working heights (e.g. 36m). The main reason that Niftylift has not invested in the design costs and production of bigger boom lifts is because it would be competing in a market which is already flooded by dumped and subsidised Chinese manufactured machines. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

8. A full list of the products produced by the Applicant, including their technical specifications, is set out in Appendix A.3 and can be found on the Applicant's website.[24] The table below includes images of the types of boom lifts produced by the Applicant, categorised by vehicle type:

Vehicle type	Applicant product
Self-propelled	

[24] Niftylift, Powered Access Equipment, attached as Appendix A.18. Appendix A.3 has not been provided in a non-confidential format as it contains detailed information about the Applicant's machine models, including models that are not currently produced and those that are in development for 2026 production. As such, it is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices.

Towable / trailer-mounted	
Self-drive	
Track-drive / spider lift	

Products produced by other UK manufacturers

9. Snorkel is another UK manufacturer of MAE, including boom lifts, scissor lifts, and vertical masts. A full list of the products produced by the Snorkel can be found on the Snorkel's website.[25]

10. Web searches indicate that Snorkel manufactures MAE boom products in the UK,[26] the US and China (Jintan, Jiangsu Province).[27] **[SENSITIVE – MARKET INTELLIGENCE INFORMATION ABOUT COMPETITORS]**.

Appendix reference: A.3, A.18, A.19, A.20, A.21, A.44

A.3. Comparability between the Goods

[25] Snorkel, Equipment, attached as Appendix A.19.
[26] UK Plant Operators, 'Upgraded Snorkel A62JRT Articulated Boom Enters UK Production' (3 February 2021), attached as Appendix A.20.
[27] KHL Group, 'Snorkel Starts Production in China' (30 October 2017), attached as Appendix A.21.

1. Explain how the like goods produced by the UK industry are like the imported goods. Please cover the following aspects of the goods.

   The physical, technical, chemical and any other characteristics that describe the goods – explain any differences:

1. The imported goods concerned are identical to the goods produced by the Applicant in all areas described above (lift type, vehicle type, working height, power type and drive type).
2. For reference, set out below is a comparison between the technical specifications of:
   (a) a self-propelled boom lift produced by the Applicant in the UK; and
   (b) a self-propelled boom lift produced by Lingong Heavy Machinery Co., Ltd. ("**LGMG**") in China.

	Applicant's product	**LGMG's product**
		
Machine Name	HR17 4x4	AR14J-H
Minimum Machine Weight (MT)	5	7.4
Working Height (m)	17.2	15.9
Working Outreach (m)	9.4	7.7
Gradeability (in %)	45	45
Terrain Type	Four-wheel drive for rough terrain	Four-wheel drive
Power Options	Hybrid (Battery & Diesel Kubota 722 - 18Hp/14kW)	Hybrid (Battery & Diesel Kubota V2403 / Kubota D1105)

3. Zhejiang Dingli Machinery Co., Ltd. ("**Dingli**") is producing two machines called BA15NE and BA17NE[28] at minimal development cost compared to the Applicant's HR15NE and HR17NE. Dingli is now exporting these machines to the UK, causing further injury to the Applicant. **[THIS PARAGRAPH HAS BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT THE**

[28] Dingli Saarc, 'BA15NE Articulating Boom Lift Product Page', attached as Appendix A.22; Dingli Saarc, 'BA17NE Articulating Boom Lift Product Page', attached as Appendix A.46.

OPERATIONS OF THE APPLICANT AND LEGALLY PRIVILEGED INFORMATION].

4. The media has even undertaken a comparison between the machines to show that the performance is almost exactly the same:[29]

	Dingli	Niftylift		Dingli	Niftylift
	BA15NE	**Nifty HR15N**		**BA17NE**	**HR17N**
Working Height	15.5m	15.5m		17m	17m
Outreach	9.7m	9.7m		9.7m	9.7m
Up & Over clearance	5.5m	5.6m		7.0m	7.0m
Max platform capacity	225kg	225kg		225kg	225kg
overall width	1.5m	1.5m		1.5m	1.5m
overall height	2.07m	1.99m		2.07m	1.99m
overall stowed length*	5.06m	4.93m		5.06m	4.93m
Total Weight	7,580kg	7,250kg		7,950kg	7,780kg

**Jib tucked*

5. The Applicant is concerned that if duties are not imposed on imports of dumped and subsidised Chinese boom lifts, then Chinese producers will become even more creative in their methods to undercut the Applicant in the UK market.

6. The Applicant is the sole UK-based manufacturer of trailer-mounted boom lifts and has been the main supplier in the domestic market for over 30 years. There are a small number of other manufacturers – such as Genie, Snorkel, and Dinolift – that produce trailer-mounted boom lifts and import them into the UK.

7. There is clear evidence that Chinese producers are exporting dumped and subsidised self-propelled boom lifts to the UK. While Chinese producers are also producing and selling cheap trailer-mounted boom lifts in China, the Applicant is not aware of whether Chinese producers have already been exporting these vehicle types to the UK. The Applicant is one of the only incumbent producers adhering to strict regulations[30] for these types of boom lifts. Based on the increase in imports of dumped and subsidised self-propelled boom lifts into the UK, it is only a matter of time before Chinese producers begin to do the same for trailer-mounted boom lifts (if they are not doing so already).

[29] Vertikal.net, 'A First for APL' (22 July 2025), attached as Appendix A.23; Vertikal.net, 'Narrow Booms from Dingli' (13 March 2025), attached as Appendix A.24.

[30] All of the Applicant's models are designed and approved to the standard EN280-1:2022 Mobile Elevating Work Platform Standard. Trailer specific models also have to comply with Regulation (EU) 2018/858: Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC, OJ L 151, 14.6.2018, consolidated version as of 1 July 2024, available: here.

8. Customers/users of trailer-mounted boom lifts are typically those that need cheaper machines for lower heights that they can easily transport by towing. For example, tree surgery and small-scale property maintenance. Whereas the self-propelled boom lifts are more expensive and are used for applications where the user needs to work at height over a bigger area (e.g. moving around rather than staying in one place), and the job is big enough for the machine to justify the transport (e.g. on a flatbed truck, lorry or towing it on a trailer).

9. While traditionally the price points of trailer-mounted boom lifts and self-propelled boom lifts has meant that they have had different users/markets, cheap self-propelled boom lifts sold by the Chinese exporting producers have been directly competing with the Applicant's trailer-mounted boom lifts (which are like goods). This is because it is more beneficial for the buyer to buy a cheaper (or even slightly more expensive) Chinese boom lift with greater movability during operation than a slightly more expensive British trailer-mounted boom lift that is not self-propelled and has very limited movability while being operated. For instance, a tree surgery company would not choose to purchase a trailer if they can purchase self-propelled boom lift with more useability for cheaper or not much more cost. Appendix G.7 shows a clear price comparison between the Applicant's trailer-mounted boom lifts and Chinese self-propelled boom lifts.

10. In any event, if no existing injury is determined on trailer-mounted boom lifts, there certainly is a threat of material injury under Regulation 28 of the D&S Regulations. This is because the injury is clearly foreseen and imminent, because of a very high likelihood of Chinese exporting producers to follow the same pattern of trade with dumping practices on subsidised newly exported trailer-mounted boom lifts.

11. The Chinese exporting producers have increased their production capacity of trailer-mounted boom lifts. There is clear evidence that the main Chinese manufacturers are actively investing and developing trailers with the intent to compete in the trailer market. **[THIS PARAGRAPH HAS BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**.

12. The Applicant has not seen any Chinese trailer-mounted boom lifts sold in the UK yet, but expects to see them soon as Chinese manufacturers are expanding the scope of products they are selling in the UK. This is evidenced by their increased presence at trade shows. This significantly increases the threat of injury to the Applicant's trailers.

13. Once the Chinese trailer-mounted boom lifts enter the UK in significant quantities, it will further increase the injury already suffered by the Applicant, which will result in further price suppression.

Other types of MAE

14. For completeness, we explain why boom lifts are not substitutable with other types of MAE, including scissor lifts and vertical masts, below.[31]

15. Scissor lifts consist of an aerial work platform supported by a vertical elevating assembly. Traditionally this assembly is a scissor (or criss-cross) style or sigma-style structure providing the ability to reach overhead work. The machine can be driven and operated from the platform (if it is self-propelled). An example of a scissor lift is shown below:

16. Vertical masts consist of an aerial work platform elevated by a telescopic mast or sliding rail structure. Machines can be operated from the platform and driven while elevated (if self-propelled). Once elevated, the platform of most vertical masts can be extended to increase the working area.[32] An example of a vertical mast is shown below:

[31] AEM MEWP Definitions, attached as Appendix A.4.
[32] Andrew Johnson, Aerial Titans, 'What is a Vertical Mast Lift?' (30 July 2025), attached as Appendix A.25.

17. A "vertical lift" is a broad category of equipment, while a "vertical mast lift" is a specific type of powered access platform that uses a single, telescoping mast to raise a platform vertically. Vertical mast lifts are characterised by their compact, narrow design and self-propelled mobility, making them ideal for tight, indoor spaces. In contrast, the term "vertical lift" can refer to a wider range of machines, including vertical platform lifts for disabled access or even entire home elevator systems.

Comparison between boom lifts and other types of MAE

18. Boom lifts are not in direct competition with other types of MAE, as their use depends on the specific requirements of each project.

19. Generally speaking, boom lifts have broader possible applications than scissor lifts as their structure allows for more places to be reached.

20. Set out below are some of the key differences between boom lifts and scissor lifts:[33]

    (a) *Maximum height:* Boom lifts are used for safe highest-reach access. For example, JLG's 1500 AJP articulating boom lift has a lift height of 45.72m.[34] While scissor lifts typically reach lower heights, Chinese

[33] Alpha Platforms, 'Boom Lift vs. Scissor Lift – Pros and Cons of Two Height Access Solutions', attached as Appendix A.26;
Malcolm Briggs, Horizon Platforms, 'Boom Lift vs Scissor Lift: What are the Differences & Which do I Need?' (13 May 2025), attached as Appendix A.27;
UK MEWPS Ltd, 'Comprehensive Guide to Mobile Elevating Work Platforms (MEWPs) in the UK', attached as Appendix A.28.
[34] JLG Industries, '1500AJP Articulating Boom Lift Product Page', attached as Appendix A.29.

producers are producing scissor lifts with higher working heights. For example, Dingli's highest scissor lift height is 37m (3730HRT).[35]

(b) *Direction:* Boom lifts have enhanced manoeuvrability to work in hard-to-reach spaces due to the joints which can guide up, over and around various obstacles. The 360-degree turntable of boom lifts allows horizontal and vertical movement. Scissor lifts can only move in one direction: vertically. Scissor lifts must be placed directly adjacent or under the work area. As such, boom lifts have broader applications compared to scissor lifts due to their outreach.

(c) *Weight:* Scissor lifts are typically more compact and lightweight than boom lifts (noting that the power type affects the weight). This is true at lower maximum working heights; however, for height working the weights are similar. There are higher volumes of scissors at a lower maximum working height range compared to volumes of scissors at the higher maximum working height range.

(d) *Capacity: The* platforms/cages of scissor lifts are typically larger in size and have a larger weight capacity.

(e) *Operation:* Similar to a boom lift, scissor lifts can typically be operated from the base and from the platform/cage.

(f) *Use: Boom* lifts are used both indoors and outdoors for work at high elevations and/or complex reach, including outdoor construction, tree trimming, electrical line work and commercial cleaning. Scissor lifts are typically used for work at lower elevations and/or higher loads, including indoor maintenance, warehouse operations, electrical work and residential projects. Scissor lifts can also be used outside (mainly for installing the sides of buildings/warehouses).

(g) *Price: Boom* lifts are typically more expensive than scissor lifts.

21. The "working envelope" is the space an operator can work in. All lifts (including scissor lifts) have a working envelope, but a scissors lift's working envelope is much narrower compared to boom lifts with outreach.

22. For completeness, vertical masts typically have a wider reach compared to scissor lifts (ideal for accessing high and narrow spaces); lower capacity and stability than scissor lifts; and easier mobility and smaller footprint than scissor lifts.[36] Similar to scissor lifts, vertical masts can only move up and down. Vertical masts are mostly used for tasks within tight spaces where precision is necessary and storage is limited (e.g. changing lights, accessing ceiling panels, ceiling painting, hanging decorations).[37]

[35] Planning, Building & Construction Today, 'World's Tallest Scissor Lift Coming to UK' (20 June 2024), attached as Appendix A.30.
[36] Elavation, 'What is the Difference Between a Mast Lift and a Scissor Lift?', attached as Appendix A.31.
[37] Aerial Titans Vertical Mast Guide, attached as Appendix A.25.

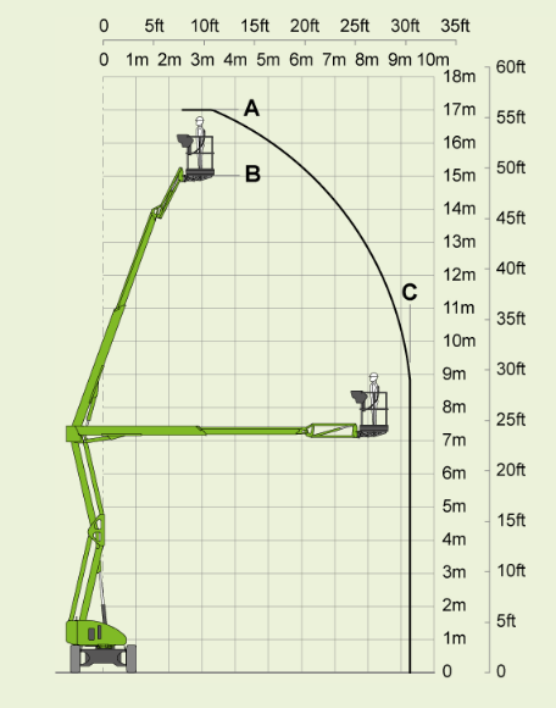
23. MAE must meet EU standard EN280-1:2022 Mobile Elevating Work Platform Standard, which is globally recognised by manufacturers. The standards for scissor lifts and vertical masts (Group A) are different to boom lifts (Group B). These are split based on the machine's ability to extend beyond its "tipping axis".

24. MEWPs (another term for MAE) are divided into two main groups:[38]

25. *"Group A: MEWPs where the vertical projection of the centre of the area of the platform in all platform configurations at the maximum chassis inclination specified by the manufacturer is always inside the tipping lines.*

26. *Group B: All other MEWPs."*

27. As mentioned above, the platform of boom lifts can be extended outward, entirely beyond the footprint of the machine, as shown in the diagram below. As such, boom lifts (whether self-propelled, towable/trailer-mounted, self-drive or track-drive) fall under Group B.



28. In contrast, the platforms of scissor lifts and vertical masts cannot be positioned completely beyond the footprint of the machine. As such, these types of MAE fall under Group A. The strict vertical movement makes these machines less capable of manoeuvring around obstacles compared to boom lifts.

29. The standard also states that:

"Relating to travelling, MEWPs are divided into three types:

[38] European Committee for Standardization (CEN), 'EN 280-1:2022 – Mobile Elevating Work Platforms – Part 1: Design Calculations, Stability Criteria, Construction, Safety, Examinations and Tests', para. 1.4, attached as Appendix A.32.

1) Type 1: Travelling is only allowed with the MEWP in its transport position;

2) Type 2: Travelling with lifted work platform is controlled from a point of control at the chassis;

3) Type 3: Travelling with lifted work platform is controlled from a point of control at the work platform.

NOTE Type 2 and type 3 can be combined."

30. These groups and types are displayed below:

MEWP Types and Groups

	Type 1 (Travels only in stowed position)	Type 2 (Chassis controls only, can drive elevated)	Type 3 (Both Chassis and platform controls, can drive elevated)
Group A (Scissor Lift Types) Platform does not extend beyond tipping axis	Type 1A 	Type 2A, 3A 	
Group B (Boom Lift Types) Platform can extend beyond tipping axis	Type 1B 	Type 2B, 3B 	
		UBIT: Under Bridge Inspection Trucks Type 2-3 B 	
VM (Vehicle mounted bucket truck)	VM 		

31. The Applicant's self-propelled boom lifts fall under type 3B, while its towable/trailer-mounted, track-drive and self-drive boom lifts fall under type 1B.

32. Articulated and telescopic boom lifts have the same MEWP groups of Type 2B and 3B (depending on whether the machine is self-propelled) (i.e. a boom lift could be Type 2B or Type 3B).

Appendix reference: A.4, A.22, A.23, A.24, A.25, A.26, A.27, A.28, A.29, A.30, A.31, A.32, A.46

2. If the goods can be subdivided into separate models – provide details about each of the models, such as their product literature and technical documentation:

1. As described above, the product scope covers the following types of MAE only:
   (a) articulated boom lifts; and (b) telescopic or straight boom lifts.
2. The boom lifts can then be subdivided based on the following defining features:
   (a) vehicle type;
   (b) maximum working height;
   (c) power type; and
   (d) drive type.

Appendix reference: N/A

3. Give the tariff classification of the goods (customs commodity code) – if there are multiple models, provide the customs commodity code for each model:

Please refer to the response to question A.1.3. above.

Appendix reference: N/A

4. Summarise the production process of the goods in the UK and in the exporting country/countries. Make sure you explain if there are different production processes within the UK and/or the exporting country/countries concerned:

1. The production of boom lifts involves multiple stages. Beyond design and engineering, the producer adds value through welding, painting, assembling, customising and testing the final machines. This process is supported by prior R&D and capital investments.

2. The production process in the UK is summarised below:
   (a) The Applicant designs all products and their parts with a department of specialist engineers. This is done with a continuous focus on innovating and improving performance for the customer and user, while reducing the cost of production. **[THIS PARAGRAPH HAS BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT THE OPERATIONS OF THE APPLICANT]**.
   (b) The producer receives parts from various suppliers. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. This includes counterweights, steel, screws, wheels, and semiconductors. Steel components may be purchased pre-welded or be welded on-site and assembled into critical structural elements. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

(c) Assembled welded parts are painted. Most mechanical components require painting before final assembly. This includes elements like the frame, boom, arm, platform, basket, and battery box.

(d) Parts and sub-assemblies are assembled on the production line. Assemblies are fitted with electrical connections, tubing, and hydraulic hose routing.

3. Please refer to:

(a) Appendix A.47 for machine descriptions, including machine structure, key electrical parts and key hydraulic parts.

(b) Appendix A.52 (Summary of Confidential Appendices). Appendix A.48 contains a list of the main parts, commodities and components used by the Applicant and the definitions for each. Appendix A.48 has not been provided in a non-confidential format as it contains sensitive information about the operations of the Applicant that is not possible to summarise.

4. While there are many differing amounts of automation production, the stages of production of boom lifts in China would be very similar to the production process set out above.

5. The Applicant's machines are designed, developed, manufactured, and tested in-house to meet global standards and type approvals.

6. The Applicant has refined its processes to ensure that safety and structural efficiency are built in. This is particularly evident in the chassis design of its machines, where precision engineering and in-house fabrication enable the creation of compact, low-weight platforms that deliver exceptional performance without compromising strength.

7. In Milton Keynes, the Applicant has an engineering team of more than 75 specialists working across more than 25 technical disciplines, overseeing each product from initial concept through to final manufacture. The Applicant fabricates all its highly specialised components at its fabrication plant in Yorkshire.

Appendix reference: N/A

5. Provide a general description of the UK market for the goods including the nature and conditions of competition within the overall market. In your answer please refer to:

- general users/consumers/customers;
- market segmentation;

- government regulation or tax;
- distribution and marketing (for example, how is the product sold and is quality or price the deciding factor);
- the nature of competition within the overall market;
- the degree of price sensitivity;
- the trends and drivers of demand, including causes of demand fluctuations and any factors contributing to overall market growth or decline;
- developments in technology affecting the characteristics, demand or the production process of the goods;
- other commercially significant goods which could be substituted for your goods and the goods being imported into the UK; and
- any other factors that influence the market.

General users/consumers/customers

1. Boom lifts are widely used across many sectors in the UK for safe and efficient work at height.

2. Boom lifts are generally sold to three types of customers:

   (a) *Rental:* Companies (e.g. Sunbelt Rentals, Nationwide Platforms, Speedy Hire, HSS) buy new machines from manufacturers such as the Applicant and hire them out as a business to various clients who need access to elevated work areas for a limited time.

   (b) *Direct:* Companies that buy new machines to support their business operations, e.g. property maintenance, industry/fabrication.

   (c) *Dealer:* Companies that buy new machines to sell on for a profit.

3. **[SENSITIVE – PARAGRAPH REMOVED. CONTAINS INFORMATION INDICATING A SPECIFIC SUBSCRIPTION SERVICE PROVIDER.]**

4. **[SENSITIVE – INFORMATION OBTAINED FROM SUBSCRIPTION SERVICE DISCUSSING TRENDS IN THE MAE RENTAL MARKET. In summary, the majority of the UK fleet is articulated rather than straight booms, and the majority of MAE is used for construction applications. Appendix A.33.1 has not been provided in a non-confidential format as it contains information obtained from a subscription service that is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices.]**

5. The various types of boom lifts are designed for different tasks and environments. As such, the type of boom lift that is selected depends on the end-use. Customers typically consider the following factors:[39]

   (a) the height and outreach needed for the specific project;

   (b) space and access limitations;

   (c) whether the boom lift can support the weight of people and equipment;

   (d) the environment and terrain where the boom lift will be used. Boom lifts can be used for industrial or rough terrain (off-road) purposes, normally with correspondingly different drives (e.g. 4x4 for rough terrain) and tires. Industrial use machines generally have non-marking tires suitable for indoor use;

   (e) power type. What power type is used may depend on: indoor or outdoor use; noise restrictions; required runtime; charging infrastructure; maintenance costs for the power type; emissions regulations; and the environmental impact. *"Environmental considerations have accelerated the transition toward electric and hybrid models, particularly in indoor applications and environmentally sensitive outdoor settings, though conventional diesel-powered units*

maintain advantages in demanding outdoor environments requiring extended operation without recharging access";[40] and

(f) budget and costs.

6. The following projects are best suited for boom lifts:[41]

(a) Cleaning and maintenance,
(b) Sign and decorations installation and removal,
(c) Commercial painting,
(d) Utilities and electric work,
(e) Cell phone antennas,
(f) Bulb replacement projects,
(g) Tree cutting/trimming,
(h) Bird protection,
(i) Demolition projects,
(j) Roof surveys,
(k) Building facade inspection,
(l) Building facade repairs,
(m) Aerial photography,
(n) Pest control,
(o) Glazing and window repairs,
(p) General construction,
(q) HVAC and duct projects,
(r) Film and television,
(s) Stadiums and arenas,
(t) Airports, and
(u) Highway & bridge inspection.

Market segmentation

7. The market for boom lifts can be segmented according to vehicle type (e.g. self-propelled, trailer, self-drive, track-drive), working height, power type and drive type.

8. From a manufacturer's perspective, the specific end-use of the product and the environment/terrain conditions the product will be used for determining the

[39] National Platforms, 'Selecting the Right Boom Lift', attached as Appendix A.34.
[40] DataHorizzon Research, 'Global Boom and Scissor Lift Market', attached as Appendix A.35.
[41] Alpha Platforms Boom vs Scissor, attached as Appendix A.26.

required specifications. For example, indoor use in shopping centres for building maintenance and shop retrofits typically requires machines with a lower working height, narrow working space, electric-powered unit and 2-wheel drive. Remote construction sites with no electricity typically requires 4x4x4 diesel (or hybrid) machines. Tree surgery applications often favour trailer-mounted boom lifts for ease of transport.

9. Market demand also varies geographically. Local adoption and/or preferences for lower emission options differs across regions. Additionally, local brand loyalty influences product strategy. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION BASED ON CUSTOMER PREFERENCES OF APPLICANT]**

Government regulation or tax

10. As mentioned in Section A.3. above, EN280-1:2022 Mobile Elevating Work Platform Standard (published in the UK as BS EN280-1:2022)[42] is the European/British Standard specifying safety requirements and measures for all types and sizes of MEWPs (including boom lifts).[43]

11. When a new boom lift is manufactured and first placed on the market, it must comply with the relevant safety standards in force at that time.

12. If a machine was introduced to market prior to the release of a new safety standard, it can still be manufactured and sold as a new machine under the safety standard of when it was introduced to the market.

13. Some major UK construction firms impose their own maximum age or safety feature requirements for hired plant. For example, Balfour Beatty requires an average fleet age of three years,[44] while Skanska Group's policy mandates the use of the newest safety products/features available.[45] Such policies can be updated at any time to require machines that comply with the latest standards.

[42] BSI Knowledge, BS EN 280-1:2022 – Mobile Elevating Work Platforms – Design Calculations, Stability Criteria, Construction, Safety, Examinations and Tests (28 February 2022), attached as Appendix A.36.
[43] Separately, BS 8460:2017 is a code of practice that provides guidance to organisations on the safe management and use of MEWPs: BSI Knowledge, 'Code of Practice for the Safe Use of MEWPs', (31 October 2017), attached as Appendix A.37.
[44] Balfour Beatty, 'Plant Hire Requirements v1.0 241018', para. 14, attached as Appendix A.38.
[45] The following case study refers to the new SiOPs feature the Applicant introduced to the market as an example of safety first: Skanska UK, 'Mobile Elevated Working Platforms (MEWP) Case Study' (last updated 23 January 2017), attached as Appendix A.39.
The following policy refers to features such as SiOPs and ClipOn (discussed below). Other manufactures have also created similar safety features: Skanska UK, 'MEWP Policy' (30 October 2023), attached as Appendix A.40.

14. Aside from standards, UK legislation ensures that boom lifts are safely designed and constructed before they reach a workplace,[46] and that once on-site they are used safely and maintained in good condition.[47]

Distribution and marketing

15. As mentioned in paragraph 2 above, boom lifts are generally sold to three types of customers: rental companies; direct to end-users; and dealers (who sell to rental companies or directly to end-users). Some smaller rental businesses in the UK join hire associations which allow them to access volume-based discounts typically reserved for larger buyers.

16. Manufacturers may serve these customers directly through their own sales subsidiaries, or indirectly through independent resellers.

17. Aside from the UK, the Applicant has subsidiary companies in Germany and the Netherlands for selling and serving the European market, and a subsidiary company in the US for selling and serving the US market. The Applicant has also established a subsidiary in Dubai this year for selling and serving the Middle East market. All other markets are served by the UK business.

18. Market reports indicate that the rental business model dominates the global boom lift and scissor lift market, with approximately 70% of lifts owned by equipment rental companies rather than end-users.[48] This creates *"a unique market structure where rental fleet replacement cycles significantly impact manufacturing demand".*[49]

19. The above market split largely aligns with the UK market for boom lifts, as the Applicant's split of new machine sales (i.e. not including second hand/used machines) based on the number of machines sold to customers is approximately 81% to rental fleets; 12% to dealers; and 7% direct to end-users. On the other hand, used machines will likely be sold mostly to end-users.

20. The Applicant has an established dealer network operating in more than 60 countries.

21. End-users are mostly large construction companies.

[46] For example: the Supply of Machinery (Safety) Regulations 2008; Electromagnetic Compatibility Regulations 2016.
[47] This includes: The Health and Safety at Work etc Act 1974; Lifting Operations and Lifting Equipment Regulations 1998 (the Applicant must follow checks in accordance with these regulations prior to shipping); Management of Health and Safety at Work Regulations 1999; Work at Height Regulations 2005; Construction (Design and Management) Regulations 2015; Provision and Use of Work Equipment Regulations 1998.
[48] DataHorizzon Boom & Scissor Market, p. 4, attached as Appendix A.35.
[49] DataHorizzon Boom & Scissor Market, p. 2, attached as Appendix A.35.

22. The everyday upkeep and maintenance of the machines is dependent on the type of customer that purchased the machine.

23. In addition to its market-leading range of new machines, the Applicant offers a wide selection of high-quality used and ex-demonstration (ex-demo) boom lifts for sale.

24. Other than the manufacture and sale of new machines, the Applicant operates the following secondary business functions:

    (a) buying and refurbishing second hand machines for sale. These machines are the Applicant's machines only – the Applicant does not buy, refurb and resell used machines from other manufacturers;

    (b) manufacturing and selling spare parts (outside of the machine's warranty) directly to customers (i.e. not through any third party). **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

25. The focus on secondary business functions has increased in recent years to increase the overall profitability of the business, in view of the injury that the Applicant has been suffering due to dumped and subsidised imports of Chinese boom lifts.

26. The Applicant uses parts in stock for the following purposes:

    (a) in the manufacturing process to become part of whole machines;

    (b) to be sold to customers as spare parts (part of the Applicant's secondary business functions, a separate revenue stream for the Applicant); and

    (c) for design and development purposes.

Nature of competition within the overall market

27. The only domestic producer that the Applicant competes with in the UK market is Snorkel (however, as noted in Section A.2. above, it is unclear whether Snorkel is producing boom lifts in the UK).

28. Aside from China, currently there are known boom lift factories in: the US, Canada, France, Italy, Japan, Mexico, Romania, Hungary, Turkey, India and soon to be Poland. The majority of imports of boom lifts into the UK were originally from the US, Canada, France and Italy. The Applicant is not aware of how many machines arrive from the other countries now that newer factories (in countries such as Hungary and Romania) have recently been set up. The Applicant understands that there are currently no imports of boom lifts in the UK from India. However, the Applicant has recently been made aware that

JCB's boom lifts are being sold in the UK (but are unaware of the origin of these boom lifts).[50]

Degree of price sensitivity

29. Customers have become more price sensitive in the past several years. While a Chinese manufacturer previously offered products within a similar price range, Chinese manufacturers have since been producing and selling significantly lower-priced alternatives. As a result, customers are switching to these significantly lower-priced machines and informing the Applicant that its pricing for boom lifts is too high. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**

30. The main selling factors that affect the price of the product are:

(a) Maximum working height – generally, the greater the maximum working height of a machine, the higher its price.

(b) Greatest outreach – similarly, machines with greater outreach tend to be more expensive; and

(c) The lowest weight for the greatest height and outreach – machines that achieve the greatest height and outreach with the lowest possible weight are typically more expensive.

Trends and drivers of demand

31. In the UK, demand for boom lifts can generally be influenced by factors such as the scale of investment into construction projects. For example, the High Speed 2 (HS2) high-speed rail project has increased demand for boom lifts.

32. **[SENSITIVE – INFORMATION OBTAINED FROM A SUBSCRIPTION SERVICE. In summary, other factors affecting demand include increasing equipment prices, delayed increases in rental prices, backlogs of orders due to COVID-19 and cautious investments due to increased inflation and interest rates. Appendix A.33.1 has not been provided in a non-confidential format as it contains information obtained from a subscription service that is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices.]**

33. **[SENSITIVE – INFORMATION OBTAINED FROM A SUBSCRIPTION SERVICE. In summary, areas for growth include demand from data centres. Appendix A.33.1 has not been provided in a non-confidential format as it contains information obtained from a subscription service that is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices.]**

[50] Vertikal.net, 'First 10 JCB Booms for ABBA' (13 December 2024), attached as Appendix A.41; Vertikal.net, 'JCB booms McKinty' (28 February 2025), attached as Appendix A.42.

Developments in technology

34. In recent years, technological improvements including hybrid/electric models, compact designs and greater outreach, have made boom lifts suitable for an even broader array of jobs.

35. **[SENSITIVE – INFORMATION OBTAINED FROM SUBSCRIPTION SERVICE. In summary, despite the increased uptake in greener alternatives, there is still demand for diesel equipment due to the differences in costs, charging, terrain and outreach of the equipment. Appendix A.33.1 has not been provided in a non-confidential format as it contains information obtained from a subscription service that is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices.]**

36. The Applicant's substantial investment in R&D has led to multiple industry-first innovations and patented technologies, spanning performance, environmental impact, and safety. Many key developments include[51]

(a) *Hydrogen-Electric Range*: The world's first and only MAE to integrate hydrogen fuel cell technology. These machines deliver powerful, zero-emission performance without relying on mains charging—often unavailable during early construction phases. A single G20 hydrogen bottle fully charges the onboard batteries, doubling the machine's range with no CO_2, particulate, or noise emissions.

(b) *Gen2 Hybrid Power System*: The first true patented parallel plug-in hybrid system for MAE. It combines a fuel-efficient Stage V diesel engine with an advanced electric drive powered by maintenance-free AGM batteries. This enables clean, quiet operation in low-emission zones while maintaining full performance and range for outdoor tasks.

(c) *SiOPS® (Sustained Involuntary Operation Prevention System)*: In 2009, the Applicant pioneered the integration of anti-entrapment technology in MAE. This system halts all machine movement if the operator is pushed onto the controls, addressing a key factor in serious trapping incidents.

(d) *ClipOn Lanyard Reminder*: A visual and audible reminder system integrated into the machine's harness points. ClipOn alerts operators if they attempt to operate the machine without connecting their harness.

37. The Applicant's list of patents is much greater than the above and demonstrates the breadth and extent of the Applicant's focus on R&D to develop industry leading products (Appendix A.45 has not been provided in a non-confidential format as it contains a list of the Applicant's patents and is

[51] Manufacturing Today, 'Safety and Sustainability are at the Heart of Niftylift's Innovative Work Platform Solutions'(3 August 2025), attached as Appendix A.43.

therefore not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices).

38. Over the past decade, the Applicant has invested millions in robotics, powder coating systems, and AI-enabled processes to enhance quality and productivity.

Appendix reference: A.26, A.33.1, A.34, A.35, A.36, A.37, A.38, A.39, A.40, A.41, A.42, A.43

6. We give goods in our investigations Product Control Numbers (PCNs) which are identifiers unique to our work and are created on the basis of the main characteristics differentiating the goods from other goods. We use PCNs to allow comparison between products made by domestic and foreign producers. The accuracy of the TRA's PCN structure is directly proportionate to information supplied by the applicant. If the goods concerned covers a range of goods with different characteristics that would affect comparability:

- Please describe the key physical characteristics that have a consequential and material effect on prices, with the list of characteristics going from most to least consequential
- Please provide evidence to substantiate that these physical characteristics have a consequential and material effect on prices. This evidence could be in reference to specific unit costs, if those costs effect price comparability
- Use this information to delineate between models of not only the goods produced by the UK industry, but by the exporting producers, giving the information requested in the subsequent sections in refence to each model rather the goods category as a whole. The annex will indicate where information is being asked for on an individual model basis.
- If you already have a view on a PCN structure, please propose that here.

1. The Applicant proposes the following PCN structure for boom lifts:

Characteristic 1: Lift Type:
1) Articulated Boom Lift
2) Telescopic / Straight Boom Lift

Characteristic 2: Vehicle Type:
A) Self-propelled
B) Towable / trailer-mounted
C) Self-drive

D) Track drive / Spider Lift

Characteristic 3: Maximum working height:
I) <15m
II) 15m - 25m
III) >25m

Characteristic 4: Battery Type:
a) Electric battery powered
b) Combustion engine
c) Hybrid
d) Bio-energy

Characteristic 5: Drive Type:
i) 2-wheel drive
ii) 4x4 (all-wheel drive - AWD)
iii) 4x4x4 (a four-wheeled vehicle with four-wheel drive and four-wheel steering)

2. The key characteristics of boom lift assemblies are as follows:

Assembly	Characteristics
Cage assembly	Cage size (by width)
	Cage rotation
	Safety features
	Durability features
Fly boom assembly	Maximum length
	Number of linkage connections
Telescopic boom assembly	Maximum extended length
	Number of booms
	Type of telescopic extension mechanism
Lifting mechanism assembly	Maximum extended length
	Type of linkage riser system
Turret assembly	The maximum working height of the machine the turret is designed for
	Vehicle type
	Drive type
	Power type
	Machine width (e.g. standard or narrow)
Chassis assembly	The maximum working height of the machine the chassis is designed for
	Vehicle type

	Drive type
	Gearbox type
	Power type
	Machine width type (e.g. standard or narrow)
	Appendix reference: N/A

SECTION B: About the Application

Individuals or groupings of companies, individuals and trade bodies can all be applicants. Generally, an industry that is concerned about a set of imported goods should make only one application to us for an investigation. When we assess your application, we will consider information about all the companies which make up the group that is applying. When you are answering questions about the goods you produce, please include information about the goods produced by all the companies and individuals who are submitting this application.

B.1. Applicant Information

Name of Applicant

Niftylift Limited

Address

Niftylift Limited, Chalkdell Drive, Shenley Wood, Milton Keynes, MK5 6GF

Email

[SENSITIVE – CONTAINS PERSONAL INFORMATION]

Telephone

[SENSITIVE – CONTAINS PERSONAL INFORMATION]

Contact Name

[SENSITIVE – CONTAINS PERSONAL INFORMATION]

Company Ownership (provide broad details of shareholding)

1. Niftylift Limited is a private company. FRB Developments Limited and Frank Roger Bowden are shareholders **[SENSITIVE – COMMERCIAL INFORMATION. EXACT OWNERSHIP PERCENTAGES HAVE BEEN REMOVED]**. Please refer to the structure chart in Appendix B.1 for further details.

2. Niftylift is headquartered in Milton Keynes and has three UK manufacturing sites: (a) Shenley, Milton Keynes; (b) Stonebridge, Milton Keynes; and (c) Hoyland, Yorkshire.

3. Niftylift has subsidiary companies in:

(a) the Netherlands – Niftylift BV – and an office with yard space for machine storage and testing in Sittard, Netherlands. Niftylift also has an office in Markranstädt, Germany.

(b) the US – Niftylift Inc – and an office with yard space for machine storage and testing in Greer, America; and

(c) Dubai – Niftylift Middle East Trading LLC – established in 2025.

Name of Lawyer/Representative

[SENSITIVE – CONTAINS PERSONAL INFORMATION]
Fieldfisher LLP
Riverbank House
2 Swan Lane
London EC4R 3TT

B.2. Period of Investigation

For the subsequent sections, please use the same 12-month period for every question and indicate below which 12-month period you are using. This period should not end more than six months before the date this application is submitted. This period will be referred to as 'the period of investigation (POI)' for the rest of the application. The 36-month period preceding the POI, will be referred to as the injury period. Please indicate the 12-month POI in the box below.

1. The period of investigation is 1 April 2024 to 31 March 2025 (Q2 2024 to Q1 2025).

2. The injury period is 1 April 2021 to 31 March 2025 (Q2 2021 to Q1 2025).

Please give the volume and value of like goods you produced in the UK for the POI.

1. The Applicant produced the following volume and value of like goods during the POI:
   (a) Volume: **[2,800-4,700]** units.
   (b) Value: **[122,220,000-195,034,000]** GBP.
2. The above figures reflect all production of new machines (i.e. not including second hand/used machines) in the UK, some of which may have been produced for export.

3. The Applicant produced the following volume and value of like goods during the POI for the UK market only:

   (a) Volume: **[616-1006]** units.

   (b) Value: **[22,606,000-41,011,000]** GBP.

4. Please refer to Appendix G.1 for the Applicant's injury questionnaire, which is the source of the information provided above.

SECTION C: About Other Interested Parties

C.1. UK Producers

Your application must be supported by other UK producers who represent at least 25% of total UK production. This is based on production physically located in the UK. The level of support for the application must be greater than the level of opposition among UK producers.

If there are other UK producers, you will need to contact them and ask them whether they support or oppose this application. Please attach their written responses to your application OR their details should be provided below. Use a separate table for each producer.

We understand that other producers may be concerned about providing confidential information for this form. If necessary, you can ask an independent third party to confidentially combine information from the individual companies. Alternatively, the other producers can send the information separately to the TRA for us to combine.

UK producer	
Legal name of company:	Snorkel Europe Limited ("**Snorkel**")
Name (point of contact):	**[SENSITIVE – CONTAINS PERSONAL INFORMATION]**
Role:	**[SENSITIVE – CONTAINS PERSONAL INFORMATION]**
Address:	Vigo Centre, Birtley Road, Washington, Tyne & Wear, NE38 9DA
Telephone No:	**[SENSITIVE – CONTAINS PERSONAL INFORMATION]**
Email:	**[SENSITIVE – CONTAINS PERSONAL INFORMATION]**
Company website:	https://www.snorkellifts.co.uk/
Goods produced Please list all the UK-made goods this producer makes which are sold on the UK market and are like the imports this application is about	
Snorkel manufactures and sells MAE in the UK, including scissor lifts, and vertical masts. A full list of the products produced by the Snorkel can be found on the Snorkel's website.[52]	

[52] Snorkel, Equipment, attached as Appendix A.19.

While Snorkel sells boom lifts in the UK, as mentioned above, it is unclear whether Snorkel is producing boom lifts in the UK **[SENSITIVE – MARKET INTELLIGENCE INFORMATION ABOUT COMPETITOR]**.	
Position regarding application (delete as applicable)	The Applicant understands that Snorkel was supportive of an MAE Application but discussions have not progressed. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION REGARDING COMMERCIAL DISCUSSIONS]**

C.2. Other Parties

1. Provide details of all known producers/exporters in the exporting country or producer/exporter associations in the exporting country, including:

Name:	
Address:	
Email:	
Telephone Number:	

Please refer to Appendix C.2 (page 1) for a list of known Chinese producers. The Applicant is aware that at least the following producers are exporting boom lifts from China to the UK: Dingli; LGMG; XCMG; Zoomlion; Sinoboom; and LiuGong.

2. Provide the details of all known importers of the goods in the UK or any associations of importers in the UK, including:

Name:	
Address:	
Email:	
Telephone Number:	
Contact person (if available)	
Nature of their business (retailer/agent etc)	

Please refer to Appendix C.2 (pages 2-75) for a list of known importers/dealers of Chinese manufactured goods in the UK. This data has been sourced from the UK Trade Info[53] website, filtered by trading year 2024 and the commodity codes listed in the response to question 3 of Section A.1.

3. Provide the details of all known suppliers, users and consumers of the goods in the UK, or associations of suppliers, users or consumers including:

Name:	
Address:	
Email:	
Telephone Number:	
Contact Person (if available)	

Appendix C.2 (page 76) contains a list of the Applicant's UK customers. This page has been redacted as it contains sensitive information relating to the business operations of the Applicant. Please refer to page 2 for a list of dealers in the UK.

[53] HM Revenue & Customs, 'UK Trade Info: Traders Search', available: here.

Appendix C.2 includes additional research the Applicant has undertaken in relation to MAE manufacturers in other markets. This information has been provided for information purposes only and is not exhaustive.

SECTION D: Representativeness

D.1. Summary of UK Producer support or opposition for this application

We need to know about the total volume of UK production for UK markets by the producers who support your application. **Please complete Annex 1**, which will guide you through the calculation of whether representativeness requirement is met in terms of volume and value. If any figures are estimates, please explain how you worked out this information.

1. As mentioned above, it is unclear whether Snorkel is producing boom lifts in the UK **[SENSITIVE – MARKET INTELLIGENCE INFORMATION ABOUT COMPETITOR]**.

2. The Applicant has calculated the scale of Snorkel's manufacturing operations based on the number of production employees (sourced from Snorkel's 2023 financial accounts, the latest available on the UK Companies House).[54]

3. If Snorkel produces boom lifts in the UK, its production employees will include those producing boom lifts and other types of MAE (including scissor lifts). So, the value and volume of Snorkel's production would be a maximum, and the likely scale of production of boom lifts would be lower.

4. In any case, looking at the size of personnel, the Applicant should conservatively have at least 80% of total UK production. As such, the "standing requirement" in Regulation 52(2) of The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 ("**D&S Regulations**") is met.

5. Please refer to Annex 1 in Appendix D.1.

D.2. Market Share

1. The applicant UK industry/industries should have at least a 1% share of the UK market for the goods, irrespective of where the goods were produced. Please demonstrate this by **completing Annex 2**. If you have other specific market share information, please also provide that.

1. To calculate consumption, the Applicant has:

   (a) Identified that the customers of new machines are split between firms that rent the machines to the end customer (fleets) and dealers and

[54] Snorkel, 'Snorkel Europe Limited Annual Report and Accounts 2023'.

individual customers. Based on the number of new machines sold, the Applicant's customer split is approximately **[66-90]**% rental fleets and **[10-34]**% dealers and individual customers.

(b) Analysed boom lift fleet size for each year from 2009 to 2024 and the average retention period for each corresponding year based on:

(i) industry reports (conservative methodology); and

(ii) the Applicant's market intelligence (liberal methodology).[55]

2. To obtain the actual demand data, the Applicant divided the boom lift fleet size per the retention period.

3. The annual boom lift demand figures for the UK (2009–2024) under both scenarios are as follows:

(a) Conservative methodology using industry-reported retention periods (averaging **[7-11]** per year): average **~[1,800-2,500]** units/year, and **[1,800-2,600]** units/2024.

(b) Liberal methodology using standardised **[4-6]**-year retention (rental firm practice): average **~[3,200-4,400]** units/year, and **[3,500-4,800]** units/2024.

4. This means the **[4-6]**-year replacement cycle increases estimated demand by **~[63-87]%,** which is significant.

5. Based on the Applicant's customer split, the Applicant assumed that the demand figures above represent **[66-90]**% of the sales of total new machines, and the 100% of the demand is as follows:

(a) **[2,300-3,200]** boom lifts per year (based on the conversative methodology); and

(b) **[4,400-6,000]** boom lifts per year (based on the liberal methodology).

6. Based on the figures above, the Applicant's market share of total consumption is (based on the amount of machines sold in the UK):

(a) **[28-38]**% (applying the conservative methodology); and

(b) **[15-20]**% (applying the liberal methodology).

7. Please refer to Appendix E.1 for detailed calculations.

[55] The Applicant understands that, subject to prevailing economic conditions and the availability of investment capital, most rental companies are likely to replace their boom lifts after approximately [4-6] years. This assumption is based on the following considerations:
(a) The equipment is typically under finance for the initial two years of ownership.
(b) The subsequent three years generally represent the period during which the rental company derives the greatest return on investment.
(c) After five years of intensive use, the machines tend to incur increasing costs related to repairs, maintenance, and general wear and tear, making continued operation less economically viable.

8.	As such, the Applicant satisfies the "market share requirement" in Regulation 51 of D&S Regulations.

2. Please note that the requirement can be waived in certain circumstances, for example if your application is about imports preventing a UK industry from being established for a 1% market share. If you think the requirement should be waived, explain why.

Not applicable.

D.3. Related Persons

If you know that the Applicant or any other known UK producer of the goods is related (as defined under Regulation 128 of the Customs (Import Duty) (EU Exit) Regulations 2018 (a)) to an exporter or an importer of the goods, describe the company and the relationship.

1.	**[SENSITIVE – MARKET INTELLIGENCE INFORMATION ABOUT COMPETITOR]**.

SECTION E: About the allegedly dumped imports you want us to investigate

Complete this section if you are making an application for a dumping investigation.

Please give us all the information you can about the imported goods you believe are being dumped and the injury being caused to UK industry.

E.1. Sufficiency Test

Please note that we may reject your application if there is not sufficient evidence of dumping or injury. Evidence of dumping is insufficient if the margin of dumping is less than 2% of the export price (minimal).

1. List all countries (or territories) where the imported goods are produced (country of origin) and the countries (or territories) from which they are exported to the UK, if this is different.

1. Aside from China, currently there are known boom lift factories in: the US, Canada, France, Italy, Japan, Mexico, Romania, Hungary, Turkey, India and soon to be Poland. As noted in Section A.1.3. above, there already appears to be circumvention by Chinese exporters assembling machines in countries such as Poland.

2. The majority of imports of boom lifts into the UK were originally from the US, Canada, France and Italy. However, The Applicant is not aware of how many machines arrive from the other countries now that newer factories (in countries such as Hungary and Romania) have recently been set up.

3. The Applicant understands that there are currently no imports of boom lifts in the UK from India. However, the Applicant has recently been made aware that JCB's boom lifts are being sold in the UK (but are unaware of the origin of these boom lifts).[56]

2. **Complete Annex 2**, giving the volume and value of the imported goods for the POI, to demonstrate percentage of total imports.

3. Provide details and evidence of how the volume and value of dumped imports have been calculated.

[56] Vertikal JCB ABBA, attached as Appendix A.41; Vertikal JCB McKinty, attached as Appendix A.42.

1. The UK Trade Info website is managed by HM Revenue and Customs ("**HMRC**"). UK Trade Info publishes detailed UK trade statistics data collected by HMRC.[57]

2. There are two ways to extract import data on the UK Trade Info website:

   (a) The website allows you to build your own customs table, which is an advanced tool to analyse data at a more granular level.[58] However, these self-service data tables do not include any country-of-origin data – all the data contained within that database is based on country of dispatch only.

   (b) The website also provides bulk datasets for goods imported to the UK from 2016 onwards.[59]

3. The Applicant has retrieved data for imports of all MAE into the UK for 2021-April 2025 from HMRC's website (see Appendix E.2). This has been done for the commodity codes listed in Section A.1.3 at the 8-digit level, excluding however commodity code 8427 9000. As the Applicant considers this to be a code which covers the goods concerned, the Applicant requests the TRA to factor this code into its analysis. These codes do not distinguish between the type of MAE imported (and so are not solely limited to boom lifts). As such, it does not fully show the magnitude of increasing dumped imports from China.

4. Table 1 below shows an increase of the volume of imports between 2021 and 2025 (until April) and an even sharper increase between 2024 and April 2025. At the same time, the value has decreased between 2021 and 2025 (until April). China accounts for 22.23% of volume but only 11.74% of value in 2025 (until April), which confirms lower unit prices compared to competitors. In addition, the gap between volume and value shares is persistent across years, which indicates a systematic pricing strategy, not a one-off event.

Table 1: Volume and Value of Chinese imports based on all commodity codes

Volume

Market Share	2021	2022	2023	2024	2025 (until April)
China	20.89	20.43	18.73	19.05	22.23
Other	79.11	79.57	81.27	80.95	77.77

Value

Market Share	2021	2022	2023	2024	2025 (until April)

[57] UK Trade Info, 'Trade Data' (HM Revenue & Customs), available: here.
[58] UK Trade Info, 'OTS Custom Table' (HM Revenue & Customs), available: here.
[59] UK Trade Info, 'Bulk Datasets: Archive' (HM Revenue & Customs), available: here.

China	12.12	12.58	9.13	9.87	11.74
Other	87.88	87.42	90.87	90.13	88.26

5. The Applicant notes that the commodity code 84271010 is the only commodity code within the product scope that includes a 4% customs duty and is therefore generally avoided by all importers. The Applicant has therefore checked the market share of Chinese imports excluding the commodity code 84271010. Table 2 below confirms the same pattern as showed in Table 1, namely that the market share of Chinese imports has increased and that the significant gap between volume and value shares is persistent across years.

Table 2: Volume and Value of Chinese imports excluding commodity code 84271010

Volume

Market Share	**2021**	**2022**	**2023**	**2024**	**2025 (until April)**
China	23.19	21.18	21.26	22.07	26.29
Other	76.81	78.82	78.74	77.93	73.71

Value

Market Share	**2021**	**2022**	**2023**	**2024**	**2025 (until April)**
China	13.83	13.20	10.61	11.74	14.23
Other	86.17	86.80	89.39	88.26	85.77

6. In addition, the Applicant's lawyers submitted a request to HMRC under the Freedom of Information Act 2000 for import data at the 10-digit level. HMRC's response redacted values and volumes because the information relates to a "person" who could potentially be identified from it (in this case importers). The Applicant's lawyers submitted a follow-up request to HMRC with proposed solutions. This included aggregating data where country of origin and country of dispatch are the same, and only providing data where the country of origin has multiple producers of the goods concerned, namely: China, US, France, India, Mexico, Turkey and Italy. In HMRC's response the majority of values and volumes remained redacted, and the same reason was given (the information relates to importers who could potentially be identified).

7. In view of the above, to calculate the level of Chinese imports, as a first step, the Applicant identified the proportion of Chinese imports of all MAE based on average volume of imports in 2024 of commodity codes referred to in paragraph 3 above and commodity codes with the exclusion of the commodity code 84271010, namely 20.56%. The Applicant has done this for 2024 and

not 2025 as 2025 IPAF data for the boom fleet size has not been published yet (and 2024 data is already forecasted).

8. As a second step, the Applicant subtracted its machines sold in the UK in 2024, namely **[715-1,135]** units, from the total consumption, identifying the total level of imports as **[1,715-2,415]** units (conservative) and **[3,815-5,215]** units (liberal) (Appendix E.1).

9. As a third step, the Applicant applied 20.56% to the total imports of boom lifts. The level of Chinese imports is **[330-460]** units per year based on the conservative methodology and **[760-1,040]** units per year based on the liberal methodology.

10. As a fourth step, the Applicant calculated the total value of imports in 2024 as: (a) conservatively **[15,617,000-21,130,000]** GBP; and (b) liberally **[35,601,000-48,167,000]** GBP.

11. This calculation has been based on information reasonably available to the Applicant.

12. The Applicant could not use the supplementary units from HMRC data for consumption calculations, as that information is not available for every entry (even when the net mass has been provided). As such, the calculations would have been unreliable. As explained above, the Applicant instead applied the proportion of Chinese imports per net mass (which is per/kg in HMRC data) to consumption figures in units.

13. Given the lack of publicly available information and the assumptions made, the Applicant has not calculated the individual volume and value of the imported goods for the POI from third countries (other than China) on a country-by-country basis in Annex 2 of Appendix D.1.

E.2. Normal value

Normal value refers to the domestic price that the imported goods are normally sold for on the domestic market in their country of export. This value should then be adjusted for costs arising after the ex-works (EXW) level (and any other factors that need to be considered) to make a fair comparison with the export price.

If your complaint concerns more than one exporting country, calculate the normal value for each country

There are several different methods for calculating normal value, with the appropriate method being determined by the circumstances of trade between the exporting country and the UK, and the nature of exporting country's economy.

Therefore, when you tell us the normal value of the goods, you will also need to explain which method you are using to calculate it and why.

The methods are:

- 'Comparable Price', this is the price of the goods in the ordinary course of trade in the home market of the exporting country;
- Constructed Normal Values in the country of export based on the cost of production, plus reasonable amounts that would have been incurred on a domestic sale in the country of export for administrative, selling and general expenses and for profit;
- 'Sales made to a third country by the exporter', provided this amount is representative of the domestic selling price in sales in the country of export (provide evidence to support this); or
- If none of the above is possible, establish the normal domestic value from the best information available to you and provide this information to us, along with an explanation of the approach you have adopted. Alternatively, if prices in the exporter's domestic market are unavailable and it is not possible to construct a normal value, please contact the TRA to discuss further options.

Where possible, you should calculate normal value using the 'Comparable Price' Method. However, there are situations where this would be inappropriate, and so one of the alternative methods should be used. This includes situations where:

- the goods are not sold in the ordinary course of trade in the domestic market of the exporting country;
- these sales on the domestic market of the exporting country sales don't allow a proper comparison with their sales on foreign markets because of:
    - a particular market situation;
    - low volume of sales in the domestic market of the exporting country;
- the overseas exporter does not sell these goods in their domestic market;
- the imports are from a particular foreign country – this is a specific term defined under Regulation 14 of the Dumping & Subsidy Regulations which means that it's difficult to use prices of goods in that country as a fair comparison.

More information on each of these conditions and when they apply can be found in our guidance on dumping investigations.

E.3. Method

Please indicate below the method you have used for calculating normal value of the imported goods. If you have used an alternative basis to comparable price (e.g. constructed normal value), please explain why you believe it isn't appropriate to use comparable price and provide your evidence to support this.

1. In the present case, domestic prices of goods concerned in China are not comparable and not appropriate for the purpose of determining the normal value because the Chinese economy operates under a Particular Market Situation ("**PMS**") as defined in Regulation 7(2)(b) of the D&S Regulations. This is because costs, prices, and company decisions "*reflect non-commercial factors*" (Regulation 7(4)(c)) and are not shaped by free competition but by pervasive state and party intervention in the entire Chinese economy, which heavily impacts the production of boom lifts in particular. Therefore, the domestic sales prices "*do not permit a proper comparison between the like goods destined for consumption in the exporting country or territory and the goods concerned*". This is why the Applicant constructed the normal value exclusively on the basis of "*the costs of production plus a reasonable amount for administrative, selling and general costs and for profits*" in an appropriate representative country, namely Brazil, in accordance with Regulation 8(1)(a).

2. More specifically, the evidence below shows clear distortions in ownership structures, planning mechanisms, finance, inputs, labour, and sectoral organisation that contribute to distortions in the MAE industry, including boom lifts (for further details see Appendix E.44):

   (a) State presence maintains the main role in the market and company governance.

   (b) The market is dominated by enterprises under state ownership, control or supervision.

   (c) Public policies and measures favour domestic suppliers and influence free market forces.

   (d) Bankruptcy, corporate and property laws are applied in a discriminatory manner or not adequately enforced.

   (e) There are distortions in labour costs.

   (f) There are distortions in SG&A expenses and reported profits.

   (g) There are distortions in specific industries and sectors relevant to the production of boom lifts.

State presence maintains the main role in the market and company governance

3. China's economic and administrative structure provides the Chinese Government, through the Chinese Communist Party ("**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. The central and local governments set objectives and priorities of the Chinese economy through, *inter alia*, the five-year planning. It is therefore clear that the Chinese market is governed by non-market forces.

4. As confirmed by the European Commission ("**Commission**") in the "Commission Staff Working Document":

"The recent years have seen a growing integration between the State and the Party, making the structures of the Party and those of the State functionally indistinguishable. This integration entailed not only government reforms geared towards boosting the CCP's control over the State administration, but also an increasing tendency of the Party to inject itself directly into the corporate structures and the managerial decision-making of individual business operators, state-owned and private alike. Consequently, the CCP is in position to control the country's economy both by using the State institutions, as well as through other – more direct and informal – channels, in particular Party structures within enterprises."[60]

5. For example, Article 19 of the 2018 revision of the Companies Law of the PRC states that not only must PRC companies "*establish CCP branches in companies to carry out activities of the Chinese Communist Party*" when required, but that they must "*provide necessary conditions to facilitate the activities of the Party.*"[61]

The market is served to a significant extent by enterprises under state ownership, control or supervision

6. The Chinese market is served to a significant extent by enterprises which operate under the ownership, control or policy supervision (or guidance) of the Chinese authorities.

7. Under the Taxation (Cross-border Trade) Act 2018, a "foreign authority" is defined as a government or public body within the territory of a foreign country or territory.[62] The UK TRA guidance clarifies that a state-owned enterprise will be treated as a public body when there is "*evidence that the enterprise either possesses and carries out government functions or has been given authority to carry out government functions*".[63] This means that Chinese SOEs, given

[60] European Commission, "Final commission staff working document on significant distortions in the economy of the people's republic of China for the purposes of trade defense investigations (SWD(2024)) 91", 10 April 2024, ("**Commission Staff Working Document**"), p. 55, available here (Appendix E.19).
[61] National People's Congress of China, Company's Law of the People's Republic of China, October 2018, available here (Appendix E.20).
[62] Taxation (Cross-border Trade) Act 2018, sch. 4, para. 3, available here.
[63] TRA guidance definition of a public body (available here): *"Any organisation may be considered to be a public body if it carries out functions typically carried out by any level of government and/or if*

their structural integration with the State and their performance of governmental functions, fall within this definition.

8. OECD defines an SOE as: "*Any undertaking recognised by national law as an enterprise, and in which the state exercises ownership or control, should be considered as an SOE. This includes joint stock companies, limited liability companies and partnerships limited by shares. Moreover, statutory corporations, with their legal personality established through specific legislation, should be considered as SOEs if their purpose and activities, or large parts of their activities, are of an economic nature".*[64]

9. The WTO Trade Policy Review Body distinguishes between "state-owned enterprises", which are wholly owned by the State, and "state-controlled enterprises". The latter includes companies where the State holds a majority share (more than 50%), where it holds a minority share but more than any other shareholder, or where it owns fewer shares than other shareholders yet retains control through contractual arrangements. In practice, both terms cover enterprises with more than 50% state ownership as well as those in which the State exercises control despite holding a minority stake.[65]

10. The Chinese State maintains a constitutive role in company governance, directly shaping decisions that in market economies would be driven by competition. The IMF data on SOEs performance shows persistent distortions. Returns on assets for SOEs remain consistently below those of private firms, while their cost per unit of income stays high and largely unchanged, indicating weak efficiency. At the same time, leverage ratios are very elevated, with SOE debt-to-equity and debt-to-asset levels significantly higher than those of private firms. Despite this, SOEs continue to occupy a large share of the economy, accounting for more than a quarter of industrial sales and over a third of assets and liabilities. The continued presence of a substantial number of "zombie" firms and recurring SOE bond defaults further illustrate that market exit mechanisms do not function normally. Together, these indicators suggest that SOEs operate under conditions where profitability, efficiency, and survival are not determined by standard market forces.[66]

11. In addition, Chinese authorities are known to nominate and dismiss SOE management and remain heavily involved in the decision-making process.

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government exercises effective control over its activities" and *"If a foreign authority such as a government has entrusted or directed a private body to carry out functions that would normally be vested in the foreign authority, then the private body may be deemed a foreign authority."*

[64] OECD, "OECD Guidelines on Corporate Governance of State-Owned Enterprises", OECD Publishing, Paris, October 2024, p. 14, available here (Appendix E.21).

[65] WTO, "Trade Policy Review China report (WT/TPR/S/342)", June 2016, ("**TPR China Report 2016**"), p. 96, available here (Appendix E.22).

[66] International Monetary Fund, "People's Republic of China: 2024 Article IV Consultation-Press Release; Staff Report; and Statement by the Executive Director for the People's Republic of China", August 2024, p. 70, available here. (Appendix E.23); which conforms with the TRA guidance definition of a public body and "foreign authority" of the Taxation (Cross-border Trade) Act 2018, sch. 4, para. 3.

Moreover, the Chinese Government designed measures which extended the competences of state authorities *"into the privately owned enterprises and serve the long-term goals of achieving technological independence and strategic dominance"*.[67] More specifically, *"The Party… inject[s] itself directly into the corporate structures and the managerial decision-making of individual business operators, state-owned and private alike"*.[68]

12. To further confirm SOE presence on the Chinese market, the Applicant found confirmation of SOE dominance in the following sectors related to the production of boom lifts:

(a) In energy, *"Around 50% of the power generation capacity is state-owned as well as the entire transmission grid. 18 SOEs controlled by the central SASAC are active in the energy sector"*.[69]

(b) In semiconductors, *"Eight of the top 10 Chinese semiconductor firms… are either partially or fully-owned by the State"*.[70] China's steel industry is led by some of world's largest state-owned giants such as Baowu, Ansteel, HBIS, and Shougang, all ultimately controlled by SOEs. These groups dominate the top tier and have been consolidating regional producers under central SOE ownership. In addition, as the Commission notes, *"SOEs are a key instrument through which the government continues to develop the steel sector, not least by promoting the creation of ever-larger steel producers"*.[71]

(c) China's construction industry is far more state-dominated. Central SOEs such as CSCEC, China Railway Group, and Power Construction collectively control over 80% of mega-projects in 2024, with CSCEC alone reporting revenues of CNY 2.19 trillion in 2024. Although private firms make up over 80% of companies by number, they are largely confined to small-scale projects, while SOEs capture the bulk of large contracts. This means the upstream steel sector is mixed, but the downstream construction sector remains heavily state-controlled.[72]

(d) The aluminium industry follows the same pattern: *"China's domestic market is served significantly by large SOEs, which account for a*

[67] Commission Staff Working Document, p. 130.
[68] Commission Staff Working Document, p. 56; Taxation (Cross-border Trade) Act 2018, Sch. 4 para. 3 (definition of "public body" and "foreign authority" in TRA guidance).
[69] Commission Staff Working Document, p. 293. In addition, SOEs controlling strategic infrastructure (such as energy grids and generation assets) exercise governmental authority, which conforms with the TRA guidance definition of a public body.
[70] Commission Staff Working Document, p. 556.
[71] Commission Staff Working Document, p. 416.
[72] The concentration of state-led SOEs in national infrastructure projects reflects the exercise of governmental authority, which conforms with the TRA guidance definition of a public body.

dominant share of Chinese aluminium production and production capacity".[73]

13. The information above demonstrates that the Chinese market is structurally reliant on enterprises under direct or indirect state control.

Public policies or measures discriminate in favour of domestic suppliers or otherwise influence free market forces

14. China institutionalises discrimination through legislation and procurement: *"Preferential treatment of domestic over foreign enterprises is enshrined in the GPL where the 'Buy Chinese' provisions are explicitly set out".*[74]

15. Sector-specific measures confirm the point. In telecoms, *"China's policies have allowed its firms… to operate relatively expensively on the protected home market, while helping them to offer less expensive services abroad".*[75] In aluminium, *"export-related measures, including VAT rebate policies and export taxes"* are deployed to advantage domestic downstream producers.[76]

16. These policies reveal that competition conditions are systematically skewed to promote national champions.

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

17. Normal exit mechanisms do not function. The Commission observes: *"The number of bankruptcy cases… is very low for an economy of China's size. The State plays an unduly active role in the bankruptcy proceedings… often influencing their outcome".*[77]

18. The persistence of "zombie firms" sustained by subsidies and evergreening loans reflects this weakness: *"China has in part masked [non-performing loans] through evergreening loans and restructuring debt, including through M&A activity and debt-to-equity swaps".*[78]

19. Thus, inefficient producers remain in the market, distorting competition.

Distortions to SG&A expenses and reported profits

20. Generally speaking, cost and price formation in China reflects the policies and objectives designed by the central and local governments, not independent market forces.

[73] Commission Staff Working Document, p. 456.
[74] Commission Staff Working Document, p. 204.
[75] Commission Staff Working Document, p. 547.
[76] Commission Staff Working Document, p. 457.
[77] Commission Staff Working Document, p. 181.
[78] Commission Staff Working Document, p. 316.

21. More specifically, company costs and revenues—including SG&A and profits, are not shaped by market forces but by state planning because: "*the Party and the State retain a leading role in the economy of the country, going well beyond macroeconomic control […]*".[79]

22. In addition to the above, the profit margins are also unreliable, as companies carry their economic activities with heavy support from non-market based financing. This is further confirmed by the Commission: *"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".*[80]

23. Furthermore, SOEs benefit from *"preferential access to financing, protection by market access restrictions, preferential access to land, energy, etc., and which result in distorting the effective allocation of resources"*. This means that SG&A reported by companies are not reliable, as costs may be artificially lowered due to state support, making financial statements misleading.

24. The fact that SG&A are not reliable is supported by the fact that the labour costs are *"influenced by state interventions including restrictions on labour mobility and wage setting mechanisms"*.[81]

25. Accounting practices in China often lack transparency and are subject to political influence, which affects the reliability of reported financial data, as stated by the WTO**:** ***"****For example, the notifications do not provide information on expenditure levels in sectors where government support is likely to have global repercussions, such as aluminium, electric vehicles, solar modules, glass, shipbuilding, semiconductors, or steel".*[82]

26. This directly questions the credibility of reported profits and SG&A figures by the Chinese boom lifts exporting producers. Because SG&A and profit figures of the Chinese boom lifts exporting producers are unreliable and do not reasonably reflect what they would be if they were substantially determined by market forces, the Applicant applied the SG&A and profit allocation of the Brazilian producer while constructing the normal value.

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

[79] Commission Staff Working Document, p. 30.
[80] Commission Staff Working Document, p. 30.
[81] Commission Staff Working Document, p. 25.
[82] WTO, "Trade Policy Review China report (WT/TPR/S/458/Rev.1)", November 2024, ("**TPR China Report 2024**"), p. 69, available here (Appendix E.24).

27. China's banking system explicitly serves state policy: *"Article 34 [Banking Law] states that 'commercial banks shall conduct their business in accordance with the needs of the national economic and social development and under the guidance of the industrial policies of the State'"*.[83]

28. Lending patterns confirm this: *"The State plays an undue role in allocating capital… resulting in a bias toward lending to SOEs and private businesses with close government ties"*.[84] Subsidised loans in semiconductors illustrate the distortion: *"EXIM provided a loan of RMB 70 million at an interest rate of 2.65%… CDB provided loans at 1.2%… JCET received RMB 16 billion at 3%"*.[85]

29. The Commission concludes: *"The corporate credit system in China is affected by significant systemic distortions resulting from the continuing pervasive role of the state"*.[86]

30. Given that the Chinese boom lifts exporting producers have access to preferential financing, as confirmed by their highest credit rating and their annual reports (Appendices: F2; F2.1.1; F2.1.2; F2.1.3; F2.A.4), they have more flexibility and are able to 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 Chinese 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.

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

Distortions in Energy

31. The TRA confirmed in previous investigations, namely in *Aluminium Extrusions*[87] and *Optical Fibre Cables*,[88] that PMS exists in the energy market in China at a national and local level, causing prices to be artificially low. In that respect the TRA pointed to the Trade Policy Review of the PRC[89] which

[83] Commission Staff Working Document, p. 149.
[84] Commission Staff Working Document, p. 296.
[85] Commission Staff Working Document, p. 588.
[86] Commission Staff Working Document, p. 316.
[87] Positive determinations of a particular market situation (PMS) in previous TRA investigations, Aluminium Extrusions (AD0012), Final Determination, ("**Final Determination Aluminium Extrusions (AD0012)**"), paras. 169, 177, available here.
[88] Positive determinations of a particular market situation (PMS) in previous TRA investigations, Optical Fibre Cables (AD0021), Final Determination, ("**Final Determination Optical Fibre Cables (AD0021)**") paras. 259–276, available here.
[89] WTO, "Trade Policy Review China report (WT/TPR/S/415)", September 2021, ("**TPR China Report 2021**"), p. 147, available here (Appendix E.25).

concluded that electricity transmission and distribution were subject to Government of China price controls.[90]

32. Energy costs represent a significant portion of the total cost of production of boom lifts, as energy is used not only to operate the production facilities but also during energy-intense processing operations, such as, *inter alia*, electrocoating (electrostatically applying a dry powder to the metal surface), shot blasting, welding and cutting. Given that generally speaking energy prices in China are distorted, the Applicant has applied Brazilian prices while constructing the normal value.

Distortions in Electricity

33. Such intervention is embedded in Chinese legislation. For example, the Price Law[91] aims *"to standardize pricing [and] give play to the role of pricing in rationally allocating resources,"* granting the Chinese Government to "*guide or fix the prices*" of key public utilities such as electricity. A 2021 notice[92] further illustrates that governmental intervention in this sector is indeed taking place.[93]

34. In the Final Determination of *AD0047 Certain excavators from China*, the TRA noted that 20% of electricity prices are therefore not set by the market, which indicates the presence of non-commercial factors in the electricity sector.[94]

35. The Commission also confirmed the existence of PMS concerning electricity "*Given the significant State presence and intervention into energy production, pricing and planning, the overall picture emerging is one where normal market considerations do not prevail on the Chinese market for energy*."[95]

36. In view of the above, it is clear that electricity costs incurred by the Chinese boom lifts exporting producers are far lower than they would have been under normal market conditions, which has a clear impact on the total energy costs and therefore the total cost of production of the goods concerned, making it artificially lower.

Distortions in gas

[90] Excavators (AD0047), Final Determination, ("**Final Determination Excavators ("AD0047")"),** para. 245, available here.
[91] MOFCOM, "The Price Law", available here (Appendix E.26).
[92] NDRC, "Notice on Reducing the Feed-in Electricity Price for Coal-fired Power Generation and General Industrial and Commercial Electricity Prices (Development and Reform Price [2015] No. 3105)", December 2015, available here. (Appendix F.50.B)
[93] Final Determination Excavators ("AD0047"), para. 246.
[94] Final Determination Excavators ("AD0047"), para. 249.
[95] Commission Staff Working Document, p. 294.

37. China's natural gas market is subject to extensive state intervention under the *Natural Gas Utilization Policy* (**"NGUP"**).[96] The policy classifies users into "priority," "permitted," "restricted," and "prohibited" categories, ensuring that allocation is determined by government planning rather than market forces.

38. Provincial Development and Reform Commissions are tasked with approving projects and "strictly grasping" the approval of restricted ones, while no gas volume is arranged for prohibited uses (para. 3(2) NGUP). At the same time, the National Development and Reform Commission continues to exercise direct price control, mandating differential tariffs such as seasonal or interruptible pricing (para. 3(5) NGUP). Moreover, local governments are authorised to provide preferential support to priority gas projects, including through planning, land use, financing, and fees (para. 3(6) NGUP).

39. Together, these measures show that natural gas is not allocated on a market basis but rather through a centrally directed framework of state planning and intervention.

40. Same as concerning electricity costs above, it is clear that gas costs incurred by the Chinese boom lifts exporting producers are far lower than they would have been under normal market conditions, which has a clear impact on the total energy costs and therefore the total cost of production of the goods concerned, making it artificially lower.

Distortions in hydraulics

41. In the *Excavators* case, the TRA found evidence of targeted state intervention in China's hydraulics sector. It referred to the Made in China 2025 policy,[97] which sets out the government's aim to *"[a]ccelerate the development of smart manufacturing equipment and products"* including *"the research and development of high-end CNC machines [and] industrial robots"* both of which rely heavily on hydraulics.

42. The TRA further noted that these policy "*guidelines*" have translated into concrete state support, a fact confirmed by Chinese hydraulic manufacturers themselves. In the *Excavators* case, Lijin Pneumatic Hydraulic Factory stated 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".*[98]

[96] NDRC, "Order of the National Development and Reform Commission of the People's Republic of China (No. 15) Natural Gas Utilization Policy", 14 October 2012, available here (Appendix E.27).
[97] State Council of the People's Republic of China, "Made in China 2025", available here (Appendix F.2.B).
[98] Final Determination Excavators ("AD0047"), para. 233.

43. Given that hydraulics are materials used in production of boom lifts and because their prices are distorted on Chinese market, the Applicant has applied Brazilian prices of hydraulics.

Distortions in plastics

44. Concerning the broader category of plastics, the State maintains *"highly interventionist"* control over the chemical sector, including plastics, through *"industrial planning, SOE presence, fiscal, financial, investment or pricing measures".*[99]

45. The government influence extends *"down to the level of individual localities, individual products and individual enterprises in terms of output targets, growth levels, etc."*[100]

46. The Commission's report defines the chemical sector broadly, covering *"polymers (for example, plastics, man-made fibres, synthetic rubber)".*[101] Plastics are therefore treated as a core subsector of the Chinese chemical industry.

47. Manufacturing of rubber and plastic products was the *"second largest subsector in 2020, with approximately 20,781 enterprises generating RMB 2,558 billion in revenue and employing 2,800,000".*[102] Output was substantial and growing, with *"synthetic resin 104 million tons (+7.0%)"* and *"polymers 74.19 million tons (+8.2%)"* [103] (Section 16.2.2). Provinces such as Shandong, Jiangsu, Zhejiang, Hebei and Guangdong are major production hubs for plastics.[104]

48. *"Overcapacity has been particularly pronounced in the Chinese chemical sector"*, with utilisation rates of *"77.2% in Q4 2020"* and *"77.7% in Q2 2022".*[105] Plastics, as part of the polymers segment, are directly affected by this chronic overproduction, creating distortions in supply and pricing.

49. The 14th Five Year Plan (**"14th FYP"**) on Raw Materials Industry calls for R&D of *"special-purpose metallocene-based polyolefin"*[106] and development of *"high-performance rubber and plastic materials".*[107] Plastics are thus explicitly singled out as strategic subsectors where state-led upgrading is mandated.

[99] Commission Staff Working Document, p. 496.
[100] Commission Staff Working Document, p. 496.
[101] Commission Staff Working Document, p. 458.
[102] Commission Staff Working Document, p. 459.
[103] Commission Staff Working Document, p. 460.
[104] Commission Staff Working Document, p. 460.
[105] Commission Staff Working Document, p. 464.
[106] 14th FYP on Developing the Raw Materials Industry, Introduction and Sections I and II, available here. (Appendices E.28.A; E.28.B; E.28.1.A; E.28.1.B (English version)).
[107] 14th FYP on Developing the Raw Materials Industry, Second section, Improve the level of innovation and development.

50. The regulatory framework *"strictly prohibited"* new capacity in certain subsectors such as PVC, and required the *"relocation and transformation of chemical enterprises located in key drainage areas".*[108] The State also pledged to *"make leading enterprises bigger and stronger… [through] mergers and reorganization".*[109]

51. Implementation relies on *"fiscal, financial, regional, investment, import and export, energy, ecological environment, price and other policies".*[110] Measures include *"tax exemption for imported equipment, VAT credit refund, additional deduction of R&D expenses, and insurance compensation for technical equipment".*[111] Banks and industry associations are mobilised to *"promote bank-enterprise connections and industry-finance cooperation".*[112]

52. The regulatory environment shows the State intends to play a constitutive role in shaping the chemical sector.[113] Intervention affects cost formation, pricing and competition through subsidies, capacity controls, relocation, and SOE dominance. These distortions provide strong grounds to establish that *"company decisions are therefore not genuinely market driven"*[114] and that the plastics market operates under a PMS.

53. China's plastics sector is also marked by state intervention through subsidies and preferential support. Policies such as the *Plastic Pollution Control Action Plan (2021–2025)*[115] and the *Circular Economy Plan (2021–2025)*[116] promote biodegradable and recycled plastics, backed by R&D funding, subsidised pilot projects, and access to industrial parks. These measures lower production costs and channel demand toward state-favoured alternatives. Recent analysis also shows that China is among the world's largest providers of

[108] 14th FYP on Developing the Raw Materials Industry, Second section, Improve the level of innovation and development.
[109] 14th FYP on Developing the Raw Materials Industry, Second section, Improve the level of innovation and development.
[110] 14th FYP on Developing the Raw Materials Industry Eighth section, Strengthen organizational safeguards.
[111] Shandong Chemical Plan, the Seventh section, source no longer available.
[112] Shandong Chemical Plan, Eighth section, Strengthen organizational safeguards, source no longer available.
[113] Commission Staff Working Document, p. 493.
[114] Commission Staff Working Document, p. 496.
[115] Ministry of Ecology and Environment of the National Development and Reform Commission, "Opinions of the National Development and Reform Commission and the Ministry of Ecology and Environment on further strengthening plastic pollution control (2021-2025)", January 2020, available here. (Appendices E.29.A; E.29.B (English version)).
[116] NDRC, "14th Five-Year Plan for the Development of Circular Economy (2021-2025)", July 2021, available here. (Appendix E.30).

plastics subsidies, contributing to a structurally oversupplied market where profitability depends on continued state support.[117]

54. Given that plastics are materials used in production of boom lifts and because their prices are distorted on Chinese market, the Applicant has applied Brazilian prices of plastics.

Distortions in fabrications

55. China's industrial policies reinforce the existence of a PMS by steering resources and shaping outcomes in strategic sectors through direct state planning. China has made robotics a strategic priority through successive industrial policies. The Ministry of Industry and Information Technology ("**MIIT**"), together with other agencies, has set out detailed plans to position the country as a global leader in robotics.[118] A dedicated 14th Five-Year Plan for the Robotics Industry, adopted in 2021, envisions China becoming by 2025 a hub for innovation, high-end production, and large-scale applications in robotics.[119] This ambition was reinforced by a further development plan issued in 2023, which reiterates the goal of establishing China as an international centre of excellence for robotics technology, advanced manufacturing, and integrated industrial use.[120]

56. Similarly, the authorities explicitly identify the integrated circuit industry as a strategic sector underpinning national development and security. These measures demonstrate that in high-tech industries such as robotics and semiconductors, market conditions are not determined by autonomous supply and demand dynamics, but by state-driven objectives and interventions designed to secure leadership in globally strategic value chains.

57. Given that fabrications are materials used in production of boom lifts and because their prices are distorted on Chinese market, the Applicant has applied Brazilian prices of fabrications.

Distortions in electrical parts

58. Distortions in the electrical parts sector has been confirmed by several sources. China has been the "*largest single-country market for*

[117] Ximena Banegas, "Propping Up a Failing Industry: How Overcapacity, Tariffs, and Subsidies Are Masking the Plastics and Petrochemical Crisis", Center for International Environmental Law, July 2025, available here. (Appendix E.31).
[118] TPR China Report 2024, p. 134.
[119] Ministry of Industry and Information Technology Joint Regulation, "Notice of the 15th Department on Printing and Distributing the "14th Five-Year Plan for the Development of the Robot Industry", December 2021, available here. (Appendix E.32).
[120] Xinhua, "China to Boost Density of Manufacturing Robots", State Council of the People's Republic of China, January 2023, available here. (Appendix E.33).

semiconductors" since 2005.[121] China's semiconductor firms accounted for "*between 6,7% and 9% of global sales of semiconductor devices"* in 2020, with some estimates indicating that China "surpassed Taiwan in global sales that year for the first time".[122]

59. The Commission concluded that "*Eight of the top 10 Chinese semiconductor firms (ranked by revenue for 2020) are either partially or fully-owned by the State*" and that "*Across all segments of the Chinese semiconductor sector, 43% of registered capital (USD 51 billion or ~EUR 43,1 billion in value) is directly or indirectly owned or controlled by the State*".[123]

60. According to the Trade Policy Review on China, "*the China Integrated Circuit Industry Investment Fund and sister funds at the provincial and municipal levels are tasked with injecting equity into China's semiconductor industry […]. A special tax regime applies to companies producing specific semiconductors. These measures have not been notified to the WTO. In August 2020, the State Council issued the Several Policies to Promote High-Quality Development of the Integrated Circuit Industry and Software Industry in the New Era (Guo Fa [2020] No. 8), providing support for the semiconductor industry in terms of finance and taxation, investment and financing, research and development, import and export, and talent."*[124]

61. China's *Made in China 2025* strategy requires firms to raise the domestic content of core components to 70% by 2025, driving a systematic restructuring of supply chains away from foreign inputs. Evidence from industry confirms that this policy objective is being enforced: state-owned China Harzone has stated it is accelerating local sourcing in response to U.S. tariffs, while Estun Automation and Thinkon Semiconductor have announced similar substitution measures. These developments illustrate that sourcing decisions in strategic sectors such as semiconductors, robotics and electrical components are shaped by state directives rather than market forces, reinforcing the pattern of state-driven distortions that characterises China's industrial policy.[125]

62. Given that electrical parts are materials used in production of boom lifts and because their prices are distorted on Chinese market, the Applicant has applied Brazilian prices of electrical parts.

Distortions in land use rights

[121] Commission Staff Working Document, p. 552.
[122] Commission Staff Working Document, p. 552.
[123] Commission Staff Working Document, pp. 556-558.
[124] TPR China Report 2024, pp. 134-135.
[125] SupplyChainBrain, "China Speeds Efforts to Make Supply Chains Domestic", May 2025, available here. (Appendix E.34); The Japan News, "China's Domestic Production of EV Parts Driven by Strained U.S. Ties", September 2023, available here. (Appendix E.35).

63. In *Excavators*, the TRA observed that "*the land market in the PRC reflects non-commercial factors. This was due to land not being owned by a private citizen or company within the PRC, and instead land being leased by local authorities to the users of that land for a fixed term,"* adding that this practice often *"leads to land prices and rent rates that are artificially low and/or reflect non-commercial factors."*[126] The TRA further referred to Article 10 of the Chinese Constitution, which confirms that urban land is state-owned, and research from August 2023 in the Cities journal provides evidence that land may be allocated to certain industries based on government policies.[127] It concluded that land transactions are not determined by market supply and demand, which conclusion is supported by research conducted by CEPR[128] and the Becker Friedman Institute for Economics,[129] the latter noting "*land zoned for residential use selling at roughly a ten-fold higher price than land zoned as industrial*".[130]

64. Also in *AD0021 Optical Fibre Cables*, the TRA has determined that the land market in China reflects non-commercial factors.

65. According to the Commission, SOEs receive preferential treatment in land allocation SOEs enjoy privileged access and subsidised costs, distorting competition: *"A number of buyers (in particular SOEs) received their land for free or participated in tenders with only one participant, obtaining the land use rights at a very low price."*[131]

66. In addition, the *LSE Research into Market Distortions in the Steel Sector* confirmed key distortions in land-use rights. Since "*land is owned either by the state or by collectives*," steel mills cannot own land outright. Instead, the report notes that SOEs often benefit from land-related subsidies and compensation, such as Maanshan Iron & Steel's "*land use tax rebate of ¥1.3 million*" (2020), Valin Steel's "*¥30 million land acquisition compensation*" (2021), and Fangda Special Steel's "*refund of land transaction fee"* (2021). These measures lower costs artificially for Chinese producers.[132]

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[126] Final Determination Excavators ("AD0047"), paras. 280–284.
[127] Final Determination Excavators ("AD0047"), paras. 281–282; Q. Mao, L. Liu, and W. Ji, "Industrial policy and spatial arrangement of land leasing in China: A case of Jiangsu Province, 2023", Cities 138, available here. (Appendix E.36).
[128] Fudong Zhang, Anthony Lee Zhang, Scott Nelson, Yang Su, and Zhiguo He, "Industrial land discount in China: A public finance perspective", Centre for Economic Policy Research, December 2022, available here. (Appendix E.37).
[129] Zhiguo He, Scott Nelson, Yang Su, Anthony Lee Zhang, and Fudong Zhang, "Is There an Industrial Land Discount in China? A Public Finance Perspective", Becker Friedman Institute for Economics (Research Briefs), February 2022, available here. (Appendix E.38).
[130] Final Determination Excavators ("AD0047"), para. 284.
[131] Commission Staff Working Document, p. 245.
[132] LSE Research into Market Distortions in the Steel Sector, 23 February 2024, ("**LSE Research into Market Distortions in the Steel Sector**"), p. 133, available here. (Appendix E.41).

67. Such distortions in LUR directly contribute to artificially low total production costs, since manufacturers of inputs critical to boom lifts (notably steel and aluminium) benefit from subsidised land, thereby reducing their overheads and enabling boom lifts producers to sell at prices that do not reflect genuine market conditions.

Distortions in labour conditions and costs

68. The TRA has repeatedly found that the Chinese labour market is shaped by state intervention rather than normal market dynamics. In *Excavators* (para. 250–253, 264), it relied on earlier findings in *Optical Fibre Cables (AD0021)* and *Bus and Lorry Tyres (TD0035)*, noting that trade unions in the PRC are under CCP control pursuant to Article 33 of the Party Constitution and therefore lack independence. The right to strike was abolished in 1982, further undermining workers' ability to bargain collectively over wages. According to the TRA, the very need for continued market-based reforms demonstrates that labour relations remain outside the influence of genuine market forces.

69. The *LSE Research into Market Distortions in the Steel Sector*[133] concluded that weak enforcement of formal labour standards enables widespread informal labour practices, producing "*labour exploitation and unreasonable wage disparities*." The lack of free trade unions and the legal right to strike further *"diminishes the bargaining power of workers,"* with one third of the workforce composed of migrant labourers, who are frequently excluded from social benefits. The *hukou* household registration system was also highlighted as a source of distortion. By tying access to jobs and social services to one's place of birth, it "*restricts the movement of individuals from less affluent regions*" and leaves the steel workforce locked into low-cost regions where plants are concentrated.[134]

70. Forced labour directly distorts wage levels and cost structures, incompatible with market principles: "*The issue of state-imposed forced labour has come to the fore in the last few years – notably with respect to XUAR – impacting or likely impacting labour as factor of production in various sectors."*[135]

71. Another problem is that lack of transparency in labour costs undermines normal cost assessments which leads to uncertain and opaque labour force data. *"The considerable number of migrant workers without labour contracts also means that the actual labour force employed by Chinese companies can be difficult to reliably determine, with the ensuing uncertainty about the labour cost."*[136]

[133] LSE Research into Market Distortions in the Steel Sector, p. 133.
[134] LSE Research into Market Distortions in the Steel Sector, p. 133.
[135] Commission Staff Working Document, p. 381.
[136] Commission Staff Working Document, p. 381.

72. The combination of weak bargaining rights, *hukou*-based discrimination, and even reports of *"state-imposed forced labour… notably with respect to XUAR"*[137] confirms that wage levels do not reflect market dynamics.

73. Given that the wage costs are distorted, the final cost of production of boom lifts is also distorted and does not reflect normal market conditions. This is why the Applicant has applied the Brazilian labour costs for constructing the normal value.

Distortions in the construction industry

74. In addition to the heavy involvement of SOEs discussed above, the Chinese Government has deliberately supported its construction sector through massive projects that far exceed market demand, including unnecessary infrastructure and residential developments such as ghost cities. This policy, confirmed in the 14th Five-Year Plan and local initiatives, ensures a constant stream of income for construction machinery and MAE producers, showing that construction demand is created by policy rather than market forces.

75. Artificial demand has been generated through preferential financing of developers, pre-sale schemes, and large public infrastructure spending financed by local government debt*: "China's plan to build its way out of its pandemic downturn contrasts with the policies of most Western governments. (…) Chinese local governments experimented this spring with trying to restart consumer spending (…). But the central government subsequently rejected that idea, pushing cities and provinces to spend instead on infrastructure. As a result, local governments are borrowing heavily to pay for the construction, adding to already immense debts that China's leaders have tried for years to tame. But projects in remote areas may yield scant economic returns to repay debt. Dozens of new high-speed rail stations have been built in small towns, which ultimately see few paying passengers. In some stations, fewer than three trains make stops each day."*[138]

76. When the property sector entered crisis, the state intervened with bailouts, mortgage easing, and special loan facilities, keeping construction activity alive despite structural oversupply. China's reliance on excess construction as an economic remedy became particularly clear during the recent property crisis: a "*liquidity crisis among property developers led to a plunge in new projects and put about 5% of existing apartment construction on hold, sparking mortgage strikes by angry homebuyers"*.[139] In response, the government once again turned to construction, with spending on infrastructure such as water,

[137] Commission Staff Working Document, p. 381.
[138] New York Times, "China Tries Its Favorite Economic Cure: More Construction", 30 July 2020, available here. (Appendix E.39).
[139] Bloomberg, "China's Infrastructure Boom Gets Swamped by Property Woes", 17 August 2022, available here. (Appendix E.40).

roads and healthcare growing at double-digit rates, largely financed by local government debt and record issuances of special bonds.[140]

77. When the property sector entered crisis, the state intervened with bailouts, mortgage easing, and special loan facilities, keeping construction activity alive despite structural oversupply. The result is a construction market disconnected from genuine demand, characterised by overcapacity and underutilised projects, with ghost cities standing as visible evidence of this distortion.

78. The construction sector is also highly exposed to state-driven procurement. *"Such practices ['Buy Chinese'] are prevalent in sectors including energy, construction and engineering"*.[141] Public procurement rules are openly subordinated to policy goals: *"Public procurement shall be conducted in order to facilitate the achievement of goals designed by state policies"*.[142]

79. The result is higher award prices and limited choice: *"Ensuing distortions… manifest themselves through higher award prices or a limited range of goods and services on offer"*.[143]

Distortions in the steel industry

80. The steel sector epitomises policy-driven distortions. It is officially designated as a pillar industry: *"The steel industry is regarded as a key/pillar industry by the government… the government directs and controls virtually every aspect in the development and functioning of the sector"*.[144]

81. Overcapacity demonstrates the consequences: *"Overcapacity built up by China over years triggered a surge of low-priced Chinese exports causing a depression of steel prices globally"*.[145]

82. International findings corroborate: *"Numerous trade defence investigations in various jurisdictions have confirmed that Chinese steel producers benefit from a wide array of State support measures and other market distortive practices"*.[146]

83. The *LSE Research into Market Distortions in the Steel Sector* catalogued a wide range of state aid, including *"cash grants and capital infusion, equity infusions and conversions, preferential loans and directed credit, land-use subsidies, subsidies for utilities, raw material price controls, tax policies and benefits."* It highlighted that subsidies reduce production costs below market-based levels, ensuring that "*domestic steel prices in the PRC are also lower*

[140] Bloomberg, "China's Infrastructure Boom Gets Swamped by Property Woes".
[141] Commission Staff Working Document, p. 204.
[142] Commission Staff Working Document, p. 204.
[143] Commission Staff Working Document, p. 204.
[144] Commission Staff Working Document. p. 416.
[145] Commission Staff Working Document, p. 416.
[146] Commission Staff Working Document, p. 416.

than they would be under market-driven conditions." Examples include HBIS receiving ¥115 million in 2020 (including environmental and R&D subsidies) and Baosteel Group receiving over ¥1.7 billion in grants in 2019.[147]

84. The research stressed the global impact of these distortions. While they reduce costs for Chinese producers, they "*disrupt the global balance of supply and demand in steelmaking and related industries*" and disadvantage producers in countries that respect international labour and subsidy rules.[148]

85. Steel is one of the main components of boom lifts and because steel prices in China are distorted, the Applicant applied Brazilian steel prices while constructing the normal value.

Conclusion

86. Taken together, the evidence shows that **all key factors under Regulation 7(2) of the D&S Regulations are fulfilled** in China. State and Party dominance in ownership and planning, discriminatory policies, suppression of normal bankruptcy and labour rights, politicised access to land and capital, and sectoral distortions (construction, steel, aluminium, chemicals, semiconductors, etc.) establish that company costs, revenues, and prices are not determined by free competition.

87. As the Commission summarised for the chemical sector, the logic applies across the Chinese economy: *"Company decisions are therefore not genuinely market driven"*.[149]

Appendix reference: E.19-41, F.2.B, F.50.B.

Please give the normal value calculations using the appropriate section below, making sure to use the section relevant to the method you have described in this section. Delete tables for any methodologies you are not using.

The evidence you provide of normal value should, as far as possible:

be representative of different product types or models within the goods you are applying to us to investigate, if there are substantial differences in the normal value between these product types and models; and relate to normal value spread over the POI

E.4. Comparable Price

[147] LSE Research into Market Distortions in the Steel Sector, p. 14.
[148] LSE Research into Market Distortions in the Steel Sector, p. 133.
[149] Commission Staff Working Document, p. 496.

Prices should be net ex-works (EXW) and exclude all internal taxes, such as VAT. If EXW prices are not available e.g. if Cost Insurance and Freight (CIF) or Free On Board (FOB) prices are the only ones available, these prices should be adjusted to bring them to a net ex-works level. If using this method, **please complete Annex 3**.

Not applicable.

E.5. Constructed Normal Value

Please complete Annex 4, explaining how each cost was calculated including:

- materials;
- direct labour;
- overheads;
- administration, sales and general expenses (ASG), excluding transport costs; and
- the reasonable profit margin in the country of origin.

1. The Applicant has used an alternative method to determine the normal value of the goods concerned, namely constructing the normal value based on factors of production in Brazil.

2. Brazil was used as the representative country in the EU's anti-dumping investigation into MAE from China (AD698). The complainants in the EU case also investigated Turkey, Mexico and Thailand, but concluded that there was not sufficiently detailed publicly available financial information. The Applicant has also considered but disregarded other countries, including Romania (due to high prices) and India (because the standards for machines are not sufficient to meet quality control in the UK).

3. To arrive at the constructed normal value of the boom lift if it were produced in Brazil, the Applicant has:

   (a) Used the Applicant's factors of production, namely consumption of raw materials and parts, direct and indirect labour, electricity, and natural gas, to produce one model of a boom lift based on 2024 data: HR17 (the Applicant's most frequently sold machine and one of the types of machines that Chinese exporters are dumping in the UK). The Applicant has calculated dumping based on one model of a boom lift only, because that machine alone has ~**[SENSITIVE]** parts.

   (b) Found publicly available 2024 data in Brazil for the price of raw materials and parts (based on the Applicant's raw materials and parts for HR17), average hourly rate for employees in the manufacturing

sector, and average billed tariffs of electricity and natural gas in the industrial sector.

(c) Calculated SG&A and profit for a Brazilian manufacturer of MAE – Madal Palfinger S.A. ("**Palfinger**") – as a percentage of the total costs of manufacturing.[150] Palfinger was the representative company used in the EU anti-dumping investigation as it is a public company and therefore publishes its financial statements. The closest types of machines that Palfinger produces to the Applicant are truck mounted boom lifts (which the Applicant does not produce, and which are not covered by the product scope). However, the Applicant could not consider other Brazilian MAE manufacturers because Socage, being a private company,[151] does not publish financial statements, and the Applicant is unsure whether Haulotte manufactures MAE in Brazil or merely operates a spare parts warehouse.

(d) Applied the units of the Applicant's factors of production needed to produce its HR17 to determine the cost per unit to produce a boom lift in Brazil.

4. The Applicant has undertaken calculations with depreciation and amortisation as costs (liberal method) and without depreciation and amortisation as costs (conservative method), to arrive at the constructed normal value for Brazil:

	Cost per unit BR (BR currency)	Cost per unit BR (GBP)
CNV (liberal)	[324,000-439,000]	[47,000-64,000]
CNV (conservative)	[285,000-387,000]	[41,000-57,000]

5. Please refer to Appendix E.4 and Annex 4 of Appendix D.1 for the detailed calculations.

6. The Applicant has used the constructed normal value in Brazil to replace the EXW price for Chinese machines sold in China (the domestic price).

Where there is a particular market situation, make adjustments to elements of cost or profit that are not substantially determined by market forces. For further information, see our guidance on adjusting costs when constructing normal value or contact our Pre-Application Office (contact@traderemedies.gov.uk)

For any of the above methodologies, attach supporting documentation for the prices, costs and any adjustments (see below) you have made. This can include:

[150] Madal Palfinger S.A., Madal Palfinger 2024 FY Report' (31 December 2024), attached as Appendix E.42.
[151] Informe Cadastral, 'Socage do Brasil Indústria e Comércio de Equipamentos Ltda. – CNPJ 15.006.369/0001-89', attached as Appendix E.43.

- price lists;
- price quotations;
- sales invoices for domestic sales;
- sales correspondence;
- publicly available material containing information on domestic selling prices; and
- market surveys.

Please refer to the response to E.5. above.

E.6. Selling Price from Exporter to a Third Country

If this is the preferred method, **please use Annex 3**, indicating here which country you are using, and amending the listed adjustments to better reflect the adjustments made. Prices should be net ex-works (EXW) and exclude all internal taxes, such as VAT. If EXW prices are not available e.g. if Cost Insurance and Freight (CIF) or Free On Board (FOB) prices are the only ones available, these prices should be adjusted to bring them to a net ex-works level

Not applicable.

E.7. Appropriate third country

This method is only available for particular foreign countries as defined under Regulation 14 of the D&S Regulations.

1. Nominate an appropriate third country so you can establish normal values based on their selling prices.

Not applicable.

2. Explain your basis for selecting this third country.

Not applicable.

3. **Please use Annex 3** to calculate the Normal value based on the third country data, amending the listed adjustments to better reflect the adjustments made. Prices should be net ex-works (EXW) and exclude all internal taxes, such as

VAT. If EXW prices are not available e.g. if Cost Insurance and Freight (CIF) or Free On Board (FOB) prices are the only ones available, these prices should be adjusted to bring them to a net ex-works level

Not applicable.

E.8. Export price of the goods

The export price is the selling price of the goods from the exporting country to a UK importer or a third party for export to the UK. This is adjusted to account for export costs and calculated back to the ex-works export price in the country of export. In most cases, you can base the export price on the price charged by the exporter to an unrelated importer in the UK. If your complaint concerns more than one exporting country, calculate the export price for each country

However, you may need to construct export price based on sales to first independent buyers or another reasonable method if:

- there is no export price;
- the price is unreliable due to an association or compensatory arrangement between the exporter and UK importer or third party.

Before providing the export price of the goods, please explain which basis you are using to calculate this and why. If you have constructed the export price, please give your reasoning for doing this and evidence to support this.

1. The Applicant has received pricing information for two Chinese companies' MAE sold in the UK for Q1 2025 (please refer to Appendices E.5 and E.6). The Applicant has been unable to find 2024 price listings for those companies' boom lifts sold in the UK, or 2024 or Q1 2025 price listings for the other known producers exporting boom lifts from China to the UK. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION RECEIVED FROM MARKET INTELLIGENCE]**

2. The Applicant has downloaded prices of MAE (boom lifts, scissor lifts and vertical masts) listed online for machines produced by Dingli, LGMG, XCMG and Zoomlion as of 18 September 2025. Please refer to Appendix E.7. The Applicant has not used these in the dumping calculations given that the prices do not relate to the POI, but has provided them for completeness. The prices demonstrate that the Chinese producers are continuing to sell their boom lifts cheaply in the UK. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT COMPETITOR]**

3.	Please refer to the response to E.9 below for an explanation of the adjustments that have been made.

Please give your export price calculations in the appropriate table below. Make sure you use the basis you described above and delete tables for any methodologies you are not using. Please note that whichever methodology you use, you will need to provide an export price on a CIF and EXW level. You should use price information from the POI.

The evidence you provide of the export price should, as far as possible:

- be representative of different product types or models within the goods you are applying to us to investigate, if there are substantial differences in the normal value between these product types and models; and
- relate to normal value spread over the POI

If either/both of these are not possible, please explain why. If you consider that export prices would not have varied significantly over the last year and so prices over the period outlined above would not be relevant for establishing representative export prices, please explain why you consider that to be the case.

E.9. Export price based on the selling price of the goods from the exporting country to a UK importer or a third party for export to the UK

Provide the export prices of the allegedly dumped goods using Annex 5 Evidence and individually itemise the costs subtracted from this selling price to bring it back to an ex-works level, such as publicly available freight rates. Explain how the amounts were established.

Provide documentary evidence for the selling price to the importer in the UK, such as:

- sales invoices;
- written offers;
- price quotations;
- sales correspondence; or
- official statistics.

1. To arrive at the EXW export price for Chinese boom lifts sold in the UK the Applicant has: **[THE FOLLOWING PARAGRAPHS HAVE BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**
   (a) Used pricing information for two Chinese companies' boom lifts for Q1 2025. It is expected that these price listings show the price of the machine imported from China to a UK location/yard with shipping and duties paid. The customer must then pay for shipping to their final depot or collect the machines themselves from the relevant company's UK location/yard. These price lists exclude VAT.
   (b) Applied a **[13-17]**% discount to the Chinese companies' prices for boom lifts for Q1 2025. This is because the price list shows dealer prices, so there will be a **[8-12]-[13-17]**% margin on the companies' machine market prices.
   (c) Subtracted **[130-180]** GBP port charges to arrive at the CIF (cost, insurance and freight) prices for Chinese machines sold in the UK.
   (d) Subtracted the following from the CIF prices to arrive at the FOB (Free on Board) prices for Chinese machines sold in the UK:
      (i) **[1,175-1,675]** GBP freight cost for shipping from China to the UK (based on a 40ft container);[152] and
      (ii) insurance averaging **[0-5]**% of the goods value. The Applicant was unable to obtain insurance costs for boom lifts from China to the UK, so has used examples of quotes it has obtained based on its own equipment.
   (e) Subtracted **[720-970]** GBP as the cost to transport Chinese machines from the depot in China to the port in China to arrive at the EXW export price for Chinese machines sold in the UK.
2. Please refer to Appendix E.3 and Annex 5 of Appendix D.1 for the detailed calculations.

E.10. Constructed Export Price

Calculate the constructed export price(s).

You may need to adjust for any costs included in the selling price which relate to the movement of the goods to the UK. If you are using sales to the first independent buyer as a basis for constructing, establish the details of the first sale to an

[152] Chinese producers are exporting medium to bigger size machines, so ~2 machines maximum per container.

independent buyer in the UK and deduct taxes, costs, charges, expenses and profit margins to obtain an ex-works price in the country of origin.

If there are different models or types of product for the imported goods, please construct a price for each one. Provide each adjustment separately. If your starting point is a CIF value, you will only have to find and deduct costs incurred by the exporter in the country of export from CIF back to the ex-works level.

Provide evidence to show how you have calculated or estimated the export prices. Include all the evidence you have on the resale price of the imported goods in the UK. Provide the basis for the costs and profits subtracted from this selling price to bring it back to an ex-works level such as published industry mark-ups or publicly available freight rates and give evidence to support each cost adjustment.

Not applicable.

E.11. Fair Comparison

To achieve an appropriate price comparison, the export price and the normal value should be compared at a fair level, in terms of their basic physical and chemical characteristics and the terms and conditions of sale. To achieve this comparison, please adjust your calculations to account for any differences which affect price comparability. This means that the comparison should be made at the same level of trade (such as wholesale or retail), at ex-factory level (EXW), and where possible, at the same time.

For certain types of adjustment, only the normal value may need to be adjusted. Sometimes both the normal value and export price will need to be adjusted. Use the table of adjustments below to check if the adjustment can be applied to export price or normal value or both. For more information, please consult our fair comparison guidance.

Table of adjustments	Export Price	Normal Value
Physical characteristics	No	Yes
Import charges and indirect taxes	No	Yes
Discounts, rebates, quantities	Yes	Yes
Level of trade	No	Yes
Transport, insurance, handling	Yes	Yes
Packing	Yes	Yes
Credit	Yes	Yes
After sales costs	Yes	Yes
Commissions	Yes	Yes
Currency Conversion	Yes	Yes

1. Provide the relevant adjustments so you can compare the export price and normal value.

Please refer to the response to E.9. above for adjustments made to the export price. Adjustments to normal value were not applied in this case as the Applicant has used a constructed normal value.

2. Provide, for all adjustments you make, the following:

- details of the differences that resulted in an adjustment;
- details of how you produced the estimate of the allowances for the differences; and
- supporting evidence concerning these differences.

Please refer to the response to E.9. above.

E.12. Dumping Margin

If the overall dumping margin calculated across all product types/models and across all transactions is **less than 2%**, the Regulations consider this to be minimal and we cannot initiate an investigation.

1. Calculate the dumping margin. **Complete Annex 7**, repeating the calculation for each different model of the imported goods you have previously identified. Make sure you do this for each export price you have provided and for the normal value you have provided which is most closely comparable to that export price. If your complaint concerns more than one exporting country, calculate the dumping margin for each country.

If the normal value or the export price (or both) you have used was not an ex-works price, please describe the level of trade it relates to.

1. The Applicant has identified which Chinese boom lift models—among those for which they have pricing—are equivalent to the Applicant's HR17 model. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**

2. To calculate the dumping margin, the Applicant has subtracted the EXW price for Chinese machines sold in the UK (which are equivalent to the Applicant's HR17) from the EXW price for constructed normal value of the boom lift if it were produced in Brazil. As noted above, to ensure a like for like comparison, the Applicant has constructed the normal value of a boom lift if it were produced in Brazil based on the Applicant's factors of production to produce a HR17.

3. Based on the above calculations, the Applicant has arrived at:

   (a) *Using a liberal methodology (including depreciation and amortisation as costs):* an average dumping margin of **[23,500-32,500]** GBP, which equates to **[69.5-94.5]%**.

   (b) *Using a conservative methodology (not including depreciation and amortisation as costs):* an average dumping margin of **[17,500-24,500]** GBP, which equates to **[49.5-68.5]%**.

4. Please refer to Appendix E.3 and Annex 7 of Appendix D.1 for the detailed calculations.

SECTION F: Subsidised imports

Complete this section if you are making an application for a subsidy investigation.

In order for us to investigate whether the goods are subsidised, we must be satisfied that the application contains enough evidence:

- that the goods are being imported
- that the goods are subsidised
- that the goods are causing injury to UK industry
- that the volume of goods and injury is more than negligible and the amount of subsidy is more than minimal
- that the market share is met or waived.

'Minimal', for developed countries, means a subsidy amount that is less than 1% of the estimated value of the goods (2% in the case of a developing country).

'Negligible' is where the exporting country accounts for less than 3% of imports of the goods in question into the UK (less than 4% in the case of a developing country). The other exception to this is where the exporting countries individually account for less than 3%, but collectively account for more than 7% of imports of the goods being imported.

F.1. Volume of subsidised imports

1. List all countries (or territories) that export the goods to the UK, noting whether they are the country of origin or just the exporting country; in the latter case, please provide the identity of the country of origin.

Please refer to the response to question E.1.1. above.
Appendix reference: N/A

2. **Complete the Annex 2**, giving the volume and value of the imported goods for the POI, to demonstrate percentage of total imports.

3. Provide details and evidence of how the volume and value of subsidised imports have been calculated.

Please refer to the response to question E.1.3. above.
Appendix reference: N/A

F.2. Countervailable subsidies in the exporting country

A subsidy exists if there is a financial contribution by a foreign authority which confers a benefit on the recipient (usually an industry or business manufacturing goods) or a form of income or price support received from a foreign authority which confers a benefit on the recipient. Forms of income and price support are defined in Article XVI of the General Agreement on Tariffs and Trade 1994 (part of Annex 1A to the WTO Agreement).

Not all subsidies are countervailable. A subsidy is countervailable if it is specific to certain companies or industries (rather than general) and when it is granted either directly or indirectly for the manufacture, production, export or transport of goods.

Please refer to our guidance on How we carry out a subsidy investigation for further information.

1. Using the table below, list all known countervailable subsidy programmes in the exporting country which relate to the production and/or sale of the goods you are asking us to investigate. Subsidy programmes can include, but are not limited to:

- Grants
- Loans and loan guarantees
- Tariff/tax exemptions (including VAT/Sales Tax)
- Debt for equity swaps
- Land use rights
- Export credits and financing
- Equity infusions
- Provision of goods and services
- Purchase of goods
- Income or price support arrangements.

+Add/remove additional rows as required.

Subsidy programmes

1.	The Applicant has identified 78 subsidy measures that have been provided to Chinese boom lift producers.

2. Appendix F.1 provides the following publicly available information about the subsidy measures: (i) the name of the subsidy measure; (ii) the commencement date of the measure; (iii) description of the measure; (iv) the subsidy value or amount granted under the measure; (v) the periodicity of the measure; (vi) the eligibility criteria to apply the measure; (vii) the territorial application of the measure; and (viii) the authority that granted the measure.

3. Even though some of the programs, policies and guidelines are generally applied at the national and centralised level, in combination with other measures they form a part of the specific subsidies.

4. The Applicant is unable to provide some information on specific measures, because it is not publicly available. In addition, the Applicant is unable to locate official governmental sources of some of the subsidy measures (highlighted in orange in Appendix F.1). Where this is the case, the Applicant has indicated where the information has been sourced from.

5. The measures listed in Appendix F.1 have no specific expiry date, and they have been provided by the Chinese Government or a public body as further evidenced in the annual reports (refer to section F.3 below).

6. The Applicant's response to Section F.2. is divided into the following sections:

   (a) Section 1 provides general information about broader policy measures implemented by the Government of China ("**GOC**") that also apply to the MAE sector.

   (b) Section 2 describes specific measures applicable to the MAE and construction sectors.

   (c) Section 3 concludes by confirming that policy measures at issue constitute countervailable actionable subsidies within the meaning of the ASCM[153] and the D&S Regulations.[154]

Section 1: Central policies implemented by the GOC that apply to the MAE sector

7. Based on *prima facie* evidence provided in this Section and reflecting information reasonably available to the Applicant, the Applicant considers that imports of boom lifts originating in China to the UK are being heavily subsidised under numerous countervailable subsidy measures implemented by the GOC, local levels of Chinese Government and other public bodies.

8. As a general point, the GOC has been heavily supporting the Chinese construction sector, including the MAE (which includes boom lifts) sector, by

[153] WTO, Agreement on Subsidies and Countervailing Measures, 15 April 1994, Marrakesh Agreement Establishing the World Trade Organization, Annex 1A, 1869 UNTS 14 (ASCM), available here.
[154] The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019, SI 2019/450, available here.

providing different types of subsidies to companies operating within this industry. It is evidenced by significant market distortions in this industry, as detailed in response to Section E.3. above.

9. The overall economic setup of China is characterised by a particularly strong role of the State, with the authorities being controlled by the CCP. As a result, Chinese companies operate in an environment where government intervention, rather than market forces, plays the decisive role. In this framework, undertakings in strategic industries such as construction machinery, including MAE, are not acting as free market operators but as vehicles for the implementation of government industrial policy.[155]

10. For many years, the GOC has heavily supported the construction machinery sector. The 14th Five-Year Plan for National Economic and Social Development and Long-Range Objectives for 2035 (2021–2025) ("**14th FYP**")[156] sets out China's strategic vision to upgrade manufacturing and promote innovation, intelligent equipment, and electrification. It identifies construction/engineering machinery as a strategic industry and provides for subsidies and incentive policies to encourage the priority use of electric machinery.

11. As implementation of this general policy, the sector formulated the 14th Five-Year Development Plan for the Construction Machinery Industry (2021)[157] which further implements the general 14th FYP framework objectives and designates the sector as an "*important pillar industry*," prescribing innovation-driven development, localisation of key components, and the establishment of industrial clusters. MAE is an integral part of this sector and directly benefits from these objectives.

12. Moreover, as of 2025, the Digital Transformation Plan for the Machinery Industry (2025–2030)[158] has entered into force, which prescribes mandatory

[155] 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 *"all these elements show that the structure of the legal and political system in the PRC relies on a tight grip by the government on all aspects of the economy and trade, as they are centrally managed and monitored by the GOC. The economic operators are integral part of this system not as free market actors aiming to take business decisions purely driven by economic logic and profit maximisation, but rather as one of the integral actors to implement the overarching policies and their specific objectives set by the GOC at central level."* p. 9.

[156] The 14th Five-Year Development Plan (2021-2025) for National Economic and Social Development and Long-Range Objectives for 2035, available here (Appendix F.3.A; F.3.B (English version)).

[157] Seetao, "Construction Machinery 14th Five-Year Development" ("**Construction Machinery 14th Five-Year Development**"), 19 July 2021, available here (Appendix F.4.A; F.4.B (English version)).

[158] Ministry of Industry and Information Technology; Ministry of Human Resources and Social Security; Ministry of Housing and Urban-Rural Development; Ministry of Transport; Ministry of Agriculture and Rural Affairs; National Health Commission; State Administration for Market Regulation; and Ministry of

digitalisation targets, with accompanying subsidies for smart factories, industrial software, and integration into industrial parks.

13. These priorities are further reinforced by Made in China 2025,[159] which calls for expanded financing channels, subsidised loans, export credit and insurance, bond facilitation, R&D support, and preferential tax policies. Although the term "*Made in China 2025*" gradually disappeared from official Chinese rhetoric under international pressure, the policy objectives themselves remained intact. Unofficial sources confirm that the policy objectives will be reframed in a new "*China standard 2035*".[160]

14. Other sources confirm that the policy objectives of Made in China 2025 have been embedded in the "*dual circulation*"[161] and "*high-quality development*"[162] strategies.[163] Indeed, the dual circulation strategy emphasises the need to boost resource utilisation efficiency. The high-quality development strategy stresses technological self-reliance. Both align closely with the goals of Made in China 2025 that focus on *"independent innovation capabilities, resource utilization efficiency, industrial structure, informatization, and quality and efficiency"* of the manufacturing industry, and prioritise quality first and green development.[164]

15. Furthermore, the State Council's Decision No. 40[165] and the Guidance Catalogue for Industrial Structure Adjustment[166] classify construction machinery as an "encouraged industry". This designation formally unlocks access to preferential land-use rights, reduced electricity tariffs, tax relief, and eligibility for government funding.

Emergency Management, "Implementation Plan for the Digital Transformation of the Machinery Industry", available here (Appendix F.11.A; F.11.B (English version); F.11.1.A; F.11.A.B (English version)).

[159] Made in China 2025 (Appendix F.2.A; F.2.B (English version)).

[160] News report by Huanqiu in 2018, available here. (First paragraph: "*The National Standardization Management Committee, in collaboration with the Chinese Academy of Engineering and other national high-level think tanks, is conducting research on standardization strategies and developing the action plan for advancing the standardization strategy, titled China Standards 2035".*) (Appendix F.81.A; F.81.B (English version)); Report by VOA Chinese in April 2020, First paragraph: "*After the controversial Chinese industrial policy Made in China 2025 faded from the spotlight, China is now planning to launch the next generation of global standards — China Standards 2035 — later this year. This ambitious 15-year blueprint will cover global technological fields that are expected to define the next decade, including artificial intelligence (AI), telecommunications networks, and data flows.*" available here. (Appendix F.82.A; F.82.B (English version)).

[161] S. A. Javed, Y. Bo, L. Tao, & W. Dong, "The 'Dual Circulation' development model of China: Background and insights.", 2021, *Rajagiri Management Journal*, *17*(1), available here. (Appendix F.83)

[162] Gu Yan, Zhang Xinxin, and Ma Xiaoteng, A Systematic Interpretation of High-quality Development, 2024, available here (Appendix F.84).

[163] World Economic Forum, "*Made in China 2.0: The future of global manufacturing?",* available here (Appendix 85).

[164] Made in China 2025, para. 2, p. 2, and section two, p. 5.

[165] Guidance Catalogue for the Industrial Structure Adjustment, 2019, p. 33, available here (Appendix F.6.1.A; F.6.1.B (English version)).

[166] Guidance Catalogue for the Industrial Structure Adjustment, 2019, p. 33.

16. Provincial governments are legally required to operationalise these instruments. Regional policies, such as the Machinery Industry Stabilization Work Plan (2023–2024)[167] further strengthen these advantages by facilitating access to government funds, improving financing conditions, and stabilising domestic demand. In practice, local authorities in provinces such as Hunan (home to Zoomlion and Sinoboom) and Jiangsu (home to Dingli) provide local subsidies, preferential land allocation, and industrial-park support measures. Machinery clusters such as Changsha and Xuzhou ensure that MAE producers receive subsidised land and services, access to grants, and facilitated utilities.

17. The above measures are specific, being limited to encouraged industries and concentrated clusters. Taken together, these measures have encouraged and facilitated financial contributions made to the Chinese producers of boom lifts in the form of direct transfers of funds, revenue forgone or not collected, and goods and services provided for less than adequate remuneration. They place MAE producers in a more favourable position than they would have otherwise been under normal market conditions. The result of these measures is a coherent, centrally planned framework that sustains and expands the MAE industry through subsidies across financing, taxation, land and power, inputs, and demand creation.

Section 2: Specific measures applicable to the MAE and construction sectors

Preferential financing and credit

18. Chinese banks are legally obliged to align lending with industrial policy. Under the Law on Commercial Banks (1995, Art. 34)[168] (**"Bank Law"**) and the General Rules on Loans (1996, Art. 15),[169] banks must provide credit to sectors prioritised by the state. The construction machinery sector has consistently been among these sectors, as mentioned above.

19. Article 34 of the Bank Law, which applies to all financial institutions in the PRC, provides that "*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*." Although Article 4 of the Bank Law stipulates that banks "*shall, pursuant to law, conduct business operations without interference from any unit or individual*" and "*independently assume civil liability with their entire legal person property*,"

[167] Machinery Industry Stabilization Work Plan (2023-2024), available here (Appendix F.8.A; F.8.B (English version)).
[168] Law of the PRC on Commercial Banks (Bank Law), available here (Appendix F.17.A; F.17.B (English version)).
[169] General Rules on Loans (implemented by the People's Bank of China), available here (Appendix F.17.A; F.17.B (English version)).

past anti-subsidy investigations have shown that this independence is conditional on Article 34 of the Bank Law. In practice, banks implement state policy objectives when instructed.[170]

20. Moreover, Article 15 of the General Rules on Loans allows interest subsidies on loans "*in accordance with the State's policy,"* in order to promote industry growth or regional economic development.

21. Decision No. 40 likewise instructs financial institutions to provide credit support to "*encouraged*" projects, encompassing both the MAE industry and its key input sectors. It thus confirms that, under the Bank Law, banks effectively exercise governmental authority by extending preferential credit in line with state policy.

22. State-owned commercial banks, such as the China Development Bank the Agricultural Bank of China, and the Industrial and Commercial Bank of China, provide preferential loans and credit lines to machinery enterprises. These loans are typically offered at below-market interest rates and with extended maturities.

23. In addition, construction machinery firms benefit from preferential access to bond financing, as permitted by the Securities Law of the PRC[171] and related State Council regulations. Issuers aligned with industrial policy are able to access bonds at more favourable conditions than comparable firms in non-prioritised sectors.

24. Export financing and insurance are also critical tools. The Export-Import Bank of China and Sinosure provide export credits and insurance at preferential terms for MAE exporters, thereby directly supporting their overseas expansion.[172]

25. Sinosure grants preferential export credit insurance and provides support funds to enterprises active in the production of high-tech goods. MAE falls within this category of high-tech products.[173] In this regard, the Notice on the Issue of the 2006 Edition of China's High-Tech Products Export Catalogue

[170] Commission Implementing Regulation (EU) 2021/2287 of 17 December 2021 imposing definitive countervailing duties on imports of aluminium converter foil originating in the People's Republic of China and amending Implementing Regulation (EU) 2021/2170 imposing definitive anti-dumping duties on imports of aluminium converter foil originating in the People's Republic of China ("**Commission Implementing Regulation (EU) 2021/2287**"), recital 164, available here.
[171] Securities Law of the People's Republic of China, revised for the second time at the 15th Meeting of the Standing Committee of the Thirteenth National People's Congress on December 28, 2019, promulgated through the Order of the President of the People's Republic of China No. 37, available here (Appendix F.29.A; F.29.B (English version)).
[172] 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 ("**Commission Implementing Regulation (EU) 2025/796**"), p. 50, available here.
[173] Commission Implementing Regulation EU 2021/2287, recital 421.

(No. 16)[174] expressly states that *"products included in the 2006 edition of the Export Catalogue may enjoy preferential policies granted by the State for the export of high-tech products."*[175]

Provision of goods and services for less than adequate remuneration (LTAR)

26. Land use in the PRC is not governed by market principles but is centrally administered under socialist ownership rules. The Chinese Constitution provides that land cannot be privately owned: urban land belongs to the State, while rural land is collectively owned by villages or townships. As a result, the GOC effectively supplies land to enterprises, which constitutes a form of "provision". Land-Use Rights are granted to individuals and companies in line with state planning objectives, and construction projects may only proceed if they "*compl[y] with the requirements of land spatial planning, annual land use planning and use control*"[176] and align with national industrial policies. Oversight of land use rests with central authorities, which supervise and inspect the implementation of these state rules at provincial level. Land-Use Rights may be obtained through procedures such as public bidding, quotations, or auctions.

27. MAE producers benefit from below-market Land-Use Rights, allocated under the Land Administration Law of the PRC[177] and related implementing regulations. Local governments regularly provide industrial land at reduced or even nominal prices to enterprises operating in encouraged industries.

28. China also provides electricity to MAE producers at preferential rates as a result of state-directed price control and selective eligibility under industrial policy. Measures such as Circular of the National Development and Reform Commission on fully liberalizing power generation and consumption plans for commercial power users No. 1105 ("**NDRC**", 2019)[178] and corresponding provincial notices authorise reduced electricity prices for industrial users in encouraged sectors, including machinery producers.

[174] Notice on Printing and Distributing the 2006 Edition of China's High-Tech Product Export Catalogue, (National Science & Technology Dept. No. 16) ("**Notice on Printing and Distributing**"), available here. (Appendix F.37.A; F.37.B (English version))
[175] Notice on Printing and Distributing.
[176] Decree of the State Council of the People's Republic of No. 743 Regulations for the Implementation of the Land Administration Law of the People's Republic of China, July 2021, Article 14, source inaccessible.
[177] Standing Committee of the National People's Congress, Land Administration Law of the PRC, available here. (Appendix F.44; F.44.1).
[178] Circular of the National Development and Reform Commission on fully liberalizing power generation and consumption plans for commercial power users Fa Gai Yun [2019] No. 1105, Section III: Opening up to allow the entry of users fulfilling requirements, Point 2. Notice of the National Development and Reform Commission on the Comprehensive Liberalization of Plans for Generating and Consuming Electricity by Operating Power Users, available here (Appendix F.49.A; F.49.B (English version)).

29. The United States Department of Commerce ("**USDOC**") observed that a notice implementing this circular *"indicates that the NDRC continues to play a seminal role in setting and adjusting electricity prices, by mandating average price adjustment targets with which the provinces are obligated to comply in setting their own specific prices".*[179]

30. **[SENSITIVE – INFORMATION OBTAINED FROM A SOURCE NOT PUBLICLY AVAILABLE]**.[180]

31. Upstream inputs for MAE are likewise supplied at LTAR. The GOC provides targeted support to steel, tyres, batteries and hydraulic components - all essential inputs - through sector-specific strategies such as the 13th Five-Year Plan for the Hydraulic Industry[181] and the Light Industry Development Plan (2016–2020).[182]

32. The 14th Five-Year Development Plan for the Construction Machinery Industry calls for "*breakthroughs in key components and technologies such as mid-to-high-end hydraulic components,"*[183] identifying high-pressure hydraulic systems as priority areas. Similarly, the Made in China 2025 programme classifies hydraulic parts as "*core basic parts*" that warrant heightened state support.[184]

33. This ensures that MAE producers obtain critical inputs at below-market prices.

34. Subsidised logistics services further reduce costs. The 14th FYP for Modern Logistics (2022)[185] and related transport plans authorise reduced rail and port

[179] Coalition to Restore a Level Playing Field in the EU Mobile Access Equipment Sector, Complaint (open version) requesting initiation of an anti-subsidy investigation on imports of mobile access equipment originating in China, 12 February 2024, which refers to "USDOC, Decision Memorandum for the Preliminary Determination in the Countervailing Duty Investigation of Gas Powered Pressure Washers from the People's Republic of China, 30 May 2023, p. 27", p. 66.; The TRA previously determined in investigations, Excavators (AD0047) (available here), Positive determinations of a particular market situation (PMS) in previous TRA investigations, Optical Fibre Cables (AD0021) (available here), and Positive determinations of a particular market situation (PMS) in previous TRA investigations, Aluminium Extrusions (AD0012) (available here), that a PMS exists in China's energy market, both nationally and locally, leading to artificially suppressed prices. The TPR China Report 2021 (WTO, "Trade Policy Review China report (WT/TPR/S/415)", September 2021, available here (Appendix E.25)), already noted that electricity transmission and distribution remain subject to state-imposed price controls.

[180] MAE Subsidy Complaint, para. 273 (Appendix F.91). Appendix F.91 has not been provided in a non-confidential format as it contains information that only interested parties in a non-UK case have access to. Due to its sensitivity, it is impossible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices.

[181] 13th FYP for Professional Development of the Hydraulic Industry, source inaccessible.

[182] Light Industry Development Plan (2016–2020), available here. (Appendix F.53).

[183] Construction Machinery 14th Five-Year Development, p. 88.

[184] Zheshang Securities, "Hengli Hydraulics Research Report", source inaccessible.

[185] 14th Five-Year Plan on Modern Logistics Development No. 17, available here (Appendix F.69).

tariffs, ensuring that exporters of bulky machinery like MAE face lower costs than market conditions would dictate.

Tax preferences

35. The Enterprise Income Tax Law ("**EIT**")[186] of the PRC provides significant relief for qualifying enterprises. Under the EIT, the standard corporate tax rate in China is 25% for resident and non-resident enterprises in accordance with Article 4 the EIT. Article 28 of the EIT, however, explicitly provides that *"High and New Technology Enterprises ("**HNTEs**") that need to be supported by the state will be taxed at a reduced rate of 15%."* Article 25 of the EIT further provides the legal basis for the State Council to issue additional preferential tax policies.

36. In practice, MAE producers qualify as high-tech and "encouraged" enterprises under the Guidance Catalogue for Industrial Structure Adjustment,[187] issued pursuant to State Council Decision No. 40, and thereby benefit from the reduced 15% rate.

37. Additional instruments, including the 2021 State Council's Order of the NDRC No. 40 and the 2020 Catalogue of Encouraged Industries in the Western Region,[188] confirm that encouraged industries enjoy preferential tax treatment. As the Catalogue classifies construction machinery as "encouraged", MAE producers located in the Western Region are also eligible for the 15% reduced rate. Significantly, in its 2021 countervailing duty investigation on MAE from China, the USDOC determined that income tax reductions granted to high-tech enterprises amount to countervailable subsidies.[189] Similarly, the Commission has found that preferential income tax reductions, including those granted to high-tech enterprises, constitute countervailable subsidies in its anti-subsidy investigations concerning imports from China.[190]

38. The preferential treatment for HNTEs is implemented through the Administrative Measures for the Recognition of High and New Technology Enterprises,[191] jointly issued by the Ministry of Science and Technology, the Ministry of Finance, and the State Taxation Administration. Certification as an

[186] National People's Congress of the People's Republic of China, Enterprise Income Tax Law of the PRC - reduction for High and New Technology enterprises, available here (Appendix F.72).
[187] Guidance Catalogue for Industrial Structure Adjustment (2024), available here. (Appendix F.6.1.A; F.6.1.B (English version)).
[188] Catalogue of Encouraged Industries in the Western Region (Decree No.28 of 2024), available here (Appendix F.73).
[189] US Department of Commerce, 'Issues and Decision Memorandum for the Final Affirmative Determination of the Countervailing Duty Investigation of Certain Mobile Access Equipment and Subassemblies Thereof from the People's Republic of China', C-570- 140, 26 July 2021, p. 15 and pp. 53-54, available here (Appendix F.90).
[190] Commission Implementing Regulation (EU) 2025/796, paras. 394-406.
[191] Notice No. 32 on Administrative Measures for the Identification of High-tech Enterprises, available here (Appendix F.75; F.86).

HNTE is granted by provincial tax bureaus, is valid for three years, and must be renewed upon expiry. Enterprises with this certification are eligible for the reduced 15% income tax rate. This system applies uniformly across provinces, which explains why leading MAE producers such as Dingli (Zhejiang), LiuGong (Guangxi), XCMG (Jiangsu), and Zoomlion (Hunan) all benefit from the same preferential rate.

39. Further incentives include R&D super-deductions, accelerated depreciation of machinery and equipment, and regional preferential rates (notably in the Western Region). These benefits result in substantial government revenue foregone.

40. The 2021 Announcement of the Ministry of Finance and the State Administration of Taxation on refining the pre-tax super deduction policy for R&D expenses provides that, as of 1 January 2021, manufacturing enterprises may deduct 100% of their actual R&D expenses from taxable income when such costs do not result in intangible assets. Where R&D activities do generate intangible assets, these may be amortised before tax at 200% of their cost.[192]

Government grants

41. The GOC provides grants at national and sub-national level to support innovation and industrial upgrading in construction machinery, including MAE. The 14th FYP for Construction Machinery "*encourage[s] enterprises to focus on high-end product"* and foresees subsidies and incentive policies for electric equipment and intelligent upgrades. Similarly, the 2012 Guiding Opinions on Promoting Enterprise Technology Renovation[193] instruct that "*the central and local finances will further increase support, increase investment in technological transformation, and focus on supporting technological transformation in key areas and key links of industrial transformation and upgrading*." The Administrative Measures for Special Investment in the Revitalization of Key Industries and Technological Transformation[194] operationalise the Guiding Opinions by establishing dedicated funds that provide investment grants and preferential loan support to advance technological upgrading and transformation projects.

[192] Point 1, Announcement of the Ministry of Finance and the State Administration of Taxation on Further Improving the Pre-tax Super Deduction Policy for R&D Expenses, Announcement No. 13 (2021): it stated that *"[i]f the research and development expenses actually incurred in the research and development activities of manufacturing enterprises do not form intangible assets and are included in the current profit and loss, on the basis of actual deduction in accordance with regulations, starting from January 1, 2021, the actual amount shall be calculated according to the actual amount. 100% is deducted before tax; if an intangible asset is formed, it will be amortized before tax at 200% of the cost of the intangible asset from January 1, 2021."* Available here (Appendix F.76).
[193] 2012 Guiding Opinions on Promoting Enterprise Technology, available here (Appendix F.87).
[194] Administrative Measures for Special Investment in the Revitalization of Key Industries and Technological Transformation (Provisional), source inaccessible.

42. At provincial and municipal level, targeted schemes fund digitalisation and automation. For instance, Changsha grants a "*subsidy of 30% of the purchase price*" for eligible pilot enterprises, up to CNY 10 million,[195] while Zhejiang provides financial support for smart-manufacturing demonstration projects.[196]

43. Robot purchase incentives also exist. Under Zhejiang's "*Robot +*" Action Plan, companies receive subsidies of 10% of purchase costs, while the 2023 national *"Robot+ Application Action Implementation Plan"* encourages SOEs to "*support the first purchase and first use of enterprises*."[197]

44. In addition, MAE groups report regular ad-hoc grants, including infrastructure and relocation subsidies, operating support, and patent awards. The China Patent Award provides cash amounts of CNY 1 million (gold), CNY 500,000 (silver) and CNY 300,000 (excellence). Such measures involve direct transfers of funds, confer a benefit, and are specific to targeted firms and technologies.[198]

Sector designation and provincial implementation

45. The 14th FYP for the Construction Machinery Industry (2021) designates the sector as an important pillar of the national economy. It prescribes innovation, digitalisation, and export upgrading, with accompanying grants, subsidies, and financing tools.

46. Provincial plans operationalise these priorities. For example, the Government of Hunan province (home to Zoomlion and Sinoboom) and Jiangsu province (home to Dingli) provide local subsidies, preferential land allocation, and industrial park support measures that directly benefit MAE producers.

Section 3. Chinese measures constitute countervailable subsidies

47. Measures listed in Appendix F.1 combined with the general policy measures detailed above show a clear picture of structural, systemic and consistent subsidisation of the MAE industry.

[195] The General Office of the Changsha Municipal People's Government issued a notice on several policies to support the intelligent technological transformation of industrial enterprises, 6 July 2018, source inaccessible.
[196] Opinions of the General Office of the People's Government of Zhejiang Province on Promoting Intelligent Technology Transformation of Industrial Enterprises, 14 March 2023, source inaccessible.
[197] Circular of the Ministry of Industry and Information Technology and other 17 departments on printing and distributing the "Robot +" application action implementation plan, 18 January 2023, available here. (Appendices F.88.A; F.88.B; F.88.1.A; F.88.1.B (English version)).
[198] Cooltech Group, 'Does the China Patent Award count as a national award', 21 September 2022, available here (Appendix F.89.A; F.89.B (English version)).

48. Appendix F.1 indicates: (i) in column "J" why the subsidy is specific; (ii) in column "F" why it constitutes financial contribution; (iii) in columns "G" and "H" why it is a benefit to the producer; and (iv) in column "L" that the benefit was conferred by the Chinese Government or a Chinese public body.

49. Based on the above, it is established that the measures at issue constitute countervailable subsidies under Regulations 20 to 22 of the D&S Regulations, as they involve a financial contribution granted by a government or public body, confer a benefit on the producer, and are specific in nature.

Appendix reference: E.25, F.1-F.99.

To understand if there has been a financial contribution, we need to identify if:

- there has been a direct transfer of funds from a foreign authority, including making money and financial resources available;
- there has been a potential direct transfer of funds from a foreign authority, including a commitment to transfer funds;
- revenue that is rightfully due to government has not been collected (waived or deferred), including, taxes, debt, derivatives, or dividends;
- goods and services have been provided for by a foreign authority, at a lower amount than normally would have been paid;
- goods were purchased from a producer by a foreign authority, that artificially increases the revenue gained from selling the goods; or
- a foreign authority has:
    - made payments through a financial mechanism, or
    - entrusted or directed a private body to carry out any of the above functions.

2. For all subsidy programmes listed above, please explain and provide documentary evidence of the subsidy programme (the financial contribution), including:

- the subsidy programme's commencement date;
- the subsidy amount or value; and
- the frequency of subsidy i.e. one-off or re-occurring.

Please refer to Appendix F.1 for this response.

Appendix reference: N/A

3. For all subsidy programmes listed above, please explain and provide documentary evidence that the subsidy has been (or is still being) provided by a foreign authority.

Please refer to Appendix F.1 and Appendix F.2 for this response.
Appendix reference: N/A

As well as establishing that a subsidy is in place, we need to understand the benefit it confers on the recipient. A benefit cannot exist theoretically – it has to be received by a recipient. It is important to note that the recipient of the benefit doesn't necessarily need to be the same recipient that received the financial contribution. For example, a subsidy provided to an upstream industry provides a benefit to a downstream industry.

4. For all subsidy programmes listed above, please explain and provide documentary evidence of the effect of the subsidy on the production and sales of the goods being imported to the UK.

The broad spectrum of subsidies provided to the Chinese boom lift producers allows them to focus on their export activities by e.g. decreasing prices of boom lifts as well as reallocation of funds through a variety of tax incentives. Further explanation on how each subsidy supports the Chinese boom lift producers has been provided in response to Section F.3. below under *"Calculating how much subsidy the imported goods attract".*
Appendix reference: N/A

5. For all subsidy programmes listed above, please explain and provide documentary evidence of the specific nature of the subsidy, including:

- conditions of eligibility to receive the subsidy;
- all known recipients of the subsidy;
- whether the subsidy is only available to certain regions or territories within the exporting country.

Please refer to Appendix F.1 for this response.
Appendix reference: N/A

F.3. Calculating how much subsidy the imported goods attract

We need to understand the amount of subsidy which the subsidised imports receive. If we establish that a measure is needed to counteract the injury the goods are

causing to the UK market, this will help us determine what sort of measure to recommend and at what level.

To make this calculation, we will need to establish:

- the total amount of the countervailable subsidy;
- the amount of the countervailable subsidy that can be attributed to the POI; and
- which goods the countervailable subsidy can be allocated to during the POI.

1. For all subsidy programmes listed above, please explain and provide documentary evidence about the total amount of countervailable subsidy that the imported goods attract. You will need to explain the calculation methodology used. It is the benefit to the recipient that matters, not the cost (or opportunity cost) to the foreign authority. You should refer to our How we assess the benefit a subsidy provides guidance to understand what is required.

1. The value of subsidies was calculated in Appendix F.2 based on the 2024 annual reports of Dingli, LiuGong, XCMG and Zoomlion, and the value and volume of imports as explained in the responses to questions E.1.3. and F.1.3 above.

2. The actual amounts attributed are set out in Appendix F.2, not Appendix F.1. Appendix F.1 contains a list of additional measures that were either not identified in the annual reports referenced in Appendix F.2, or for which supplemental information has been found. This is because the Applicant has already exhausted all publicly available sources to calculate the countervailable subsidies that the goods concerned attracted.

3. Accordingly, Appendix F.1 guides the TRA by identifying potentially applicable measures that warrant further investigation. Based on annual reports of the Chinese exporting producers for the previous financial years, and findings of the European Commission in its anti-subsidy (AS704) investigation into MAE, the Applicant considers it highly likely that Chinese exporting producers continue to benefit from these measures and therefore requests that the TRA examine them in its assessment.

4. The Applicant has applied the average subsidy rate of Dingli, LiuGong, XCMG and Zoomlion, namely **5.2**% to the total value of imports in both conservative and liberal versions. As a result, for the calendar year 2024, the imported goods attracted a conservative amount of **[811,000-1,099,000]** GBP or a liberal amount of **[1,850,000-2,504,000]** GBP.

5. As regards revenue foregone or not collected, in addition to the EIT, export tax rebates and VAT rebates were identified as countervailable subsidies received by the Chinese exporting producers, and therefore included in the subsidy calculations in Appendix F.2.

6. The calculation methodology used in Appendix F.2 is as follows:

   (a) The subsidies highlighted green have been included in the subsidy calculations and those highlighted red have been excluded.

   (b) Grants, cash refunds and cash received were taken into consideration in full.

   (c) Export tax refund receivables were calculated as a difference between the opening balance and ending balance and the difference was considered in full as a subsidy received.

   (d) Bank acceptance drafts ("**BADs**") are included in Appendix F.2 as basis for further inquiry but were not included in the subsidy calculations because key information concerning the contractual term of each BAD, actual length of the term and the interest rates were not publicly available. However, in para. 8 below the Applicant has provided a proposed calculation methodology for the benefit received by the Chinese exporting producers.

   (e) For EIT, the calculation formula applied is the difference between the normal tax rate and the preferential tax rate, namely 25%-15%=10%. The 10% of revenue foregone was considered in full.

   (f) For the deferred income, the difference between the opening balance and the closing balance was attributed as subsidy.

   (g) For VAT refund the entire amount was attributed as subsidy.

7. Measures found directly in the annual reports for financial year 2024 were not additionally included in Appendix F.1.

8. In Appendix F.2, the Applicant included the BADs received by all Chinese exporting producers as indicated in their annual reports. However, the Applicant did not include BADs in the detailed subsidy calculations, because key information was unavailable, such as, *inter alia*, the contractual term of each BAD, the actual term thereof, and any applicable interest rate. The Applicant therefore requests that the TRA investigate this issue further during the investigation phase. Based on the evidence reasonably available to the Applicant, the Applicant understands that BADs differ from conventional credit instruments because *de facto* they do not accrue interest; instead, they carry a flat fee, typically 0.05% of the draft's value. This fee-based structure is significantly lower than the cost of financing under normal market conditions. Therefore, to estimate the benefit conferred, the Applicant proposes comparing the actual cost under the BAD scheme with the hypothetical cost if the same amount had been financed at the prevailing Loan Prime Rate (LPR)

published by the People's Bank of China. The LPR is the standard benchmark lending rate in China and therefore represents the appropriate market-based comparator. The calculation should use the actual duration for which the BAD was outstanding, as BADs are frequently extended beyond the contractual credit period. The benefit would therefore be calculated as:
Benefit = Hypothetical Interest Cost − Actual Cost
where:
Hypothetical Interest Cost = Principal × LPR × Days / 365
Actual Cost = Principal × 0.0005
This methodology reflects the interest-free nature of BADs and provides a reasonable basis for quantifying the financial advantage enjoyed by the exporting producers.

9. Given the limited nature of the publicly available information concerning subsidies received by the Chinese exporting producers, the Applicant requests the TRA to investigate all different subsidy types as indicated in Appendix F.1 and Appendix F.2 during the investigation phase.

Appendix reference: F.2, F.2.1.1.A, F.2.1.2.A, F.2.1.3.A, F.2.1.4.A, F.2.1.1.B, F.2.1.2.B, F.2.1.3.B, F.2.1.4.B, F.2.1.1.C

2. For all subsidy programmes listed above, please explain and provide documentary evidence relating to the amount of the countervailable subsidy that can attributed to the period of investigation, including the calculation methodology you used. You should refer to our guidance on Determining the amount of the subsidy that can be attributed to the period of investigation when completing this section.

1. Because the subsidy measures that formed the basis of the subsidy calculations are of financial (monetary) nature, their total amount can be attributed to the calendar year 2024.

2. Given that the POI consists of three last quarters of the calendar year 2024, and there was no publicly available data for Q1 2025, 75% of the subsidies identified can be directly attributed to the POI.

3. However, the Applicant has attributed all the subsidy amounts identified in annual reports for financial year 2024 to the POI, not adjusting for the 75% split of Q2-Q4 2024, due to the lack of availability of information for Q1 2025. In light of the long systemic support from the GOC to the construction industry, there is no reason to believe that the subsidisation level in the calendar year

2025 would have dropped as compared to the calendar year 2024 (and quite likely it has increased).

Appendix reference: N/A

3. For all subsidy programmes listed above, please explain and provide documentary evidence relating to the goods the countervailable subsidy that can be attributed to during the period of investigation, including any calculation methodologies used. You should refer to our guidance on Determining the amount of the subsidy that can be attributed to the period of investigation when completing this section. We will be specifically looking at whether the subsidy is linked to the export of certain goods, the sale of certain goods, or to sales to a certain market.

1. The Applicant has analysed publicly available 2024 annual reports for the following Chinese MAE exporting producers: Dingli, LiuGong, XCMG and Zoomlion.[199] These annual reports clearly indicate the amounts of subsidies received in the form of direct transfer of funds (government grants) and revenue foregone or not collected.

2. The Applicant has conservatively calculated only the subsidies clearly marked in the annual reports as government grants and all types of revenue foregone or not collected.

3. Whereas the Chinese producers indicated their export revenue in the annual reports and some of them (i.e. Dingli) also indicated the unit sales per MAE type (i.e. booms, scissors and masts), the Applicant was unable to identify how many booms were actually exported to the UK. This is why it was not possible to attribute the subsidy amounts received to the specific boom lift segment in an accurate way. Therefore, the Applicant calculated the subsidy rate of each of the four Chinese MAE exporting producers as the total amount of direct transfer of funds and revenue foregone or not collected against the operating income (Appendix F.2).

4. Based on the conservative calculations above, the average subsidy rate of the four Chinese MAE exporting producers is **5.2%**, which is above the *de minimis* threshold.

5. At the same time, based on publicly available information, the Applicant was unable to confirm the exact amount of benefit received by the Chinese MAE

[199] Please refer to appendices F.2.1.1.A, F.2.1.2.A, F.2.1.3.A and F.2.1.4.A for the original Chinese versions and appendices F.2.1.1.B, F.2.1.1.C, F.2.1.2.B, F.2.1.3.B and F.2.1.4.B for English translated versions of the 2024 annual reports.

exporting producers from preferential loans and other types of preferential financing, however the annual reports clearly indicate receipt of loans. Notably, the Chinese exporting producers were assigned AAA credit rating, which is likely to be artificially inflated and does not correspond to the market rating they would have otherwise obtained (See Tab "Credit rating" in Appendix F.2). In addition, it has been confirmed in the EU's anti-subsidy (AS704) investigation that the Chinese MAE exporting producers benefitted from preferential financing of different types, which is why the Applicant requests the TRA to further investigate these types of subsidies received.

6. Moreover, given the market distortions concerning energy and land, it is likely that the Chinese exporting producers of MAE have benefitted also from these types of subsidies (there was no publicly available information confirming this). This is why the Applicant requests the TRA to further investigate these types of subsidies received.

Appendix reference: F.2, F.2.1.1.A, F.2.1.2.A, F.2.1.3.A, F.2.1.4.A, F.2.1.1.B, F.2.1.2.B, F.2.1.3.B, F.2.1.4.B, F.2.1.1.C

SECTION G: Injury

This section is about injury which the imports may be causing to the UK industry for the goods.

Injury as defined by the Act can refer to:

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

If your industry has suffered or is suffering material injury, all companies/associations involved in this application must complete the section G1 separately. This section should also be completed to represent the entire UK industry. Label each completed section clearly showing who it relates to.

If your industry is threatened with material injury but there is no injury yet, all companies/associations involved in this application must complete the section G1 separately. This section should also be completed to represent the entire UK industry. Label each completed section clearly showing who it relates to.

If your industry is nascent and is being or has been materially retarded, please contact us at contact@traderemedies.gov.uk.

G.1. Material Injury

Material injury is determined through a number of injury indicators. Not all the injury factors need to indicate material injury, but all the factors need to be considered in order to establish material injury. These include, but are not limited to:

- Actual and potential decline in: sales, profit, output, market share, productivity, return on investments, or use of capacity;
- Factors affecting domestic prices of the goods;
- The magnitude of the margin of dumping and/or the amount of subsidy; and
- Actual and potential negative effects on: cash flow, inventories, employment, wages, growth, ability to raise capital, or investments.

1. Please describe, with appropriate figures, how the UK industry for these goods has performed in terms of each of the above injury indicators for the POI, and injury period.

- Explain how you have calculated the figures and substantiate your figures with evidence.

- Provide evidence for each indicator.
- If you don't know the exact figures for other UK producers, provide an estimate based on reasonable assumptions.
- State the methodology and assumptions that you used.

1. Dumped and subsidised imports of Chinese boom lifts have caused material injury to the Applicant. The Applicant has been used as a proxy for the whole UK industry given it is unclear whether Snorkel produces boom lifts in the UK and the Applicant does not have access to Snorkel's data.

2. The Applicant addresses each of the following injury indicators to demonstrate how the Applicant has performed for the injury period and the POI:

   (a) Actual and potential decline in: production, production capacity, capacity utilisation, domestic sales, export sales, market share and profitability;

   (b) Actual and potential negative effects on: cost of production, stocks, investments and return on investments ("**ROI**"), employment, growth and cash flow;

   (c) Factors affecting domestic prices of the goods; and

   (d) The magnitude of the margin of dumping and the amount of subsidy.

3. The Applicant notes the following with respect to its performance data:

   (a) As mentioned in Section A.1.5. above, other than the manufacture and sale of new machines, the Applicant operates other secondary business functions (spare parts and refurbishment of second-hand machines). **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. The Applicant has focused on its performance data for the sale of new machines only. This is where the injury can clearly be seen. This is aside from investments, where the Applicant has taken the total figures and not focused on new machines only (given the difficulty in splitting this data).[200] **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

   (b) The Applicant has focused on performance data using units as the volume as opposed to MT. This is because machines have different

[200] The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 (SI 2019/450), Regulation 30, available: here. Regulation 30(3): *The TRA must conduct its examination only by reference to data that relates to the production of the like goods in the United Kingdom which are not exported from the United Kingdom, but where data relating to the like goods cannot be separated from data relating to a wider category of goods, which includes the like goods, the TRA may use the data relating to that wider category of goods*.

weights. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. The Applicant's machines are mostly lighter in weight compared to machines produced by other manufacturers with similar maximum working heights. As such, using MT as the volume indicator would distort the picture.

(c) The Applicant records performance data by order date and by invoice date, noting that there is a time lag between the two. This is because sales by order date reflects when a machine is ordered by the customer, whilst sales by invoice date is the date a machine is ready to be shipped. The Applicant has focused on performance data by invoice date below, except where otherwise specified (noting that sales data by order date has been used to explain some injury factors). Further details about the timeline between an order being placed and the invoice date are set out in Appendix G.1 (page 3). This page has been redacted as it contains sensitive information relating to the business operations of the Applicant.

4. The injury indicators evidence the material injury suffered by the Applicant due to the surge of imports of Chinese boom lifts. As demonstrated below:

(a) Actual UK production decreased by 6% between the start of the injury period and the POI, from **[SENSITIVE]** units to **[SENSITIVE]** units (directly related to the decline in orders due to customers switching to purchasing cheaper Chinese boom lifts).

(b) For the first time since the company's establishment, the Applicant has been forced to produce new machines for stock to maintain a minimum level of production **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

(c) The volume of domestic sales decreased between the start of the injury period and the POI by 7%, from **[SENSITIVE]** units to **[SENSITIVE]** units. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

(d) The Applicant has been forced to increase export sales due to dumped and subsidised imports of Chinese boom lifts. Exports now account for over **[61-85]**% of the Applicant's sales (based on revenue).

(e) The Applicant's total profit has ranged from **[SENSITIVE]**% to **[SENSITIVE]**% during the injury period and the POI. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]** in Q2 2025 total profitability fell to **[SENSITIVE]**%. The Applicant's UK profit has continued to fall in Q2 2025 to **[SENSITIVE]**%.

(f) The Applicant is unable to generate ROI despite continuous investment.

(g) The Applicant has been making employees redundant to prevent further losses. **[90-130]** employees have left since January 2025 (as of 19 August 2025), which represents ~**[17-23]**% of the total UK only

employees at the end of December 2024. The reduction in staff is a combination of redundancies and the Applicant not replacing staff that have voluntarily left.

5. Please refer to Appendix G.1. for the injury questionnaire of the Applicant, which is the source of the information provided below.

Actual and potential decline in: production, production capacity, capacity utilisation, domestic sales, export sales, market share and profitability

Actual production

6. The Applicant notes that all machines it produces (whether for the UK, the US, Europe or other markets) are produced in the UK.

7. Actual total production of the Applicant increased by 16% between the start of the injury period and the POI, from **[SENSITIVE]** units to **[SENSITIVE]** units (see table 1 below).

8. Total production increased because:

   (a) From 2021 to Q2 2024, because of the COVID-19 pandemic, the Applicant had a backlog of orders to produce. Customers placed more orders towards the end of 2020 and the start of 2021, following low investment into new machines during the uncertainty of the COVID-19 pandemic in 2020.

   (b) Export production has increased by 24% between the start of the injury period and the POI, from **[SENSITIVE]** units to **[SENSITIVE]** units (see table 3 below). The Applicant has been forced to increase export sales to other markets (including the US) due to severe pressure from dumped and subsidised imports of Chinese boom lifts in the UK market. Export production accounts for **~[61-85]**% of the Applicant's total production between the injury period and the POI.

9. Actual UK production has decreased by 6% between the start of the injury period and the POI, from **[SENSITIVE]** units to **[SENSITIVE]** units (see table 2 below). This is because the Applicant has experienced a decline in orders due to customers switching to purchasing cheaper Chinese boom lifts **[SENSITIVE – INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**.

10. In addition, for the first time since the company's establishment, the Applicant has been forced to produce new machines for stock to maintain a minimum level of production **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. However, this is obviously unsustainable in the long run.

Table 1: Actual total production (units) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	116	133	116

Table 2: Actual UK production (units) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	97	93	94

Table 3: Actual export production (units) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	124	147	124

Production capacity

11. As shown in table 4 below, the Applicant's production capacity has remained the same over the course of the injury period and the POI as the Applicant has not closed its production lines.

12. If, however, no measures are imposed on dumped and subsidised Chinese boom lifts, the Applicant will need to further reduce production and adapt the business accordingly. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

Table 4: Production capacity (units) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**

Index: 2021 = 100	100	100	100	100

Capacity utilisation

13. The capacity utilisation of the Applicant increased by **[SENSITIVE]** (16%) between the start of the injury period and the POI, from **[SENSITIVE]** to **[SENSITIVE]** (see table 5 below).

14. The utilisation rate has increased because whilst a smaller number of employees were kept on during the COVID-19 lockdown, the Applicant had to cease production for [**SENSITIVE**] in 2020 (refer to Appendix G.3). Once the factory reopened, utilisation was still lower in 2021 than pre-COVID-19 levels due to minimum distancing requirements for production staff. In addition, COVID-19 caused supply chain delays. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

15. The factories were designed and built to enable the Applicant to increase production with the expected demand.

16. The capacity calculation is based on three production shifts a day, for five days a week, with the only planned factory closure between Christmas and New Year.

17. The Applicant was successfully increasing production in the years prior to COVID-19.

Table 5: Capacity utilisation (%) for the injury period and the POI

	Q2 2021 – Q1 2022	**Q2 2022 – Q1 2023**	**Q2 2023 – Q1 2024**	**POI (Q2 2024 – Q1 2025)**
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	116	133	116

Actual and potential negative effects on cost of production

18. The cost of total production increased between the start of the injury period and the POI by 39%, from **[SENSITIVE]** GBP to **[SENSITIVE]**GBP (see table 6 below). Similarly, the cost of UK production increased between the start of the injury period and the POI by 46%, from **[SENSITIVE]** GBP to **[SENSITIVE]**

(see table 7 below). Cost of export production also increased between the start of the injury period and the POI by 37%, from **[SENSITIVE]** GBP to **[SENSITIVE]** (see table 8 below).

19. The Applicant has been focused on how it can improve business performance by significantly reducing manufacturing costs.

Table 6: Cost of total production (GBP) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	129	158	139

Table 7: Cost of UK production (GBP) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	113	117	146

Table 8: Cost of export production (GBP) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	134	170	137

Domestic sales of the Applicant

20. The Applicant notes that all of its UK sales are made to unrelated companies.

21. The volume of domestic sales decreased between the start of the injury period and the POI by 7%, from **[SENSITIVE]** units to **[SENSITIVE]** units (see table 9 below).

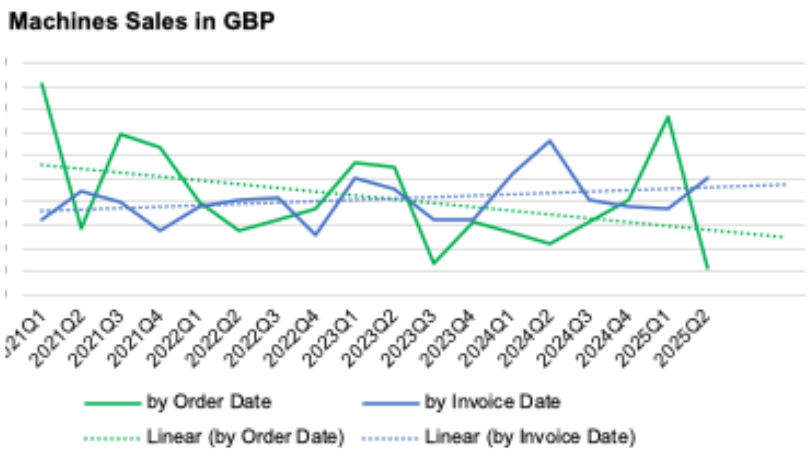
22. The value of domestic sales increased between the start of the injury period and the POI by 25%, from **[SENSITIVE]** GBP to **[SENSITIVE]** GBP (see table 10 below).

23. The unit price of domestic sales increased between the start of the injury period and the POI by 35%, from **[SENSITIVE]** GBP/unit to **[SENSITIVE]** GBP/unit (see table 11 below).

24. The Applicant sold more expensive machines in the UK in Q4 2024 and Q1 2025, as a result of shifting focus on the type of self-propelled machines sold to counter the injurious effects of dumped and subsidised Chinese boom lift imports. As such, this increased the value and the unit price of domestic sales. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

25. The data in tables 9 to 11 below reflect a comparison of sales by invoice date and by order date. As mentioned above, invoice date is the date the machine is ready to be shipped. On the other hand, sales by order date reflects when the machine was ordered by the customer, and therefore more accurately reflects the decline in the Applicant's orders/sales. As such, the decrease by order date shows the true decrease in sales over the injury period and the POI. Graphs depicting this decline are set out below. To reiterate, from 2021 to Q2 2024, the Applicant had a backlog of orders to produce because of the COVID-19 pandemic. However, the Applicant has since been experiencing a steep decline in the volume of orders/sales. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

[THE GRAPHS BELOW SHOW UK NEW MACHINE SALES IN GBP AND UK NEW MACHINE SALES IN UNITS, IN EACH CASE STARTING FROM Q1 2021. THESE HAVE BEEN CROPPED TO REMOVE EXACT FIGURES FROM THE Y AXIS]



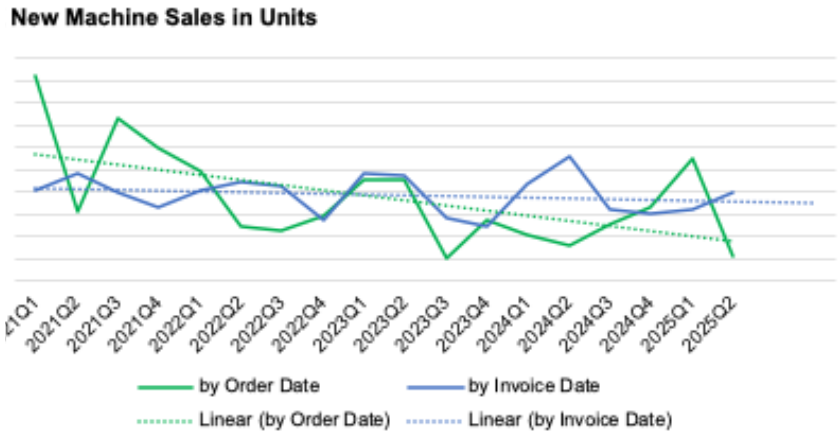


Table 9: Volume of domestic sales (units) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	95	91	93

Table 10: Value of domestic sales (GBP) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	101	110	125

Table 11: Unit price of domestic sales (GBP/unit) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	106	121	135

Export sales of the Applicant

26. The Applicant notes that all of its export sales are made to unrelated companies.

27. **[SENSITIVE – INFORMATION ABOUT INVOICING TO US COMPANY]**.

28. **[SENSITIVE – INFORMATION ABOUT INVOICING TO NETHERLANDS COMPANY]**.

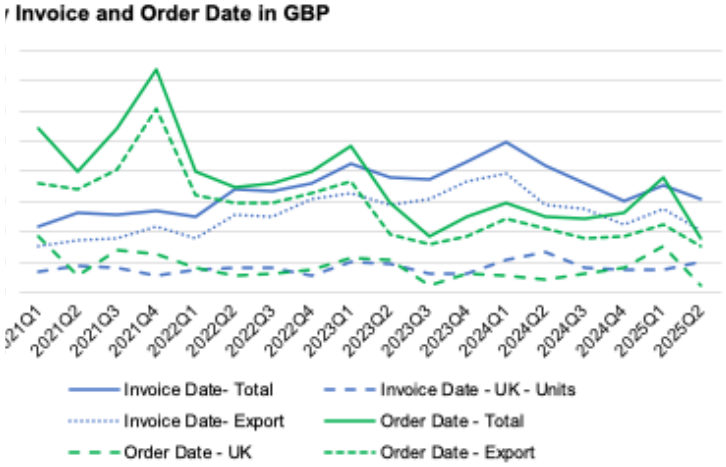
29. The volume of export sales increased between the start of the injury period and the POI by 26%, from **[SENSITIVE]** units to **[SENSITIVE]** units (see table 12 below). However, there has been a decrease in volume between the last year of the injury period and the POI by 15%, from **[SENSITIVE]** units to **[SENSITIVE]** units, which continued throughout Q2 2025.

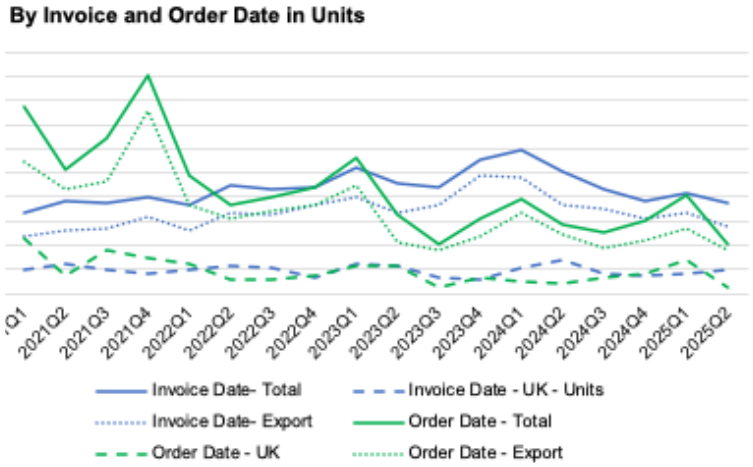
30. The value of export sales increased between the start of the injury period and the POI by 48%, from **[SENSITIVE]** GBP to **[SENSITIVE]** GBP (see table 13 below). However, there has been a decrease in value between the last year of the injury period and the POI by 17%, from **[SENSITIVE]** GBP to **[SENSITIVE]** GBP, which continued throughout Q2 2025.

31. The unit price of export sales increased between the start of the injury period and the POI by 18%, from **[SENSITIVE]** GBP/unit to **[SENSITIVE]** GBP/unit (see table 14 below).

32. The decrease in export sales (volume and value) by invoice date and order date can be depicted in the graph below.

[THE GRAPHS BELOW SHOW SALES BY INVOICE AND ORDER DATE IN GBP AND SALES BY INVOICE AND ORDER DATE IN UNITS, IN EACH CASE STARTING FROM Q1 2021. THESE HAVE BEEN CROPPED TO REMOVE EXACT FIGURES FROM THE Y AXIS]



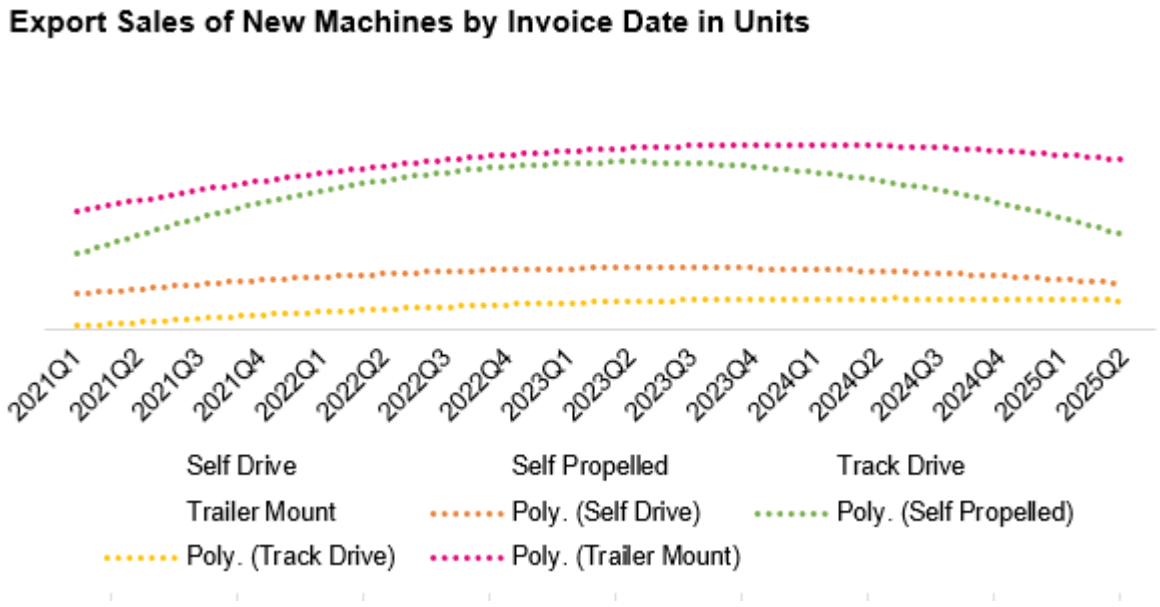


33. The Applicant has been forced to increase export sales due to dumped and subsidised imports of Chinese boom lifts. Exports now account for over **[61-85]**% of the Applicant's sales (based on revenue). **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

34. The Applicant's ability to gain market share in other regions is also constrained. As outlined in Section A.1.5. above, the US market for self-propelled boom lifts is dominated by established manufacturers such as Genie and JLG. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

35. The first graph below depicts the significant decrease in the volume of export sales of self-propelled boom lifts in comparison to the volume of sales of trailer-mounted boom lifts, which have remained buoyant. Despite this, sales of trailer-mounted boom lifts are unable to protect the Applicant from the injury it is suffering in the UK due to dumped and subsidised imports of Chinese boom lifts. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

[THE GRAPHS BELOW SHOW EXPORT SALES OF NEW MACHINES BY INVOICE DATE IN UNITS AND EXPORT SALES OF NEW MACHINES BY INVOICE DATE IN GBP. THESE HAVE BEEN ADJUSTED TO SHOW TREND LINES AND CROPPED TO REMOVE EXACT FIGURES FROM THE Y AXIS]



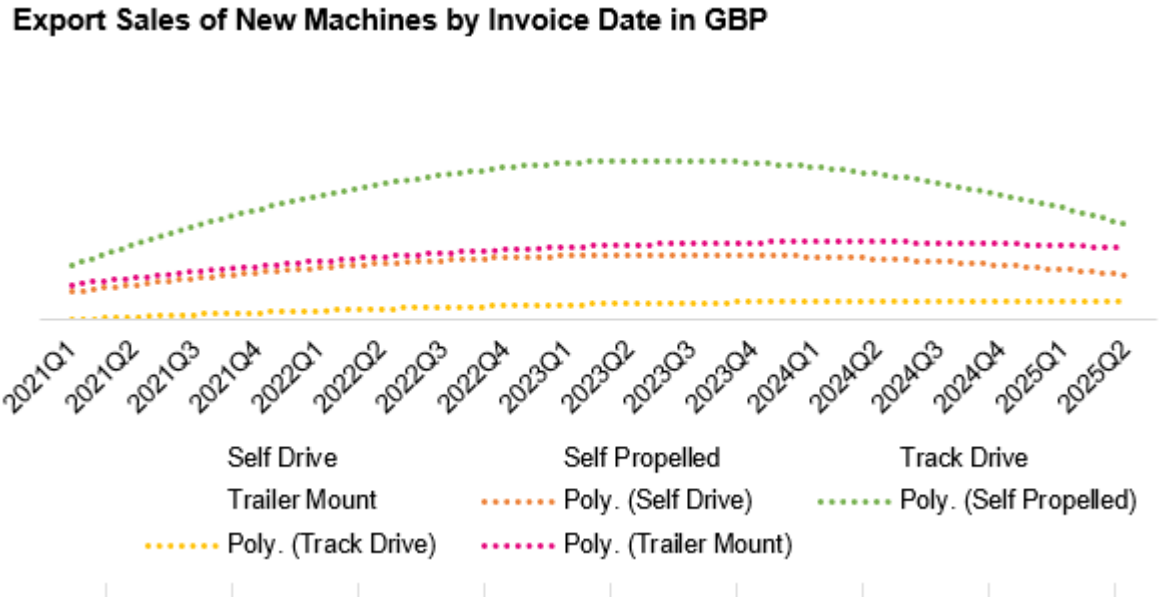


Table 12: Volume of export sales (units) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	120	148	126

Table 13: Value of export sales (GBP) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	137	180	148

Table 14: Unit price of export sales (GBP/unit) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	114	122	118

Market share

36. The detailed explanation of how the Applicant calculated its market share is set out in Section D.2. above.

37. Based on those calculations, the Applicant's market share of total consumption is (based on the amount of boom lifts sold in the UK):

(a) **[28-38]**% (applying the conservative methodology); and

(b) **[15-20]**% (applying the liberal methodology).

38. The Applicant understands that the remaining market share of **~[62-72]-[73-85]**% is covered by imports of boom lifts.

39. As explained above, the increasing volume of dumped and subsidised imports of Chinese boom lifts in the UK has resulted in the Applicant experiencing declining orders in the UK, in turn resulting in declining market share.

Profitability

40. The Applicant's total profit decreased by 58% between the first year of the injury period and the second year of the injury period. Total profit increased by 51% between the start of the injury period and the POI. The Applicant's total profitability between 2021 and 2023 was lower than 2024 due to COVID-19 related supply chain issues and increased costs. In 2024 these supply chain issues were resolved and costs lowered, therefore profit for 2024 was no longer impacted by COVID-19 related costs. However, the Applicant is

expecting losses in 2025. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

41. The Applicant's UK profit decreased by 107% between the start of the injury period and the POI (see table 16 below). The Applicant is expecting losses in 2025. **PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

42. Export markets are essential for marginal costings and generating ~**[60–72]**-**[73–86]**% of turnover (revenue), without which the Applicant would be a much smaller company, in a much smaller UK market with increasing competition (declining market share).

43. The Applicant's exports are profitable, despite the figures shown in table 17 below. This is because the Applicant's calculations for exports assign a proportion of UK/Group costs based on various splits (explained in response to Section G.1.3. below) of new machines exported anywhere outside of the UK (including the US, Europe and the rest of the world).

44. Certain indexes in tables 15, 16 and 17 below are negative as profitability is negative.

45. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT].**

46. In addition, the more machines sold by the Applicant (UK or export), the greater the profit the Applicant makes from spare parts (a secondary business function).

47. The Applicant also makes the following comments with respect to its main export markets:

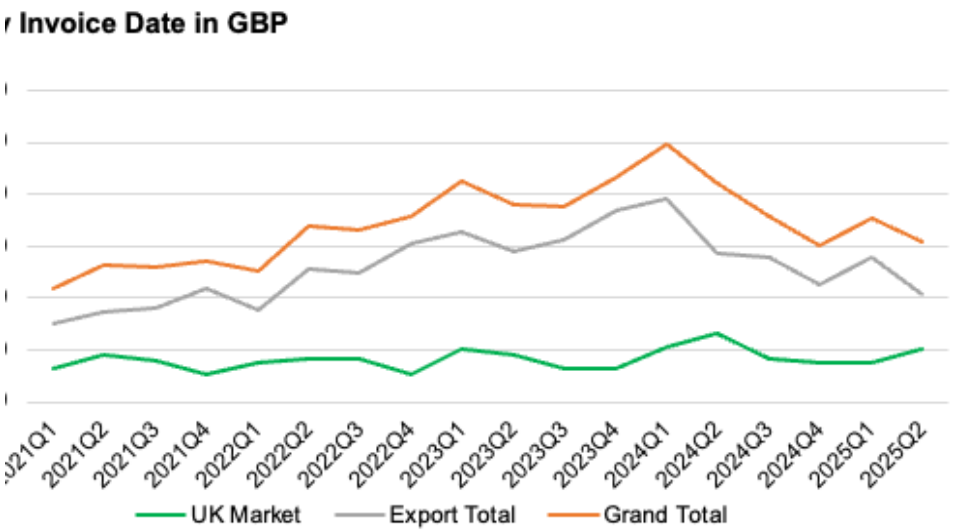
    (a) *Europe:* Sales in Europe have been impacted by the dumping of MAE by Chinese manufacturers in 2024 and early 2025. Now that EU duties are in place the Applicant is starting to see improvements in that market.

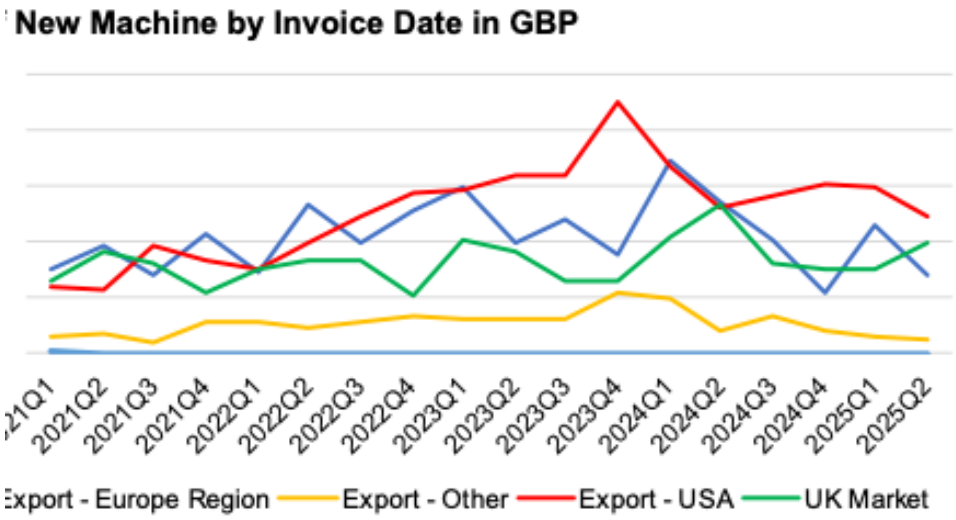
    (b) *US:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. US tariff uncertainty and delayed invoicing due to machines held by US customs during tariff confusion has impacted 2025 data.

    (c) *Other markets:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. This market is also experiencing dumping from Chinese manufacturers, impacting the Applicant's sales.

48. The graphs set out below, which show sales of new machines by invoice date in the UK, US and Europe and other markets, depict these trends:

[THE GRAPHS BELOW SHOW SALES OF NEW MACHINES BY INVOICE DATE IN GBP, IN EACH CASE STARTING FROM Q1 2021. THESE HAVE BEEN CROPPED TO REMOVE EXACT FIGURES FROM THE Y AXIS]





49. The Work Order Close ("**WOC**") date refers to the day a machine is completed in production and is ready to leave the factory. The invoice date, on the other hand, is the day the machine physically departs from the UK, the Netherlands, or the US yard to be delivered to the customer.

50. These dates are often close together, especially for machines sold from the UK. However, for machines sold via the Netherlands or the US, there is typically a gap of a couple of months due to shipping times.

51. Generally, revenue calculated by invoice date and the value of machines produced by WOC date follow the same trend. This is compared to the value

of machines by order date, which shows a different trend. This is because it may be months or even years earlier than the WOC or invoice date for a given machine.

52. The graph below depicts the delay between sales of new machines by order date and UK revenue from new machines.

[THE GRAPH BELOW SHOWS UK SALES OF NEW MACHINES IN GBP AND STARTS FROM Q1 2021. IT HAS BEEN CROPPED TO REMOVE EXACT FIGURES FROM THE Y AXIS]

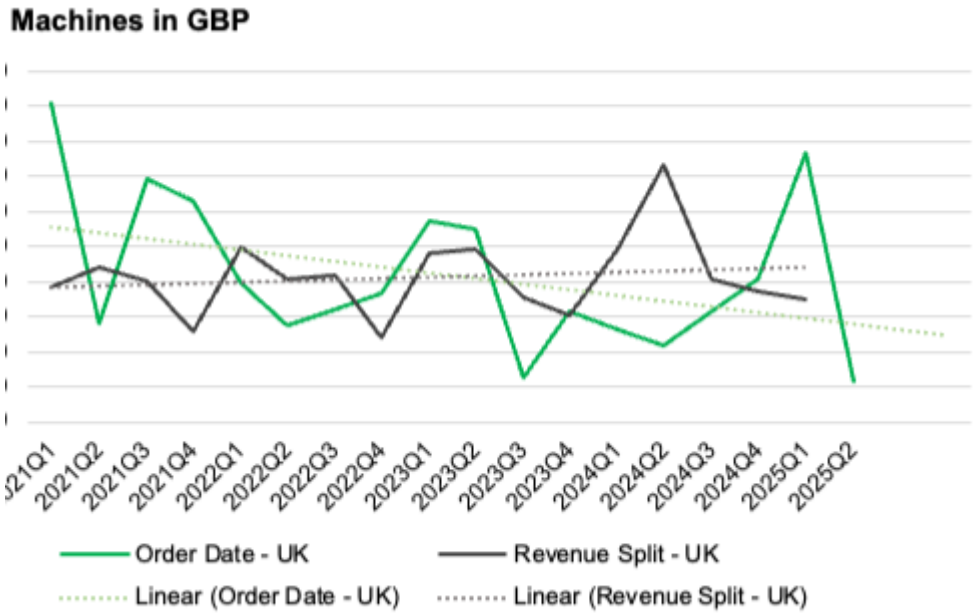


Table 15: Profitability (%) based on total revenue and total cost for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	(100)	(158)	(55)	(49)

Table 16: Profitability (%) based on total UK revenue and total UK cost for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**

Index: 2021 = 100	100	24	63	(7)

Table 17: Profitability (%) based on total export revenue and total export cost for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	(100)	(76)	(43)	(18)

Actual and potential negative effects on: stocks, investments and ROI and employment and productivity

Stocks

53. Please refer to Appendix G.1 for detailed data on stocks. The Applicant has been unable to identify a trend based on the way in which the data has been presented (focusing on new machines only and according to invoice date). To reiterate, for the first time since the company's establishment, the Applicant has been forced to produce new machines for stock to maintain a minimum level of production, which is unprecedented.

54. A machine may be ready (WOC date) and sit in the yard for days to months (sometimes longer). This can be because:

    (a) The Applicant is waiting for the customer to organise shipping from the yard.

    (b) The Applicant is waiting for a "full load" of machines to be put on the same ship **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

55. If a new machine is ready (WOC date) towards the end of the calendar year, the customer might wait until the new year, so that the machine is registered with the latest year (i.e. like a car, to avoid it being a 'year old' on registration when it is only a few days old and unused).

56. **[SENSITIVE – INFORMATION ABOUT APPLICANT'S US STOCK]**.

57. **[SENSITIVE – INFORMATION ABOUT APPLICANT'S NETHERLANDS STOCK]**.

Investments and ROI

58. Investments made by the Applicant increased by 39% from the start of the injury period to the POI from **[SENSITIVE]** GBP to **[SENSITIVE]** GBP (see table 18 below).

59. The Applicant notes that the investment data shown below relates to investment in production of machines for UK and exports.

60. Despite the injury caused by dumped and subsidised Chinese imports, the Applicant has continued to invest to develop and improve its machines to ensure it maintains its status as one of the world's leading manufacturers of boom lifts and a pioneer in safety and sustainability.

61. R&D investment has consistently averaged 7% of turnover. Profit is reinvested in the company including in robotics, powder coating systems, and AI-enabled processes to enhance quality and productivity.

62. The Applicant has continued to expand product lines where there's demand, while updating older models in line with customers' evolving needs. Instead of chasing dramatic expansion, the Applicant has been focusing on sustainable development.

63. A large portion of investment has been spent on additions to property, production facilities and business equipment costs.

64. Investment on upskilling has increased due to a combination of various factors, including: **[THIS PARAGRAPH HAS BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT THE OPERATIONS OF THE APPLICANT]**

    (a) A catch-up on training post COVID-19.

    (b) The general cost of training has increased.

65. ROI has been calculated using a ratio of total investments to total company profit/loss. The Applicant is unable to generate ROI despite continuous investment (see table 19 below). The indexes are negative as ROI is negative.

Table 18: Investments (GBP) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	96	150	139

Table 19: Return on investment (%) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	(100)	(117)	(205)	(143)

Employment

66. The number of UK employees employed by the Applicant (noting that some UK teams are global) increased by 23% between the start of the injury period and the POI, from **[SENSITIVE]** employees to **[SENSITIVE]** employees (see table 20 below).

67. However, the Applicant has since been making employees redundant to prevent further losses. **[90-130]** employees have left since January 2025 (as of 19 August 2025), which represents **~[17-23]**% of the total UK only employees at the end of December 2024. The reduction in staff is a combination of redundancies and the Applicant not replacing staff that have voluntarily left. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

68. UK and non-UK employees have been split as follows: non-UK employees are staff based in Europe and US sites, and UK employees are staff based in UK sites (refer to Appendix H.2).

69. Employees based in the UK will be responsible for the like goods and machines sold to export markets. For example, staff based in the UK include:

    (a) UK based sales staff who sell in the UK and to export markets.

    (b) The IT team is based in the UK and looks after all of the Applicant's UK and non-UK IT.

    (c) The Service and Spare Parts team will serve UK and non-UK customers, ship parts (in warranty and outside of warranty) to UK and non-UK customers and refurbish second hand machines to resale to UK and non-UK customers.

    (d) The Design and Production departments design and manufacture machines for UK and all non-UK customers.

Table 20: Employment for the injury period and the POI (FTEs)

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	113	141	123

Growth

70. The Applicant's main measures for growth include turnover and the number of machines produced. As the turnover and the number of machines produced (as they are typically made to order) decline, the Applicant must scale back i.e. increase redundancies, further reduce production and adapt the business accordingly. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT THE OPERATIONS OF THE APPLICANT]**.

71. As explained under "Domestic sales of the Applicant" above, the Applicant has been experiencing a steep decline in the volume of orders/sales in the POI.

72. Niftylift's Group turnover, as reported in its statutory accounts, has been increasing since 2020 to approximately 174m GBP in 2023. A similar level of turnover was maintained in 2024, at around 170m GBP (refer to Appendix G.4). However, the projected turnover for 2025 reflects a significant decline **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

73. The only reason the Applicant is still technically able to grow in terms of turnover, despite the increase of injury on the domestic market in the UK, is because of its expansion in the US, which is not sustainable in the long term. As the UK market share continues to decline, this is only a temporary solution.

Cash Flow

74. Please refer to Appendix G.5 for Niftylift's cash flow figures for the injury period and POI. These figures have been taken from Niftylift's group statutory accounts and mid-year 2025 balance sheet.

75. The Applicant notes that:

(a) EBIT has increased as turnover has increased. This is partly due to the backlog of orders due to COVID-19 and the Applicant's efforts to reduce costs.

(b) Tangible assets have increased **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

(c) Cash and cash equivalents have increased with increasing EBIT and fewer major investments (such as, *inter alia*, property purchases).

Factors affecting domestic prices of the goods

76. The main factor affecting the Applicant's inability to raise domestic prices of the like goods is the price suppression caused by dumped and subsidised imports of Chinese boom lifts into the UK. A minor proportion of the Applicant's machines have been adjusted for inflation between 2023 and 2025. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

77. While a Chinese producer previously offered products within a similar price range, it has significantly lowered its prices in order to compete with the other Chinese producers, which have flooded the market with cheaper machines. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**

78. Please refer to Appendix E.3, which compares two Chinese companies' 2025 prices of boom lifts to the Applicant's prices for equivalent machine models. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**

79. The only way that Chinese producers have been able to decrease their prices so significantly in the UK is due to the incentives that they receive; otherwise they would be receiving negative margins. This subsequently placed downward pressure on the volume of domestic sales in the POI (see table 2), and an inability for the Applicant to pass on the increase in their costs of production to their customers. As a result, the Applicant has been focused heavily on reducing the cost of producing machines in response to the price pressure exerted by imports of Chinese boom lifts.

The magnitude of the margin of dumping and the amount of subsidy

80. As evidenced in the Sections above, for the POI the level of dumping is **[69.5-94.5]%** (according to the liberal methodology) and **[49.5-68.5]%** (according to the conservative methodology), and the level of subsidisation is **5.2%**. This amounts to the combined level of approximately **[74.7-99.7]%** (following the liberal methodology) and approximately **[54.7-73.7]%** (following the conservative methodology). It is therefore evident that imports of Chinese boom lifts to the UK have caused significant injury to the Applicant.

2. Is your company suffering injury which you believe to have been caused by the imported goods? If so, please describe the injury. You may want to include the prices, volumes or profits associated with your production and sale of the goods you manufacture or describe other aspects of your business. Please specify and substantiate your claims with evidence. Please estimate the date when the injury began to affect your business. Explain how it has developed since this date.

Please refer to the response to question G.1.1. above.

3. Report your total cost to make and sell like goods in the UK. Please clearly separate your costs of production (direct manufacturing costs and indirect costs), from your administrative, selling and general expenses (AS&G). Provide costs for each model that you produce. When giving your labour costs, please ensure you include all labour costs, directly or indirectly incurred by any activity related to the goods.

1. Please refer to the tables below for the total costs and unit costs of new machines sold in the UK for the Applicant.

2. The total costs of new machines sold in the UK have been calculated as follows:

   (a) From the total costs of production for both UK and export, the Applicant has removed costs pertaining to secondary business functions, including spare parts costs and second-hand machines costs. The Applicant has assigned overhead costs to the secondary business functions cost. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION]**

   (b) The Applicant has then split total costs of production of new machines (i.e. excluding secondary business functions) between UK costs and export costs. The costs have been apportioned as follows:

      (i) *Total cost of raw materials:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**

      (ii) *Labour costs:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**

      (iii) *Energy costs:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**

      (iv) *Other direct costs:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**

      (v) *Overhead expenses:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**

      (vi) *SG&A costs:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**

      (vii) *Finance costs:* **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**

3. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

4. UK production costs have increased by 46% between the first year of the injury period and the POI, from **[SENSITIVE]** GBP to **[SENSITIVE]** GBP (see table 21 below). Similarly, UK unit production cost increased by 55% between the first year of the injury period and the POI, from **[SENSITIVE]** GBP/unit to **[SENSITIVE]** GBP/unit (see table 22 below).

5. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. As such, the cost of production per unit is significantly different for the UK compared to exports.

6. Over the past 18–24 months the Applicant has been focused on how it can improve business performance by significantly reducing manufacturing costs. This is a direct result of the decline in incoming orders the Applicant has received due to dumped and subsidised imports of Chinese boom lifts being sold in the UK market. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. The Applicant has been making these changes gradually.

7. Appendix H.1 sets out notes relating to decisions taken at strategy meetings of the Applicant in relation to reducing design and product costs and labour costs, as well as market decisions **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT. Appendix H.1 has not been provided in a non-confidential format as it contains sensitive information relating to the business operations of the Applicant that is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices]**.

8. Despite these cost cutting efforts, production costs have continued to increase over the injury period and the POI.

9. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

10. For detailed information regarding the costs of new machines sold, please refer to Appendix G.1.

Table 21: UK costs of production (GBP) for the injury period and the POI

	Q2 2021 – Q1 2022	Q2 2022 – Q1 2023	Q2 2023 – Q1 2024	POI (Q2 2024 – Q1 2025)
Full manufacturing costs (excl. SBF)	[SENSITIVE]	[SENSITIVE]	[SENSITIVE]	[SENSITIVE]
Raw materials	[SENSITIVE]	[SENSITIVE]	[SENSITIVE]	[SENSITIVE]
Labour costs	[SENSITIVE]	[SENSITIVE]	[SENSITIVE]	[SENSITIVE]
Energy costs	[SENSITIVE]	[SENSITIVE]	[SENSITIVE]	[SENSITIVE]

Other direct costs	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
SG&A costs	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Finance costs	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Full production cost	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	113	117	146

Table 22: UK unit cost of production (GBP/unit) for the injury period and the POI (unit/employee)

	Q2 2021 – Q1 2022	**Q2 2022 – Q1 2023**	**Q2 2023 – Q1 2024**	**POI (Q2 2024 – Q1 2025)**
Applicant	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**	**[SENSITIVE]**
Index: 2021 = 100	100	117	126	155

4. For the goods that you produce, please state what level of profit, before tax and as a percentage of turnover, your company would expect to achieve if there was no injury from the imported goods and explain how you arrived at this figure.

1. The Applicant has used a conservative **[8-12]**% profit margin from the **[SENSITIVE]** financial year as the benchmark for a 'normal' rate of profit (refer to Appendix G.4). Figures have been taken from the Applicant's audited financial statements as shown on the Companies House. Profit is calculated as the percentage of turnover that is EBIT.

2. The year **[SENSITIVE]** is considered representative because it was unaffected by significant major asset investments or external market forces. Subsequent years have been influenced by major asset investments and external market forces, including the COVID-19 pandemic, post-pandemic order backlogs, and the injury caused by imports heavily dumped and subsidised Chinese boom lifts (whereby the Applicant's orders have been dropping as a result). **[8-12]**% is a conservative level of profit for a private company that reinvests profit in the business and invests heavily on R&D **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

3. As an alternative, liberal methodology, the Applicant has also applied a profit margin of **[10-14]**%, based on the assumption that the level of reinvested profit would be lower.

The Applicant, a privately held company, has consistently chosen to reinvest a significant portion of its annual profits to support the expansion of its business activities. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**

4. Following internal discussions, the Applicant determined that a profit margin of **[10-14]**% would be reasonable for complex goods that carry inherent risks and liabilities. This margin would be attainable under normal market conditions (i.e. without dumped and subsidised imports of the goods concerned in the UK), **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

5. Explain if your current sales prices for the goods are the same as your target sales prices. If not, please explain the reasons for this.

1. The Applicant's current sales prices for boom lifts are lower than their target sales prices. This is because of the extreme downward pressure on the market prices in the UK due to the heavily dumped and subsidised imports of Chinese boom lifts to the UK, as demonstrated in the dumping calculations.

6. Provide details of any price undercutting and and/or if the prices of the dumped and/or subsidised imports are reducing or negatively affecting prices in the UK. Compare the sales prices of the dumped and/or subsidised imports with the sales prices of your goods on the UK market. Include any supporting evidence.

1. The Applicant has calculated undercutting and underselling based on two Chinese companies' prices for boom lifts sold in the UK for Q1 2025 (refer to Appendices E.5 and E.6). As mentioned above, the Applicant has been unable to find 2024 price listings for those companies' boom lifts sold in the UK, or 2024 or Q1 2025 price listings for the other known producers exporting boom lifts from China to the UK (but Appendix E.7 sets out prices listed online of MAE (boom lifts, scissor lifts and vertical masts) produced by Dingli, LGMG, XCMG and Zoomlion as of 18 September 2025 for completeness). **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**

2. Please refer to Appendix E.3 for detailed calculations.

Undercutting

3. The Applicant has calculated undercutting for Q1 2025 on the basis of comparing:

(a) Prices of the two Chinese companies' boom lifts sold in the UK for Q1 2025, adjusted by: **[THE FOLLOWING PARAGRAPHS HAVE BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**

(i) a **[13-17]**% discount. This is because the price list shows dealer prices, so there will be a **[8-12]-[13-17]**% margin on the Chinese companies' machine market prices. It is expected that the Chinese companies' price listings show the price of the machine imported from China to a UK location/yard with shipping and duties paid. The customer will then have to pay for shipping to their final depot, or collect the machine themselves from the relevant company's UK location/yard.

(ii) the UK inland transportation cost, which has been added to arrive at the Chinese export landed price. The Applicant has based this off the cost of transportation from the UK port (an average of London Gateway and Southampton) to a Chinese company's UK address, which is **[520-710]** GBP.

(b) Prices of the Applicant's equivalent boom lift models, adjusted by a **[21-30]**% discount to hire companies in the UK. This is the UK EXW price.

4. The Applicant has calculated the undercutting margin by subtracting the landed price of Chinese exports in the UK (paragraph 3(a) above) from the Applicant's EXW price (paragraph 3(b) above) and dividing the total by the Applicant's EXW price.

5. The undercutting margin for Q1 2025 is **[29-40]%**.

Underselling

6. The Applicant has calculated underselling for Q1 2025 on the basis of comparing UK target prices for boom lifts with the Chinese export landed price (explained in paragraph 3(a) above).

7. To arrive at the Applicant's target price for boom lifts in the UK, the Applicant has used UK EXW price (explained in paragraph 3(b) above) and adjusted for:

(a) inflation. This is because some of the prices of the Applicant's machines have not been adjusted for inflation between 2023 and 2025. Based on the Bank of England, inflation from 2023 to 2024 was 1.3% and inflation from 2024 to March 2025 was 1.7%. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

(b) **[8-12]**% as the 'normal' rate of profit (conservative methodology) and **[10-14]**% as an alternative, liberal methodology. In order to achieve **[8-12]**% profit, the Applicant would have to increase prices of its

machines by **[6-10]**%. In order to achieve **[10-14]**% profit, the Applicant would have to increase prices of its machines by **[8-12]**%.

8. The Applicant has calculated the underselling margin by subtracting the landed price of Chinese exports in the UK (paragraph 3(a) above) from the Applicant's target price (paragraph 7 above), and dividing the total by the CIF price of Chinese exports in the UK.

9. The underselling margin for Q1 2025 based on **[8-12]**% target profit (conservative methodology) is **[62-85]%** and the underselling margin for Q1 2025 based on **[10-14]**% target profit (liberal methodology) is **[65-89]%**.

10. As evidenced from the calculations above, it is clear that the dumped and subsidised imports of Chinese boom lifts have been undercutting and underselling the domestic prices. It is clear that the Applicant has already been suffering material injury. If no duties are imposed on dumped and subsidised imports of Chinese boom lifts, the injury suffered by the Applicant will be amplified because of the following:

    (a) Dingli is now exporting BA15NE and BA17NEmachines to the UK (refer to Section A.3. above). Absence of duties will mean that Chinese producers will become even more creative in their methods;

    (b) If they are not doing so already, it is expected that Chinese producers will begin exporting cheaper trailer-mounted boom lifts (refer to Section G.2. below);

    (c) Recently imposed duties on MAE (including boom lifts) in the EU resulting in exports of boom lifts from China to the EU being diverted to the UK. [201]

G.2. Threat of injury

1. Describe the change in circumstances that means the threat of material injury from dumping and/or subsidisation is foreseeable and imminent. The factors behind these changes could include:

- the rate of increase of dumped and/or subsidised imports;
- changes to the available production capacity of the exporters;

[201] Commission Implementing Regulation (EU) 2025/45 of 8 January 2025 imposing a definitive anti-dumping duty and definitely collecting the provisional duty imposed on imports of mobile access equipment originating in the People's Republic of China, OJ L 45, 9.1.2025, available: here.
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, OJ L 796, 25.4.2025, available: here.

- changes to inventories of the imported goods (i.e. if large stocks of these goods are building up in their country of origin ready for export);
- expected price depression or price suppression of further imports; and
- any other relevant factors.

1. As mentioned in Section A.3. above, the Applicant is the sole UK-based manufacturer of trailer-mounted boom lifts and has been the main supplier in the domestic market for over 30 years. There are a small number of other manufacturers – such as Genie, Snorkel, and Dinolift – that produce trailer-mounted boom lifts and import them into the UK.

2. While Chinese producers are also producing and selling cheap trailer-mounted boom lifts in China, the Applicant is not aware of whether Chinese producers have already been exporting these vehicle types to the UK. Based on the increase in imports of dumped and subsidised self-propelled boom lifts into the UK, it is only a matter of time before Chinese producers begin to do the same for trailer-mounted boom lifts (if they are not doing so already).

3. At the same time, cheap self-propelled boom lifts sold by the Chinese exporting producers have already been directly competing with the Applicant's trailer-mounted boom lifts (which are like goods), as it is more beneficial for the buyer to buy a cheaper (or even slightly more expensive) Chinese boom lift with greater movability during operation than a slightly more expensive British trailer-mounted boom lift that is not self-propelled and has limited movability while being operated. Appendix G.7 shows a clear price comparison between the Applicant's trailer-mounted boom lifts and Chinese self-propelled boom lifts.

4. In any event, if no existing injury is determined on trailer-mounted boom lifts, there certainly is a confirmed threat of material injury under Regulation 28 of the D&S Regulations. This is because the injury is clearly foreseen and imminent, because of a very high likelihood of Chinese exporting producers to follow the same pattern of trade with dumping practices on subsidised newly exported trailer-mounted boom lifts.

5. The Chinese exporting producers have increased their production capacity of trailer-mounted boom lifts. There is clear evidence that the main Chinese manufactures are actively investing and developing trailers with the intent to compete in the trailer market. **[THIS PARAGRAPH HAS BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**.

6. The Applicant has not seen any Chinese trailer-mounted boom lifts sold in the UK yet, but expects to see them soon as Chinese manufacturers are expanding the scope of products they are selling in the UK. This is evidenced

by their increased presence at trade shows. This significantly increases the threat of injury to the Applicant's trailers.

7. Once the Chinese trailer-mounted boom lifts enter the UK in significant quantities, it will further increase the injury already suffered by the Applicant, which will result in further price suppression.

2. If appropriate, include an analysis of trends (or a projection of trends) and market conditions illustrating that the threat is both foreseeable and imminent.

Please refer to the response to question G.2.1. above.

3. Explain why you believe the threatened injury to your industry will be material.

Please refer to the response to question G.2.1. above.

SECTION H: Causal link between the imported goods and injury to your industry

For the TRA to initiate an investigation, there must be evidence of a causal relationship between the injury to the UK Industry and the alleged dumping and/or subsidisation.

1. If your company is suffering injury, please explain and provide evidence that shows how this has been caused by the goods you want us to investigate. Describe how the volumes and prices of the imported goods have affected your industry, basing your answer on the injury indicators in the previous section.

1. This section demonstrates that there is clear evidence of a causal relationship between the injury to the Applicant and dumped and subsidised Chinese boom lifts into the UK. This section is set out in the following parts:

   (a) Volume and value of imports of Chinese boom lifts in the UK;

   (b) Prices of dumped and subsidised imports of Chinese boom lifts in the UK; and

   (c) How the volumes and prices of dumped and subsidised imports of Chinese boom lifts in the UK have affected the Applicant.

Volume and value of imports of Chinese boom lifts in the UK

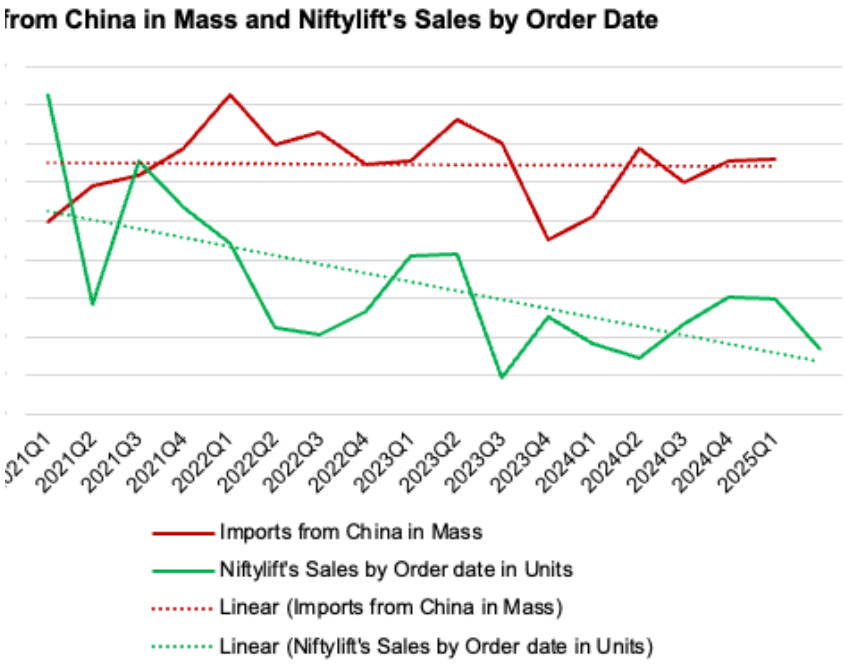
2. As demonstrated in Section E.1. above, the Applicant's calculations (based on HMRC publicly available data) show an increase of the volume of imports of Chinese boom lifts between 2021 and 2025 (based on data available until April 2025), and an even sharper increase between 2024 and April 2025. This aligns with the period during which the losses of the Applicant increased significantly (as of January 2025).

3. At the same time, the value of Chinese imports has decreased between 2021 and 2025 (based on data available until April 2025). Based on all relevant commodity codes (excluding commodity code 8427 9000, which the Applicant requests the TRA factor into its analysis), China accounts for 22.23% of volume but only 11.74% of value in 2025 (based on data available until April 2025). This confirms lower unit prices compared to competitors. In addition, the gap between volume and value shares is persistent across years, which indicates a systematic pricing strategy, not a one-off event.

4. The Chinese market share of boom lifts has increased more than the overall market share of MAE and other machines, but the Applicant is unable to clearly show this as detailed import data regarding boom lifts import data is not publicly available.

5. The graphs below show the correlation between the increasing volume and value of Chinese imports (based on HMRC data using all commodity codes relevant to MAE, excluding code 84271010) and the decreasing volume of the Applicant's sales (by order date) for the injury period and the POI.

[THE GRAPHS BELOW SHOW IMPORTS FROM CHINA IN MASS AND NIFTYLIFT'S SALES BY ORDER DATE, AND IMPORTS FROM CHINA IN GBP AND NIFTYLIFT'S SALES BY ORDER DATE. EACH GRAPH STARTS FROM Q1 2021. THESE HAVE BEEN CROPPED TO REMOVE EXACT FIGURES FROM THE Y AXES]



6. The graphs demonstrate that the Applicant has experienced a significant decrease in sales since the start of the injury period, which coincides in time with information received from market intelligence that the prices of Chinese boom lifts offered on the UK market were significantly lower (by 10-30%) (for example, refer to Appendix G.2) **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT. Appendix G.2 has not been provided in a non-confidential format as it contains sensitive information obtained from market intelligence that is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices]**. From Q3 2024 the volume and value of Chinese imports becomes somewhat stable whilst still increasing as Chinese producers maintain the market share they have gained, whilst the trend of the Applicant's decreasing sales has continued.

7. To demonstrate the fact that there are increasing volumes of Chinese imports into the UK, the Applicant has gathered evidence based on publicly available information which indicates the sheer volume of Chinese boom lifts in UK rental fleets (refer to page 1 of Appendix H.3). For example, an article dated 15 July 2025 states that over the course of 2025, 114 new Zoomlion units will be added to Hire Safe Solution's national hire fleet, with around 300 more following in 2026/2027.[202]

8. In addition, there is an increasing number of new Chinese manufacturers of boom lifts marketing/exhibiting in the UK market (refer to page 2 of Appendix H.3). For example, there were two new Chinese MAE manufactures to the UK market at the recent Vertikals Days show (September 2025).

[202] Hire Safe Solutions, '€20M Zoomlion Investment Powers Major Fleet Expansion at Hire Safe Solutions' (15 July 2025), attached as Appendix H.4.

9. Presence during trade shows correlates with the focus of Chinese producers on the UK market. Prior to exhibiting at trade shows, Chinese producers recruited local sales directors and set up sales sites and depots in the UK.

10. Appendix C.2 (page 1) sets out the status of Chinese companies based on information from the UK Companies House. The timing of establishment of these Chinese producers in the UK confirms their decision to solidify presence in the UK market. Although Zoomlion was incorporated in January 2025, it first was working with a UK dealership before deciding to increase their presence through establishing a UK company and recruiting UK employees.

Prices of dumped and subsidised imports of Chinese boom lifts in the UK

11. **[SENSITIVE – INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**. This price advantage has directly impacted the Applicant's ability to compete, resulting in lost sales and reduced market share.

12. In addition, as mentioned above, while a Chinese producer previously offered products within a similar price range, it has significantly lowered its prices in order to compete with the other Chinese producers, which have flooded the market with cheaper machines. This is evidenced by the two Chinese companies' Q1 2025 prices of boom lifts in the UK (Appendices E.5 and E.6). **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION OBTAINED FROM MARKET INTELLIGENCE]**

How the volumes and prices of dumped and subsidised imports of Chinese boom lifts in the UK have affected the Applicant

13. As explained in section G.1 above, large volumes and low prices of dumped and subsidised imports of Chinese boom lifts in the UK has resulted in material injury to the Applicant, demonstrated by an actual decline in UK production (table 2 above), domestic sales (table 9 above), market share and profitability (table 16 above), and an inability to generate ROI (table 19 above). This has ultimately forced the Applicant to, among others, produce new machines for stock for the first time to maintain a minimum level of production, increase export sales and make employees redundant.

14. The Applicant is unable to decrease prices of the boom lifts it sells in the UK market in order to be able to compete with Chinese manufacturers, due to the injury it is already suffering from the decline in the aforementioned injury factors. The only way that Chinese producers have been able to decrease their prices so significantly in the UK is due to the incentives that they receive; otherwise they would be receiving negative margins. In contrast, the Applicant is a private company that reinvests profit in the business, which means that their ability to decrease prices is limited.

15. As mentioned in Section A.3.1. above, Dingli is producing two machines called BA15NE and BA17NE[203] at minimal development cost compared to the Applicant's HR15NE and HR17NE. Dingli is now exporting these machines to the UK, causing further injury to the Applicant. **[THIS PARAGRAPH HAS BEEN ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT THE OPERATIONS OF THE APPLICANT AND LEGALLY PRIVILEGED INFORMATION]**.

16. Finally, the Applicant is concerned that if duties are not imposed on imports of dumped and subsidised Chinese boom lifts, then Chinese producers will become even more creative in their methods to undercut the Applicant in the UK market. This will exacerbate the material injury that the Applicant is already suffering.

2. Please indicate if the injury to your industry could be attributable in part or in full to any factors other than dumped or subsidised imports, for example:

- volume and prices of imports not sold at dumped prices;
- contraction in demand or changes in patterns of consumption;
- restrictive trade practices of, and competition between, third country and UK producers;
- developments in technology; and
- export performance and the productivity of the UK industry.
- This may be relevant as an industry weakened by other events may be more susceptible to injury from dumped or subsidised goods.

3. Please provide evidence to support this information.

1. The Applicant has assessed whether other known factors, individually or collectively, are capable of breaking the causal link established between dumped and subsidised imports of Chinese boom lifts and the injury suffered by the Applicant. Those other known factors could be as follows:

   (a) The potential impact of boom lift imports from other countries;
   (b) A contraction in demand (or changes in the patterns of consumption);
   (c) The export performance and other business functions of the Applicant; and

[203] Dingli - BA15NE Articulating Boom, attached as Appendix A.22; Dingli – BA17NE Electric Boom Lift, attached as Appendix H.9; Vertikal.net, 'A First for APL' (22 July 2025), attached as Appendix A.23; Vertikal.net, 'Narrow Booms from Dingli' (13 March 2025), attached as Appendix A.24.

(d) Developments in technology and investments made by the Applicant.

2. For the reasons explained below, the Applicant is convinced that dumped and subsidised imports of Chinese boom lifts are the main cause of the injury suffered by the Applicant and that other factors do not break that causal link.

3. The injury suffered by the Applicant is not self-inflicted. The Applicant is doing whatever it can to offset the losses that have occurred and continue to occur to maintain the viability of its operations. For instance, the Applicant has shifted a large portion of its sales to exports. In addition, over the past two years the Applicant has focused heavily on reducing the cost of producing machines in response to the price pressure exerted by imports of Chinese boom lifts.

4. The Applicant has addressed the situation by making the following strategic choices: **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

(a) In the short term:

(i) Making employees redundant to prevent further losses. **[90-130]** employees have left since January 2025 (as at 19 August 2025), which represents **~[17-23]**% of the total UK only employees at the end of December 2024 (refer to Appendix H.2). The reduction in staff is a combination of redundancies and the Applicant not replacing staff that have voluntarily left. **[SENSITIVE – INFORMATION ABOUT OEPRATIONS OF APPLICANT]**.

(ii) Producing stock for the first time to maintain a level of production.

(b) In the medium term:

(i) Focusing on new products.

(ii) Focusing on existing and new export markets.

(iii) Focusing on new innovations.

(c) In the long term: Further adapting the business.

The potential impact of boom lift imports from other countries

5. There have been no significant imports of dumped and subsidised boom lifts from third countries other than China.

6. In the UK market, manufacturers from the US, Canada, France and Italy have long been competitive, consistently offering boom lifts at prices comparable to

those of the Applicant. Manufacturers based in Spain, Turkey, and Japan are also present in the market; however, their impact on the UK boom lift sector remains limited.

7. The only manufacturers newly entering the UK market and having a notable impact are Chinese companies, either exporting machines directly from China or from their newly established factories in Europe.

A contraction in demand (or changes in the patterns of consumption)

8. As shown in Appendix E.1, the boom lift fleet size (i.e. the number of boom lifts owned by rental companies) has remained relatively stable between 2009 to 2024, ranging from ~15,000 and ~20,000 boom lifts. This data is based on industry reports.

9. As mentioned in Section A.1.5. above, in the UK demand for boom lifts can generally be influenced by factors such as the scale of investment into construction projects.

10. Although UK rental companies are being more cautious with investments due to fewer construction projects and increasing inflation and interest rates, there are still areas for growth. In addition, rental companies will replace machines in their fleet, so there is a level of demand/consumption even if a fleet size remains the same. **[PARAGRAPH ADJUSTED TO REMOVE INFORMATION OBTAINED FROM A SUBSCRIPTION SERVICE. Appendix A.33.1 has not been provided in a non-confidential format as it contains information obtained from a subscription service that is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices.]**

11. The Applicant notes that its production from 2021 (the start of the injury period) until Q2 2024 has been focused on catching-up with the backlog of orders that arose due to the COVID-19 pandemic. However, orders have decreased significantly in 2025 due to customers choosing to purchase cheaper Chinese boom lifts **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

The export performance and other business functions of the Applicant

12. The Applicant has been forced to increase export sales due to dumped and subsidised imports of Chinese boom lifts. Exports now account for over **[61-85]**% of the Applicant's sales (based on revenue).

13. The Applicant's ability to gain market share in other regions is also constrained. As outlined in Section A.1.5. above, the US market for self-propelled boom lifts is dominated by established manufacturers such as Genie and JLG. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

14. As mentioned in Section A.1.5. above, other than the manufacture and sale of new machines, the Applicant also operates secondary business functions (spare parts, and refurbishment of second-hand machines). **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT]**

15. The focus on secondary business functions has increased in recent years to increase the overall profitability of the business, in view of the injury that the Applicant has been suffering due to dumped and subsidised imports of Chinese boom lifts.

Developments in technology and investments made by the Applicant

16. Despite the injury caused by dumped and subsidised Chinese imports, the Applicant has continued to invest to develop and improve its machines to ensure it maintains its status as one of the world's leading manufacturers of boom lifts and a pioneer in safety and sustainability.

17. Innovation remains central to the Applicant's DNA, with R&D investment consistently averaging 7% of turnover. This commitment has delivered numerous industry-firsts and patented technologies, from performance and environmental advances to pioneering safety systems.

18. Automation has also played a growing role in the company's evolution. Over the past decade, the Applicant has invested millions in robotics, powder coating systems, and AI-enabled processes to enhance quality and productivity.

19. Looking ahead, the Applicant is focused on organic, sustainable growth, both in terms of product range and market reach. The Applicant is continuing to expand product lines where there's demand, while updating older models in line with customers' evolving needs. The Applicant is not chasing dramatic expansion, but is focused on doing things properly and sustainably.

20. However, over the past 18–24 months, the Applicant has been focused on how it can improve business performance by significantly reducing manufacturing costs. This is a direct result of the decline in incoming orders the Applicant has received due to dumped and subsidies imports of Chinese boom lifts being sold in the UK market. **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**.

21. The Applicant has a freeze on recruitment and redundancies to reduce the number of staff and subsequently the labour costs. The Applicant has also reduced and changed shifts patterns, **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT]**. The Applicant has been making these changes gradually

22. Appendix H.1 sets out notes relating to decisions taken at strategy meetings of the Applicant in relation to reducing design and product costs and labour costs, as well as market decisions **[SENSITIVE – INFORMATION ABOUT OPERATIONS OF APPLICANT. Appendix H.1 has not been provided in a non-confidential format as it contains sensitive information relating to the business operations of the Applicant that is not possible to summarise. Please refer to Appendix A.52, Summary of Confidential Appendices]**.

SECTION I: Request for registration of imports

1. The Applicant hereby requests that the Secretary of State publishes a notice requiring HMRC to register imports of Chinese boom lifts from the date of initiation of the investigation.[204]

2. The Applicant is suffering material injury due to dumped and subsidised imports of Chinese imports. The Applicant has received market intelligence that rental firms are choosing to buy Chinese booms that are at least 10-30% cheaper than booms of established manufacturers. This injury is amplified due to certain practices of Chinese exporting producers. **[PARAGRAPH ADJUSTED TO REMOVE SENSITIVE INFORMATION ABOUT OPERATIONS OF APPLICANT].**

3. In addition, based on the Applicant's market intelligence, the EU anti-dumping measures and countervailing duties on Chinese boom lifts[205] have resulted in an increase of dumped and subsidised imports of Chinese boom lifts into the UK.

4. As mentioned in our response to question A.3.1. above, the majority of commodity codes used to import boom lifts can also be used to import other types of MAE, as it is not possible in certain instances to fully separate them. As such, publicly available data does not fully show the magnitude of increasing dumped and subsidised imports from China.

5. Real-time monitoring of imports by way of registration is therefore key to enabling the TRA to monitor imports, avoid potential circumvention and impose anti-dumping and/or anti-subsidy duties retroactively.[206]

[204] Taxation (Cross-border Trade) Act 2018, Sch. 4, para. 29, available: here.
[205] Commission Implementing Regulation (EU) 2025/45, available: here; and Commission Implementing Regulation (EU) 2025/796, available: here.
[206] The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019, SI 2019/450, Regs 91 and 92, available: here.

SECTION J: Declaration

This application is made by, or on behalf of, a UK industry that produces like goods to those that are the subject of this application.

This UK industry has at least 1% market share, taking into account the goods and particular market for those goods.

This application has the support of that UK industry as required in the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019. Specifically, producer support for this application is greater than producer opposition and represents at least 25% of all UK production of the like goods.

The information contained in this application:

- provides evidence that goods have been or are being dumped and/or evidence that subsidised goods have been or are being imported into the UK (as per schedule 1(g) and 2(g) of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019);
- provides evidence that the dumped and/or subsidised goods are causing injury to the UK industry (as per schedule 1(i) and 2(i) of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019);
- is sufficient to initiate an anti-dumping and/or subsidy investigation as per schedule 4 paragraph 9(1)(b) of the Taxation (Cross-border Trade) Act 2018; and
- is accurate and complete.

Name:	**[SENSITIVE – CONTAINS PERSONAL INFORMATION]**
Company/Association:	Fieldfisher LLP
Position:	**[SENSITIVE – CONTAINS PERSONAL INFORMATION]**
Company Registration number (if applicable):	OC318472
Date:	30 September 2025
Signature:	**[SENSITIVE – CONTAINS PERSONAL INFORMATION]**

SECTION K: Checklist

Important

Please ensure that you have completed this application fully and refer to any attached documents using the corresponding appendix reference.

Complete the checklist above, to demonstrate you have covered all of the points, and attach evidence to support your claims and calculations.

Keep a copy of this application for your reference in case any queries arise when we are assessing the application. You will also need to refer to it if we initiate an investigation.

X The details of the UK producers making the application and level of UK industry support for the application

X The details of all known UK producers/associations of UK producers of like goods

X The volume and value of the domestic production of the like goods both by producers making the application and all other known UK producers

X Information that the market share requirement is met

X A complete description of the imported goods

X The names of countries/territories of origin and export of the imported goods

X The details of the exporters or overseas producers of the imported goods

X The details of the companies or individuals known to be importing the goods

X Normal values of the goods ***Dumping applications only***

X Export prices of the goods ***Dumping applications only***

X Details of subsidy programmes associated with the imported goods ***Subsidy applications only***

X The amount of countervailable subsidy attributable to the alleged subsidised goods imported into the UK ***Subsidy applications only***

X Changes in import volumes of the goods

X Effects of the imported goods on prices of like goods produced in the UK

X Impact of the imports have caused to the UK industry