



## Anti-Dumping Questionnaire (Exporter)

### Case AD0047: Certain Excavators exported from the People's Republic of China

Period of Investigation (POI):	<input type="text" value="1 July 2022 – 30 June 2023"/>
Injury period:	<input type="text" value="1 July 2019 – 30 June 2023"/>
Deadline for response:	<input type="text" value="14 March 2024"/>
Contact details:	<input type="text" value="AD0047@traderemedies.gov.uk"/>
Completed on behalf of:	<input type="text" value="SANY HEAVY MACHINERY (UK) LTD"/>

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

- Confidential  
 Non-confidential – will be made publicly available

Your completed response must comprise this questionnaire and the corresponding annexes. Please note that you will have to provide **Confidential** and **Non-Confidential** versions of the questionnaire and annexes, as well as of any additional documents you append. All documents should be uploaded to the Trade Remedies Service ([www.trade-remedies.service.gov.uk](http://www.trade-remedies.service.gov.uk)) by **28 February 2024**.



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## Introduction

### About us, this case, and this questionnaire

The Trade Remedies Authority (TRA) investigates whether trade remedies are needed to prevent injury to UK industry. The TRA has been established to provide the UK with its own independent trade remedies system.

This case is investigating the allegation that Certain Excavators exported from the People's Republic of China (PRC) are being dumped (exported to the United Kingdom (UK) at prices less than their normal value) and that this dumping is causing injury to the UK industry for these goods.

### Why should I take part?

We are asking foreign exporters to complete this questionnaire to help us understand the industry and market for this product and assess if a measure is needed. We need to establish whether the alleged dumping has occurred and has caused injury to the UK industry.

If you are an exporter of the goods concerned to the UK but do not produce these goods, please complete Annex I, as well as sections of the questionnaire you are reasonably able to answer. Please also provide the Case Team with contact details for the company/companies that produce the goods concerned that you export.

The information your company provides will help us to reach a fair and proportionate decision.

### How do I respond?

Detailed guidance on how to complete the questionnaire is provided in the [instructions](#) section below.

Please provide all the information requested by **28 February 2024**. We may need to issue a deficiency notice if we determine that the information supplied in the questionnaire is incomplete or inadequate. We may also send a notice requesting clarification or supplementary information if necessary. Therefore, please provide as much detail as possible in your responses.



## Where can I find more information?

Our [trade remedies guidance](#) provides general information about our investigations and processes we follow.

If you have any specific questions relating to the case, now or while you're completing the questionnaire, please contact the Case Team at [AD0047@traderemedies.gov.uk](mailto:AD0047@traderemedies.gov.uk).

You can also find out more about the regulatory basis of our investigations. The TRA investigates cases under the provisions of *Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 as Amended by the Trade Remedies (Amendment) (EU Exit) Regulations 2019* and under the *Taxation (Cross-border Trade) Act 2018*.

## Instructions on completing this questionnaire

### Preparing your response

This section sets out guidance on how to complete this questionnaire.

If you think you won't be able to complete the questionnaire within the required time, please contact the Case Team ahead of the deadline using the contact details on the cover of this questionnaire. You should outline the length of extension you need and the reasons why. We will notify you of our decision.

If we can accommodate an extension, we will publish a note on our [public file](#) to record both the request and the extension granted.

### How to answer the questions

Please read and follow all the instructions carefully. Your company will need to substantiate all claims with relevant data and information. You may be asked to attach supporting documents in appendices to supplement your responses. To help us verify your information, please retain all these documents, your completed spreadsheet annexes and any calculations you made when developing your responses.

Please also note the following points:



- Do not leave any questions blank. If the question is not relevant to your organisation, please explain why. If the answer to a question is “zero”, “no” or “none”, please write this.
- Please complete the spreadsheet annexes as requested. Annexes are named to correspond to the relevant sections of this questionnaire and must be completed with reference to the instructions provided. If you feel you cannot present the information as requested, please contact your Case Team as soon as possible.
- Please provide all formulas and calculations used within your questionnaire response.
- If there is insufficient space in any part of the questionnaire to provide the details requested, or we ask for copies of additional information, please submit this information as 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.
- Any documents not in English should be accompanied by an English translation.
- Please provide all dates in the format DD/MM/YYYY (e.g., 23/05/2019).
- Unless otherwise stated, ‘year’ or ‘calendar year’ refers to the period 1 January – 31 December and ‘quarter’ refers to the associated three-month periods e.g. 1 January – 31 March, 1 April – 30 June, etc.
- Identify all units of measurement and currencies used in tables, calculations and lists, if not provided by the corresponding instructions, and use units of measurement consistently (e.g., do not use kg and metric tonnes interchangeably).
- 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).
- Please limit all sales/currency/income figures to two decimal places, apply a full point as a decimal separator and use the appropriate currency symbol or abbreviation (e.g., £1,300.00).
- Provide all costing figures as actual amounts. Where actual amounts cannot be provided and you have reported standard costing instead, please indicate this in the relevant answer, and explain the variance from actual costs, if any.
- All figures should be reported net of tax unless otherwise stated.
- Please refer to the case number, AD0047, in any correspondence with the TRA.

## Preparing confidential and non-confidential copies

You will need to submit one confidential version and one non-confidential version of your questionnaire and the corresponding spreadsheet annexes by the due date. We will publish the non-confidential version on the public file. **Please ensure that each page of information you provide is clearly marked either “Confidential” or “Non-Confidential” in the header.**



Please see our guidance on [how to submit information](#) for further details on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

In preparing your response, please note the following:

- It is your responsibility to ensure that the non-confidential version does not contain any confidential information.
- Remember to include a statement explaining why information obtained in your response should be treated as confidential e.g. the data is commercially sensitive.
- Provide the source for all information or data you don't own and clearly state any restrictions on sharing it.
- If you do not provide a non-confidential summary (or a statement of reasons why you cannot provide this) each time you provide confidential information, the TRA may disregard the information you give us.

All information provided to the TRA in confidence will be treated accordingly and only used for this investigation (except in limited circumstance as permitted by regulation 46 of the *Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019*) and will be stored in protected systems. The non-confidential version of your submission will be placed on the public file, which is available on [www.trade-remedies.service.gov.uk/public/cases](http://www.trade-remedies.service.gov.uk/public/cases).

## Providing information from subsidiaries or associated parties

Section A of this questionnaire includes detailed questions about your company structure. Although this questionnaire is intended for your company, our investigation covers all subsidiaries and any other associated companies involved in the import, production, sale, R&D, distribution and/or supply of the like good and/or goods concerned.

Please note, both natural persons (individuals) and legal persons (e.g. companies) are considered to be associated where they meet the definition of 'Related Persons' in [Regulation 128 of the Customs \(Import Duty\) \(EU Exit\) Regulations 2018](#).

- If any of your subsidiaries or associated companies are also an exporting producer of the goods concerned they should **also** complete the main questionnaire. Please make sure you provide your subsidiaries with access to this questionnaire.
- If your subsidiaries or associated companies are not producers but are involved in the sales and/or marketing of the export goods concerned to the UK, they should



complete Annex I, as well as sections of the questionnaire they are reasonably able to answer.

- If your subsidiaries or associated parties are producers but are not involved in the sales and/or marketing of the export good to the UK, they should complete the relevant sections of the questionnaire.

If you have any queries about this part of the process, please contact the Case Team using the details provided on the cover of this questionnaire.

## What happens next

Once you have completed your questionnaire responses including the corresponding annex(es) and any additional documents requested, you must upload confidential and non-confidential versions through our [Trade Remedies Service](#). Following this:

- you will receive an email confirming the documents have been uploaded successfully.
- the Case Team will contact you if further information is required;
- the non-confidential responses will be placed on the public file; and
- the Case Team may contact you to arrange a visit to verify the information contained in your responses.

## Verifying the information you supply

The TRA will verify, as far as possible, the information provided to it. As part of this process, we may conduct verification visits. If we need to verify information that you provide by visiting your premises, the Case Team will contact you to arrange this.

Visits can last several days, during which we will want to speak to management and staff to help establish the completeness, relevance and accuracy of the information provided.

Please keep a record of formulas and steps used in your calculations and other related material/documentation as it may be asked for during verification. In some circumstances, verification may be conducted remotely.

Please indicate any dates when you would be unable to host a verification visit.

### RESPONSE

SANY HEAVY MACHINERY (UK) LTD (hereinafter referred to as “SANY UK” or “our company”) is available for verification, but it would very much appreciate if the Trade



Remedies Authority (“TRA”) could kindly confirm the dates of verification with its legal representatives in advance.

Appendix reference: N/A

Once verification is complete, the TRA will prepare a report and share a draft with you. the TRA will then ask you to prepare a non-confidential copy of the report for the public record. If you feel some information in the report should be kept confidential, please provide your reasons for this.



## The scope of this investigation

### Goods concerned

This investigation covers 'Certain Excavators' exported from the People's Republic of China, described as:

- **Self-propelled track-laying (i.e., tracked) excavators with a 360° revolving superstructure and with an operating weight of 11,000 kg (i.e., 11 tonnes) or more.**

These excavators are currently classifiable within the following commodity code **8429 5210 00**. This code is only given for information and includes 'mini' excavators under 11 tonnes.

**The units of measurement to be used in this investigation include kilogram (KG) and metric tonne (MT). For clarity where we refer to 'ton' in the goods description we do not mean the imperial measurement. For the purpose of this investigation ton refers to 1000kg, or metric tonne.**

In this questionnaire, these goods will be referred to as '**the goods concerned**'. Any reference to 'goods concerned' in this questionnaire refers to the goods description above, regardless of the commodity code under which they are exported.

### Like goods

In addition to seeking information about your company's export sales to the UK of the goods concerned, this questionnaire will also ask about your sales of like goods in your domestic market and to third countries. Any reference to '**like goods**' in this questionnaire refers to goods which are like the goods concerned in all respects, or with characteristics closely resembling them.

**Please follow the instructions for each question to provide the appropriate information regarding the like goods and goods concerned.**

### Product Control Numbers

The TRA uses Product Control Numbers (PCNs) to define and distinguish the different types of products that fall under the goods description above.



PCNs, which come in the form of an **alphanumeric code**, help to create a categorisation system so that comparisons can be made between goods produced in the domestic UK market and those produced in foreign markets.

Category	Description	Basic Operating weight
S	Small Excavators	>=11 tonnes <15 tonnes
M	Medium Excavators	>=15 tonnes <20 tonnes
L	Large Excavators	>=20 tonnes <30 tonnes
XL	Extra-Large Excavators	>=30 tonnes

In this questionnaire and the corresponding annexes, you will be asked to construct PCNs representing the different types of products you produce. When giving your PCNs, please do not use any spaces, dashes or other means of separation, and ensure you follow the order of characteristics outlined in the table above.

Given the relatively low number of sales in the UK Certain Excavator market and the large number of configurations available for purchase (e.g., air conditioning for the cab, dozer blades or not, and different sizes of track shoes), we consider it is not useful to add further PCNs. Instead, any differences in physical characteristics relevant to the calculations (e.g., any costly attachments or options) should be addressed through adjustments.

1. Please provide details of any technical or physical characteristic not included in the PCN structure that may affect the price comparison between products.

### RESPONSE

On the one hand, SANY UK, SANY Heavy Machinery Limited (“SANY Kunshan”), Shanghai SANY Heavy Machinery Co., Ltd. (“SANY Shanghai”), and – collectively referred to as the “SANY group” – note that there exist other technical and physical characteristics not included in the PCN structure that may affect the price comparison between products. On the other hand, the SANY group understands that, for the purposes of the present investigation, only the most important product characteristics are being considered. Thus, to avoid unnecessary difficulties which may be caused by an over-complicated PCN structure, the SANY group does not recommend adding any other indicator reflecting additional technical or physical characteristics into the proposed PCN structure. The SANY group nevertheless wishes to reserve its right to



comment on other interested parties' or the TRA proposal(s) to modify/extend the PCN.

In addition to the above, the SANY group hereby highlights the following considerations:

- (1) Apart from traditional excavators powered by internal combustion engines, the SANY group also produces electric-powered excavators, some of which fall within the description of the goods concerned in this investigation;
- (2) There are significant distinctions in the physical characteristics, key components, and – to a certain extent – applications of electric excavators compared to excavators with internal combustion engines;
- (3) Given the substantial differences between electric excavators and those with internal combustion engine, the SANY group respectfully submits that electric excavators should be excluded from the scope of the present investigation, particularly because, to the best of the SANY group's knowledge, there is no UK domestic production of electric excavators with an operating weight of 11 tonnes or more.

The SANY group trusts the TRA's judgment as to whether other indicators should be added to the current PCN structure to differentiate between electric excavators and excavators with internal combustion engines. The SANY group remains at the TRA's disposal to provide further information and facilitate the TRA's decision.

2. Please comment on the suitability of the PCN structure in regard to your product range. This may include areas such as:
  - Categorisation of features;
  - Number of products included under "Other" which may exclude a fair comparison;
  - Specialised products which may unduly influence the comparison.

## RESPONSE

The SANY group notes that the TRA has raised questions about excavators over 50 tonnes. The SANY group accordingly proposes to modify the PCN structure by adding the category "XXL" to describe and distinguish excavators whose weight is equal to or exceeds 50 tonnes.

More specifically, the SANY group suggests revising the current PCN structure as follows to accommodate the factual circumstances of the products produced/sold by SANY group:

- (1) Category "XL" modified from ">=30 tonnes" to ">=30 tonnes <50 tonnes";



(2) Category “XXL added for excavators  $\geq 50$  tonnes”.

Category	Description	Basic Operating weight
S	Small Excavators	$\geq 11$ tonnes <15 tonnes
M	Medium Excavators	$\geq 15$ tonnes <20 tonnes
L	Large Excavators	$\geq 20$ tonnes <30 tonnes
<b>XL</b>	<b>Extra-Large Excavators</b>	<b><math>\geq 30</math> tonnes &lt;50 tonnes</b>
<b>XXL</b>	<b>Extra-Extra-Large Excavators</b>	<b><math>\geq 50</math> tonnes</b>

Please note that, in its questionnaire responses and relative annexes, the SANY group used the above PCN structure.

Please refer to the responses to Questions 4-7 below for details of the reasons for the adjustments suggested above.

- Please provide details of any manufacturing process differences which you feel may influence the PCN structure and the price comparison between the goods concerned and the like goods.

**RESPONSE**

The SANY group does not claim any manufacturing process differences that may factor in the PCN structure and the price comparisons between the goods concerned and the like goods.

An Interested Party has requested that a maximum tonne weight is added to the PCN table as the largest Excavators manufactured in the UK are 50 Tonne. Please complete the below questions:

- If a maximum weight limit of 50 tonnes was applied, how would this affect interchangeability and substitutability with excavators over 50 tons?

**RESPONSE**

The excavators manufactured by SANY producers (i.e., SANY Shanghai and SANY Kunshan above 50-tonne threshold span a broad tonnage range, extending up to [Redacted – commercially sensitive information] tonnes. These ultra extra-large excavators constitute a distinct category and exhibit substantial differences from any categories of smaller excavators below 50 tonnes in terms of essential characteristics and intended usage.

Should it be confirmed that the largest excavators manufactured in the UK are 50 tonnes, the SANY group respectfully submits that excavators with a weight exceeding 50 tonnes should be excluded from the scope of the present investigation.

In any event, to address the distinction between excavators below and above 50 tonnes noted above, the SANY group proposes to incorporate an additional category,



i.e., "XXL", to specifically represent products with a weight  $\geq$  50 tonnes as explained above.

5. How does the end use of an excavator with a maximum weight of 50 tonnes differ from the end use of an excavator over 50 tonnes?

### RESPONSE

The SANY group submits that excavators with a maximum weight below 50 tonnes, due to their respective tonnages or capacities, are more versatile and adaptable to various purposes or scenarios.

By contrast, excavators exceeding 50 tonnes are predominantly deployed in environments such as mines and other sites that entail excavators with exceptionally high capacities to fulfil their tasks. The end use of excavators below 50 tonnes may not be suitable for these specialised applications, or even if utilised, they may not exhibit the same level of efficiency as their heavier counterparts with a weight exceeding 50 tonnes.

6. How would the imposition of an upper weight limit affect competition between excavators with a maximum weight of 50 tonnes and those above a maximum weight of 50 tonnes?

### RESPONSE

The SANY group submits that the imposition of an upper weight limit might potentially affect competition between excavators with a maximum weight of 50 tonnes and those with a weight above 50 tonnes, but primarily competition may be affected in cases of excavators with hovers near the 50-tonne threshold that have similar capacities and specifications.

The competition within the group of excavators with a maximum weight of 50 tonnes ( $\geq$ 11 tonnes,  $<$ 50 tonnes), and within the group of excavators above 50 tonnes (for the SANY group,  $\geq$ 50 tonnes,  $<$  [Redacted – commercially sensitive information] tonnes) is unlikely to be affected, as both groups are fundamentally distinct in terms of capacity and intended usage.

7. What is the difference in price and quality between an excavator with a maximum weight of 50 tonnes and an excavator above a maximum weight of 50 tonnes?

### RESPONSE

The SANY group highlights that excavators with a weight of 50 tonnes or more span a broad tonnage range, up to [Redacted – commercially sensitive information] tonnes. Their prices can be multiple times higher than excavators with a maximum weight of 50 tonnes. Also, given the varying capacity and performance requirements between excavators with a weight of 50 tonnes or more and excavators with a weight ranging



from 11 tonnes to 50 tonnes, the quality and specifications of these excavators differ significantly in terms of power range, durability, and other specifications.

## **Annex I: Questionnaire for associated companies involved in sales or marketing of the goods**

### **Guidance**

This annex is an essential part of the questionnaire and is intended for companies which are associated with the exporting producer and which are **not involved in producing** the goods concerned but **are involved in the sale or export** of the goods to the UK. All the general instructions, deadlines and guidance given in this questionnaire are directly applicable to this annex. Each associated company involved should complete this annex separately.

**It is essential that the Product Control Numbers used are consistent with those used by your associated company.**

The questionnaire is divided into three parts:

**Section I** – Associated company information

**Section II** – Information relating to purchase prices and stocks

**Section III** – Information relating to resale prices

### **Related persons**

As a reminder, please refer to the definition of related persons under **A3 – Organisational structure**.



## Section I of Annex I: Associated company information

### S1.1 – Identity and contact details

1. Please describe the activities carried out by your company. In your description explain the range of products sold, markets sold to, functions performed, your relationship with the associated company and any other relevant factors.

**RESPONSE**

SANY UK was established on 5<sup>th</sup> March 2020, and it acts as a trader within the SANY group. SANY UK purchases the goods concerned produced from [Redacted – commercially sensitive information] in People’s Republic of China (“PRC”), i.e. [Redacted – commercially sensitive information], imports them into the UK, and resells the goods concerned to UK customers.

Appendix reference: S1.1.1 Certificate of Incorporation

2. Please complete the table below.

Legal name of company:	SANY HEAVY MACHINERY (UK) LTD
Legal structure (e.g., <limited company, sole trader, partnership> etc):	Private Limited Company
Year of establishment:	2020
Other operating names:	N/A
Name (point of contact):	[Redacted – personal information which identifies individuals]
Position:	[Redacted – personal information which identifies individuals]
Address:	[Redacted – commercially sensitive information]
Telephone No:	[Redacted – personal information which identifies individuals]
Email:	[Redacted – personal information which identifies individuals]
Website:	<a href="https://www.sanyuk.com/">https://www.sanyuk.com/</a>

3. If you have appointed an external party to act on your behalf in this investigation, please provide their details and attach a letter confirming the TRA should contact them directly:



Name:	[Redacted – personal information which identifies individuals]
Address:	[Redacted – personal information which identifies individuals]
Telephone No.:	[Redacted – personal information which identifies individuals]
Email:	[Redacted – personal information which identifies individuals]
Confirm they have signed authority to act (Yes/No):	Yes
	Appendix reference: <a href="#">S1.1.3 Power of Attorney</a>

## S1.2 – About your company

1. Please provide the details of any other operating name you use to sell or market the goods concerned.

### RESPONSE

There are no other operating names that SANY UK uses to sell or market the goods concerned.

Appendix reference: [N/A](#)

2. Please provide a list of all your company's shareholders that owned more than 5% of its shares during the period of investigation (POI, 1 July 2022 – 30 June 2023) in **S1.2.1 – Shareholders in Annex I (Associated companies – Exporter)**. Where known, please give details of their activities in the table.
3. Describe all other goods sold, marketed or otherwise concerned by your company, in the UK. Please complete **S1.2.2 – Other Goods, Annex I (Associated companies – Exporter)** showing the volume and value of these goods.
4. Please explain, or demonstrate in a diagram, the overall internal hierarchical and organisational structure of your company. This diagram should show all units involved in the sale and distribution of the goods concerned in the UK and the original market of imports. Clearly state the role of your company.

### RESPONSE



Please refer to [Appendix S1.2.4 – CONFIDENTIAL] for the diagram outlining SANY UK’s internal organisational structure. SANY UK does not have any subsidiaries.

Appendix reference: S1.2.4 Internal Organisational Diagram – CONFIDENTIAL

5. Provide an explanation and diagram outlining your company's worldwide corporate structure and affiliations, including parent companies, subsidiaries or other associated companies.

**RESPONSE**

SANY UK is [Redacted – commercially sensitive information]. Please refer to [Appendix S1.2.5 – CONFIDENTIAL] for the table outlining SANY Kunshan’s worldwide structure and affiliations, encompassing the associated companies of SANY UK.

Appendix reference: S1.2.5 Worldwide Corporate Structure - CONFIDENTIAL

**S1.3 – Accounting practices**

1. Please give the financial year convention your company uses for its accounts (e.g. 1 January – 31 December). If any changes have occurred with respect to this period or in your accounting practices over the last four financial years, please describe these changes.

**RESPONSE**

The financial year of SANY UK is conventionally 1 January – 31 December, except for the financial year of 2021, where the financial period starts from 30 June 2020, and ends on 31 December 2021.

Appendix reference: N/A

2. Please attach copies of your annual accounts for the injury period, 1 July 2019 – 30 June 2023. This may include a statement of financial position; statement of profit and loss and other comprehensive income; statement of changes in equity; cash-flow statement; notes to the accounts and all reports; and the auditor's opinion on these documents.

**RESPONSE**

Please refer to [Appendix S1.3.2 – CONFIDENTIAL] for the audited annual accounts for 2021 and 2022.

Appendix reference: S1.3.2 Annual Audited Accounts 2021-2022 - CONFIDENTIAL



3. If your accounts are unaudited, please attach copies of your unaudited financial statements for the injury period.

**RESPONSE**

Please refer to [Appendix S1.3.3 – CONFIDENTIAL] for the unaudited financial statements covering the injury period.

Appendix reference: S1.3.3 Financial Statements 2021.12-2023.6 - CONFIDENTIAL

4. If internal financial statements, management reports, etc. are prepared and maintained for the goods concerned, please provide copies for your most recent financial year and the POI.

**RESPONSE**

Please refer to SANY UK's response to Question S1.3.3 for the internal financial statements. SANY UK does not maintain internal management reports.

Appendix reference: N/A

5. Please attach a copy of your company's trial balance (in original and spreadsheet form) covering the POI, 1 July 2022 to 30 June 2023. If your financial year is fully aligned with the POI, this is all that is required.:

Where your financial period is not aligned with the POI, please provide trial balances (in original and spreadsheet form) to cover the following periods:

- the trial balance which covers the beginning of your financial year and ends on 30 June 2022;
- the trial balance which starts from 1 July 2022 to the end of your next financial year; and
- the trial balance starting from the beginning of your following financial year and ends on 30 June 2023.

**RESPONSE**

Please refer to [Appendix S1.3.5 – CONFIDENTIAL] for the trial balances of SANY UK, covering the relevant periods.

Appendix reference: S1.3.5 Trial Balance for POI – CONFIDENTIAL

**S1.4 – Employment and turnover**



1. Please complete **S1.4.1 – Employment, Annex I (Associated companies – Exporter)**.
2. Please complete **S1.4.2 – Turnover, Annex I (Associated companies – Exporter)**.



## Section II of Annex I: Information relating to purchase prices and stocks

### S2.1 – Purchases and stocks

Please complete **S2.1.1 – Purchases** in **Annex I (Associated companies – Exporter)**.

1. Please give a detailed description of how purchases of the goods concerned are made. Take into consideration:
  - the terms of your contract with the supplier (provide a copy).
  - the administrative arrangements involved from the ordering of the goods until their arrival, including customs clearance (if applicable).
  - the terms of payment.
  - transport, insurance, handling, loading and ancillary costs.
  - warranties.
  - guarantees.
  - technical assistance.
  - after sales service, etc.

#### RESPONSE

Please refer to [Appendix S2.1.1 – CONFIDENTIAL] for the copies of two contracts with the suppliers, [Redacted – commercially sensitive information].

- SANY UK purchases the goods concerned from [Redacted – commercially sensitive information] with [Redacted – commercially sensitive information] term.
- The administrative arrangements [Redacted – commercially sensitive information].

While the contracted term of payment is stipulated as [Redacted – commercially sensitive information], the calculated accounts receivable turnover rate of [Redacted – commercially sensitive information] indicates an average payment period of [Redacted – commercially sensitive information] days in reality.

Appendix reference: [S2.1.1 Purchase Contracts - CONFIDENTIAL](#)

2. From the manufacturing of the goods concerned to the point at which your exports reach the UK, please describe the physical movement of the goods throughout the whole process. In your explanation, please include all customs offices involved in the customs clearance of the goods.



**RESPONSE**

The goods concerned are manufactured in China, [Redacted – commercially sensitive information]. Once purchased, the goods are transported to [CONFIDENTIAL] for export, where they are shipped. Upon arrival in the UK, the goods are discharged in [Redacted – commercially sensitive information]. The entire physical movement involves the customs clearance processes at the manufacturing facilities, [Redacted – commercially sensitive information], and relevant customs offices in the UK.

Appendix reference: N/A

3. Please list all locations where your company keeps stocks of the goods concerned

**RESPONSE**

SANY UK stores the goods concern at the following address: [Redacted – commercially sensitive information].

Appendix reference: N/A

4. For the goods concerned report all your company's purchases made during the 12 months before the POI but exported during the POI. Add this to **S2.1.2 – Purchases before POI** in the spreadsheet **Annex I (Associated companies – Exporter)** provided.
5. Report additional information relating to your purchases of the goods concerned during the POI 1 July 2022 – 30 June 2023. Add this to **S2.1.3 – Purchase information** in the spreadsheet **Annex I (Associated companies – Exporter)** provided.
6. Report all of the stock purchased by your company. Add this to **S2.1.4 – Stocks** in the spreadsheet **Annex I (Associated companies – Exporter)** provided.



## Section III of Annex I: Information relating to resale prices

This information should be provided **only** for the POI, thus please provide all invoices falling within the POI.

### S3.1 – General information

1. Describe the physical flows (e.g., inputs and products) and the financial flows (e.g. invoices and payments) involved.

#### RESPONSE

- Physical flow:

The goods concerned are produced by [Redacted – commercially sensitive information]; exported from the PRC to the UK; received and warehoused by SANY UK; and [Redacted – commercially sensitive information].

The stipulated term of payment in the purchase contracts between SANY UK and [Redacted – commercially sensitive information], as responded in Question S2.1.1

- Financial flow:

[Redacted – commercially sensitive information] issue invoices to SANY UK for the exported goods, and the latter coordinates payments to [Redacted – commercially sensitive information] for the goods received. SANY UK issues invoices to UK customers and receives payments therefrom.

The terms of payment between SANY UK and customers are usually [Redacted – commercially sensitive information], as reported in the S3.2 Table.

Appendix reference: S3.1.2 Sales Flowchart - CONFIDENTIAL

2. Include a detailed flow chart demonstrating terms of sale and pricing to each customer category (e.g. traders, distributors, wholesalers, industrial users, end users, etc.) including associated companies.

#### RESPONSE

Please refer to [Appendix S3.1.2 - CONFIDENTIAL] for the flow chart illustrating the physical and financial flows involved, and the terms of sale. SANY UK does not engage in transactions of the goods concerned with associated customers within the UK.

The pricing strategies of SANY UK [Redacted – commercially sensitive information].

Appendix reference: S3.1.2 Sales Flowchart - CONFIDENTIAL



3. If the goods concerned are changed in any way between purchase and resale, please provide details.

**RESPONSE**

The goods concerned that SANY UK purchases [Redacted – commercially sensitive information].

Appendix reference: N/A

4. Describe each step in the sales negotiation process, from the first point of contact with the purchaser through to any after sales price adjustments.

**RESPONSE**

The sales negotiation process [Redacted – commercially sensitive information].

The sales process [Redacted – commercially sensitive information].

Appendix reference: N/A

5. Explain how sales prices are set and whether sales prices differ between or among grades, types or specifications of the goods concerned or among customers, regions or time periods.

**RESPONSE**

The sales prices are [Redacted – commercially sensitive information].

Appendix reference: N/A

6. Please provide copies of all price lists issued or in use during the POI.

**RESPONSE**

SANY UK updates its price list annually. Please refer to [Appendix S3.1.6 – CONFIDENTIAL] for the price list issued [CONFIDENTIAL].

Appendix reference: S3.1.6 Price List for 2022Q3-2023Q4 – CONFIDENTIAL

### S3.2 – Sales to independent customers in the UK during the POI

In this part of Section III, you need to provide information on the sales of the goods under consideration made by your company directly to independent customers.

1. Please complete **S3.2 – Sales to ind. customers** in the spreadsheet **Annex I (Associated companies – Exporter)** provided. Show all sales of the goods



concerned made by your company to independent customers for consumption in the UK on a transaction-by-transaction basis.

2. Please explain how you have calculated the CIF values as stated in the CIF value column in the table.

**RESPONSE**

SANY UK calculates the CIF (Cost, Insurance, and Freight) delivered values by considering the different terms of sales applied to its customers. As explained in SANY UK's response to Question S3.1.1, [CONFIDENTIAL].

Appendix reference: N/A

This listing should use the same Product Control Numbers as reported in the table of PCN codes included in the instruction section. Each product sale on a given invoice with a different PCN should be recorded as a separate transaction.

**S3.3 – Sales to associated parties in the UK during the POI**

Please communicate with your associated parties for the responses to each of the questions within this section.

Please ensure that the information provided by the associated company in **Section II** above is easily and fully reconcilable with the information given below.

1. Please complete **S3.3 – Sales to associated parties** in the spreadsheet **Annex I (Associated companies – Exporter)** provided. Show all sales of the goods concerned made by your company to associated customers for consumption in the UK on a transaction-by-transaction basis.

**RESPONSE**

This table is not applicable to SANY UK because SANY UK does not sell goods concerned to associated customers.

2. Please explain how you have calculated the CIF values as stated in the CIF value column in the table.

**RESPONSE**

This question is not applicable to SANY UK because SANY UK does not sell goods concerned to associated customers.

Appendix reference: N/A



### List of Appendices

<b>Appendix reference</b>	<b>Document title</b>	<b>Status</b>
S1.1.1	Certificate of Incorporation	Non-Confidential
S1.1.3	Power of Attorney	Non-Confidential
S1.2.4	Internal Organisational Diagram	Confidential
S1.2.5	Worldwide Corporate Structure	Confidential
S1.3.2	Annual Audited Accounts 2021-2022	Confidential
S1.3.3	Financial Statements 2021.12-2023.6	Confidential
S1.3.5	Trial Balance for POI	Confidential
S2.1.1	Purchase Contracts	Confidential
S3.1.2	Sales Flowchart	Confidential
S3.1.6	Price List for 2022Q3-2023Q4	Confidential