



Subsidy Questionnaire (Exporter)

Case AS0046: 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="AS0046@traderemedies.gov.uk"/>
Completed on behalf of:	<input type="text" value="SANY Heavy Machinery Limited"/>

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) 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 from the People's Republic of China (PRC) are causing injury to producers in the UK because the goods have benefited from a subsidy from a foreign authority.

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.

Not all subsidies are countervailable (meaning they can be offset through trade remedies). A subsidy is countervailable if it is specific to certain companies or industries and granted either directly or indirectly for the manufacture, production, export or transport of 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 subsidisation 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 AS0046@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 recoverable tax unless otherwise stated.
- Please refer to the case number, AS0046 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.

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 Exporter questionnaire. Please make sure you provide your subsidiaries with access to this questionnaire template.
- If your subsidiaries or associated companies are not producers but are involved in the sales and/or marketing of the goods concerned exported 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 Limited (hereinafter referred to as “SANY Kunshan” 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 Kunshan, Shanghai SANY Heavy Machinery Co., Ltd. (“SANY Shanghai”), and SANY Heavy Machinery (UK) Ltd (“SANY UK”) – 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 >=50 tonnes”.

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 <50 tonnes
XXL	Extra-Extra-Large Excavators	>=50 tonnes

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.

3. 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:

4. 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.



SECTION A: Company structure and operations

A1 Identity and contact details

1. Please complete the table below, ensuring that the point of contact given has the authority to provide this information:

Legal name of company:	SANY Heavy Machinery Limited
Legal structure (e.g., limited company, sole trader, partnership etc)	Limited Liability Company
Year of establishment:	4 April 2001
Other operating names:	None
Company registration number:	91320583753205545N
Registered address:	Sany Industrial Park, Economic and Technological Development Zone, Kunshan, Jiangsu, China
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:	http://www.sanygroup.com

2. 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]
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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: A1.2 Letter of Authority	

A2 About your company

1. Describe the role of your company in relation of exports of the goods concerned to the UK market (e.g., producer, producer/exporter or exporter/distributor). Please make it clear whether you are a producer, and if you are not, please contact us within seven days with details of the producers that supply you.

RESPONSE:

SANY Kunshan produces the goods concerned and exports them to the UK, directly or via the related trader SANY UK”).

During the Period of Investigation (“POI”), SANY Kunshan has exported the goods concerned only via SANY UK.

Appendix reference: N/A

2. Please provide details of any changes in the legal form of your business over the past 5 years, for example, mergers, acquisitions and/or sales.

Date	Legal form	Explanation of change
N/A	N/A	N/A

+Add additional rows as required.

3. List and explain all authorisations your company has been required to obtain to produce, sell, or to export the goods concerned. These may include licences, permits, permissions or mining concessions. Indicate if your company is subject to any direct or indirect, quantitative or other, restrictions on any of these activities.



RESPONSE:

As a general requirement to do business, SANY Kunshan needs to get the Business License from the local Market Supervision and Administration.

Appendix reference: [Appendix A2.3 Business License](#)

4. List all international production standards (BS / EN etc) your company currently conforms to, for the like goods / goods concerned.

RESPONSE:

There are no international production standards (BS / EN etc) for the like goods / goods concerned.

Appendix reference: N/A

5. State whether your company is a member of any representative organisations (e.g., trade bodies, associations, Chambers of Commerce). If so, provide a copy of the relevant documentation.

RESPONSE:

SANY Kunshan is a member of China Construction Machinery Association. Please refer to [Appendix A2.5 Membership Certificate](#) for supporting documentation.

Appendix reference: [Appendix A2.5 Membership Certificate](#)

A3 Organisational structure

Please answer the questions below about the internal structure of your company and any associations with other companies. Both natural persons (individuals) and legal persons (e.g. companies) are associated where they meet the definition of 'related persons' in Regulation 128 of the [Customs \(Import Duty\) \(EU Exit\) Regulations 2018](#).

1. Please complete **Section A3 – Organisational structure** of **Annex II** for your company's worldwide corporate structure and affiliations.
2. Please explain, or demonstrate in a diagram, the legal structure of your company showing the internal hierarchical and organisational structure, all sites/locations



and departments which are involved in the production, sale, R&D, supply and distribution of the like goods or goods.

RESPONSE:

Please refer to [\[Appendix A3.2 Internal Organisational Structure Diagram – CONFIDENTIAL\]](#) for requested information.

Appendix reference: [Appendix A3.2 Internal Organisational Structure Diagram - CONFIDENTIAL](#)

A4 Board members and principal shareholders

1. Please complete **Section A4 – Owners and shareholders of Annex II** for:
 - a. all your company's shareholders that owned more than 5% of its shares during the POI 1 July 2022 – 30 June 2023.
 - b. the Board of Directors during the period of investigation (POI) 1 July 2022 – 30 June 2023.
2. Explain your procedure for appointing the members of the Board of Directors.

RESPONSE:

The members of the Board of Directors of SANY Kunshan are elected by the Shareholders' Meeting, which is also a requirement of the Chinese Company Law.

Appendix reference: N/A

3. If applicable to your company, please attach the latest copy of the following documents (in the original language and in English):
 - articles of association and all related documents;
 - business licence;
 - proof of registration of the company with the competent authorities.



Please describe what you are submitting and provide appendix references for your attachments in the box below. Earlier copies from the date of establishment of the company until the present should be available upon request during any verification visit.

RESPONSE:

Please kindly refer to the Articles of Association and all the amendments since the establishment of SANY Kunshan attached as [\[Appendix A4.3 Articles of Association – CONFIDENTIAL\]](#).

Please refer to the Business License in [Appendix A-2.3 Business License](#), which is also the proof of registration of the Company.

Appendix reference: [Appendix A4.3 Articles of Association - CONFIDENTIAL](#); [Appendix A2.3 Business License](#)

A5 Operational links with other companies or persons

1. Complete the table below if your company has established long term agreements or relationships with any company/companies located in the UK, the People’s Republic of China (the PRC) or in third countries for the production (e.g. sub-contracting), supply and sale of the like goods, or other licensing, technical patent or compensatory agreements.

If your company has long-term agreements with other companies/persons for the supply of goods destined for internal sale, e.g. captive use, please provide the contract to demonstrate this.

Company name and address	Nature of agreement	Company registration number and place of registration	Appendix number of contract
N/A	N/A	N/A	N/A
Appendix reference: N/A			

+Add additional rows as required.

A6 Accounting practices



1. Give the address where your company’s accounting records are kept. If records are maintained in different locations, please indicate which records are kept at which location. If records are digital and do not have a physical location, please mark as N/A.

Records address	What records are held?
[Redacted – commercially sensitive information]	All accounting records

+Add additional rows as required

2. 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 Kunshan runs from January 1 to December 31 of each calendar year. No changes have occurred with respect to the above items.

Appendix reference: N/A

3. For your company and any associated parties involved in the production, marketing or sales of the goods concerned, please attach a copy of your annual accounts covering the injury period including the financial statements and audit reports.

RESPONSE:

SANY Kunshan’s audit reports for 2019, 2020, 2021 and 2022 are provided as **[Appendix A6.3 Audit Reports – CONFIDENTIAL]**.

SANY Kunshan has a subsidiary Chinese producer, i.e., SANY Shanghai, and a related UK importer, i.e., SANY UK. Please refer to SANY Shanghai’s questionnaire responses and SANY UK’s Annex I replies for the requested documents.

Appendix reference: **Appendix A6.3 Audit Reports – CONFIDENTIAL**

4. If your accounts are unaudited, please attach a copy of your unaudited financial statements for the injury period.



RESPONSE:

Not applicable. The accounts are audited.

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 [\[Appendix A6.5 – CONFIDENTIAL\]](#) for the trial balances of SANY Kunshan, covering the required periods.

Appendix reference: [Appendix A6.5 Trial Balances - CONFIDENTIAL](#)

6. For your company and any associated parties involved in the production, marketing or sales of the goods concerned, please attach copies of relevant management reports (e.g. profit and loss statement) for the profit centre that includes the goods and like goods. Please provide these reports for the (i) POI and (ii) most recently completed financial year.

RESPONSE:

SANY Kunshan's profit and loss statement 2022 is provided as [\[Appendix A6.6 P&L Statement – CONFIDENTIAL\]](#).

Please refer to the profit and loss statements of these related parties in their respective responses.



Appendix reference: [Appendix A6.6 P&L Statement – CONFIDENTIAL](#)

7. If your company is part of a group of companies, please also attach a copy of the consolidated accounts of the group for the most recently completed financial year.

RESPONSE:

Please refer to the consolidated audit reports for 2022 in [\[Appendix A6.7 Consolidated Audit Reports 2022 – CONFIDENTIAL\]](#).

Appendix reference: [Appendix A6.7 Consolidated Audit Reports 2022 – CONFIDENTIAL](#)

8. Please provide a detailed description of your financial accounting system, explaining how sub-ledgers (e.g. costing, debtors, creditors) and other sales or production systems integrate with the general ledger. Please provide a description of how it links to the management accounting system, including any manual interventions. Please also attach:

- your company's chart of accounts; and
- your company's cost centres.

RESPONSE:

The financial accounting system currently used by SANY Kunshan is [Redacted – commercially sensitive information].

The subledgers are recorded on the basis of source documents including purchase and sales invoices, etc. The subledgers are summarized into general ledgers. At the end of each financial period, the general ledgers are further transferred into financial statements.

The company calculates costs on an order-by-order basis.

For our company's chart of accounts, please refer to [Appendix A6.8 - CONFIDENTIAL](#).

Appendix reference: [Appendix A6.8 Chart of Accounts - CONFIDENTIAL](#)



9. Have you changed your financial policies during the injury period? Please explain the changes, including dates and the reasons for those changes along with the financial impact of those changes on the goods concerned or like goods.

RESPONSE:

SANY Kunshan has not changed its financial policies during the injury period.

Appendix reference: N/A

A7 Your company's products

1. Please complete **A7.1 – Your company's products Annex II**. If your company manufactures a range of goods concerned or like goods, list this information for each individual make and model in the range.

Please see additional notes in the annex for assistance on how to complete it.

2. For the goods concerned, please describe your company's Company Control Number (CCN) system. Please indicate how your own internal codes correspond to the PCNs provided in the section above on Product Control Numbers.

RESPONSE:

SANY Kunshan, SANY Shanghai and SANY UK adopt the same CCN system. A complete CCN of SANY group is a combination of letters and numbers, and consists of four codes indicating (1) product category, (2) main parameter, (3) main characteristic and (4) generation renewal.

- (1) Product category code consists of [Redacted – commercially sensitive information] which stands for excavators produced by SANY group;
- (2) Main parameter code consists of two to four numbers that indicate the weight/tonnage level of the excavator, e.g., [Redacted – commercially sensitive information];
- (3) Characteristic code is one to three letters indicating the types or traits of an excavator such as [Redacted – commercially sensitive information], etc.
- (4) The code for new-generation excavators of an operating weight >20 tonnes is "[Redacted – commercially sensitive information]" .

Instances for the CCN system are as follows:
[Redacted – commercially sensitive information]

Please refer to Table A7.1 for a more detailed PCN-CCN designation.

Appendix reference: N/A



3. If your company does not use the same CCNs across production, sales and invoicing, please explain how they differ.

RESPONSE:

The company uses the same product codes across marketing, production, sales and invoicing.

Appendix reference: N/A

4. If there are differences in characteristics between your range of goods concerned and your like goods which cause distinguishable differences in price, explain those differences and the effect they have. Attach any evidence you have that is relevant. This could take the form of sales brochures, input costs, research papers or any other relevant documentation.

RESPONSE:

SANY Kunshan has a wide range of products and the product mix for goods concerned and like goods might be different. However, as the PCN or the company's own classification categorized its products into groups for purpose of fair comparison, as long as the goods are the same type, there are no fundamental differences in characteristics between goods concerned and like goods.

Appendix reference: N/A

5. In relation to the technical, physical. and other relevant factors, how are the products you export different from those produced in the UK.

RESPONSE:

The main differences between our products exported to the UK and those produced in UK are as follows:

1. Differences in appearance. For example, differences in colour, cover structure and design style.
2. Differences in core components. For example, differences in engine power and main pump displacement.

Please refer to Section A7.1 – Your company's products, Annex II for detailed information.

Appendix reference: N/A

6. For each type of the like goods sold on your domestic market and the goods concerned destined for consumption on the UK market, please provide a technical description as well as translated sales brochures.

RESPONSE:

The main differences between our like goods sold on the domestic market and those produced in UK are as follows:



1. Differences in appearance. For example, differences in colour, cover structure and design style.
 2. Differences in core components. For example, differences in engine power and main pump displacement.
- Please refer to [Appendix A-7.6 Sales Brochure – CONFIDENTIAL](#).

Appendix reference: [Appendix A7.6 Sales Brochure – CONFIDENTIAL](#)

7. Please complete **A7.2 – Other goods, Annex II** describing all other goods produced or sold by your company in the UK. If appropriate, please group them by type/range.

Please see additional notes in the annex for assistance on how to complete it.



SECTION B: Sales

B1 Sales

1. Please complete **B1.1 – Total Sales, Annex II** by reporting your total sales excluding recoverable taxes by product type and destination.

If your company accounts are consolidated with accounts of associated companies, create a copy of the table to report **total group** turnover. The total sales must reconcile with the sales figure in your financial accounts.

Please see additional notes in the annex for assistance on how to complete it.

2. Please complete **B1.2 – Upwards sales reconciliation, Annex II**.

Please see additional notes in the annex for assistance on how to complete it.

B2 Sales to the UK

B2.1 Overview

1. Please describe your company's channels of distribution to the UK, from the factory gate to the first resale to independent customers.

RESPONSE:

During the POI, SANY Kunshan sold the products concerned to SANY UK, which resold them on the UK market.

As regards domestic sales, SANY Kunshan sells to unrelated customers as well as related customers.

Appendix reference: N/A

2. If applicable, please provide copies of price lists for the like goods for the POI.

RESPONSE:

SANY Kunshan does not have price lists. So this question is not applicable.

Appendix reference: N/A



3. Please provide your terms of sale and pricing to each customer category (e.g., traders, distributors, wholesalers, industrial users, end users, etc.) including associated companies.

RESPONSE:

For domestic sales, SANY Kunshan [Redacted – commercially sensitive information]. For exports to UK, SANY Kunshan [Redacted – commercially sensitive information].

Terms of sale and pricing [Redacted – commercially sensitive information]. After the customer and SANY Kunshan have agreed [Redacted – commercially sensitive information], they will sign a purchase confirmation or contract to fix [Redacted – commercially sensitive information].

Appendix reference: N/A

4. Does delivery price vary between customers? If so, then please explain what these differences may relate to.

RESPONSE

As explained above, SANY Kunshan [Redacted – commercially sensitive information].

Appendix reference: N/A

5. Please provide copies of the relevant policy documentation for the duty drawback schemes and export VAT schemes.

RESPONSE:

Please refer to [Appendix B2.1.5 Export Tax Refund Rates for Tracked Excavator – CONFIDENTIAL](#).

Appendix reference: [Appendix B2.1.5 Export Tax Refund Rates for Tracked Excavator - CONFIDENTIAL](#)

B2.2 UK transactions

In this part, you must provide complete information on sales of the goods concerned made by your company for export to the UK during the POI.

1. Please provide the sales information for your company's sales to all customers in the UK in **B2 – Sales to the UK, Annex II**.

Provide all sales and returns of the goods concerned to all customers in the UK on a transaction-by-transaction basis. Please report returns or after invoice discounts



as negative (-) sales figures. Report each goods sale on a given invoice with a different PCN (see Section A on Product Control Numbers) or invoice line as a separate transaction.

Please see additional notes in the annex for assistance on how to complete it.

2. If your sales have not been made on a CIF basis, explain below how you have calculated the CIF values included in the 'CIF value in accounting currency' column in **B2 – Sales to the UK, Annex II**.

RESPONSE:

SANY Kunshan's sales to UK are all made on a [Redacted – commercially sensitive information] basis, and the CIF value reported is based on [Redacted – commercially sensitive information].

Appendix reference: N/A

3. Select two invoices from two different customers regarding sales to the UK during the POI. Provide a complete set of documents for these sales. For example:
- purchase order
 - order acceptance
 - commercial invoice
 - applicable discounts or rebates
 - credit/debit notes
 - long or short-term contract of sale
 - inland freight contract
 - bank documents showing proof of payment
 - details of any tax rebates; and
 - documents relating to transport at CIF or DDP.

RESPONSE:

Please refer to [\[Appendix B2.2.3 Sales Documents to UK Customers – CONFIDENTIAL\]](#), which includes:

1. From SANY Kunshan to [Redacted – commercially sensitive information]:

- Contract
- Commercial Invoice
- Packing List
- Bill of Lading
- Proof of Payment

2. From [Redacted – commercially sensitive information] to UK customer

- Order confirmation
- Invoice
- Inland Delivery Note and Gate Receipt
- Proof of Payment



Trade Remedies
Authority

Trade Remedies Authority
 Confidential Non-Confidential

Appendix reference: [Appendix B2.2.3 Sales Documents to UK Customers - CONFIDENTIAL](#)



SECTION C: Costs and performance

C1 Statement of profit and loss and other comprehensive income

1. Complete **C1 – Income statement, Annex II** with information about all the goods your company produces.

Please see additional notes in the annex for assistance on how to complete it.

2. Please attach copies of your (corporate) income tax statements, any other company tax statements, and the corresponding tax returns for the POI and the preceding three financial years.

RESPONSE:

Please refer to [\[Appendix C1.2.1 Income Tax Statements – CONFIDENTIAL\]](#) and [\[Appendix C1.2.2 VAT Statements\]](#) for 2019, 2020, 2021 and 2022.

Appendix reference: [Appendix C1.2.1 Income Tax Statements - CONFIDENTIAL](#) and [Appendix C1.2.2 VAT Statements - CONFIDENTIAL](#)

C2 Production

1. Please provide a description of your company's production facilities. List all facilities involved in the production process, explaining the production activities at the major facilities and whether any stages are subcontracted.

RESPONSE:

The production process of an excavator involves a range of specialized facilities to perform various tasks. A breakdown of the major production facilities and their corresponding production activities is as follows:
[Redacted – commercially sensitive information].

Appendix reference: [N/A](#)

2. Describe each stage of the production process of the goods concerned as produced and sold by your company. To support this, please attach a complete flowchart of the production cycle.



RESPONSE:

The production process of an excavator involves several key steps, i.e., blanking, bending and forming, welding, machining, painting, assembly, inspection and adjustment. In general and simple terms, these stages can be described as follows:

- (1) Blanking: [Redacted – commercially sensitive information]
- (2) Bending & Forming: [Redacted – commercially sensitive information].
- (3) Welding: [Redacted – commercially sensitive information].
- (4) Machining: [Redacted – commercially sensitive information].
- (5) Painting: [Redacted – commercially sensitive information].
- (6) Assembly - Upper structure and Undercarriage: [Redacted – commercially sensitive information].
- (7) Boom and Arm Assembly: [Redacted – commercially sensitive information].
- (8) Complete Excavator Assembly: [Redacted – commercially sensitive information].
- (9) Inspection and Adjustment: [Redacted – commercially sensitive information].

Please refer to [\[Appendix C2.2 Production Process Flowchart – CONFIDENTIAL\]](#).

Appendix reference: [Appendix C2.2 Production Process Flowchart - CONFIDENTIAL](#)

3. Describe the main inputs to the production process and whether the supplier is associated or not. Specify whether these input materials or parts were imported, and whether the input value includes import charges and indirect taxes (for both exported and domestic types).

RESPONSE:

The main raw materials used in production are [Redacted – commercially sensitive information].

Some raw material suppliers are [Redacted – commercially sensitive information].

Some raw materials are [Redacted – commercially sensitive information].

[Redacted – commercially sensitive information]. Please refer to [Appendix C2.3](#) for two examples of purchase invoice for input materials [Redacted – commercially sensitive information].

Appendix reference: [Appendix C2.3 Sample Invoices Raw Materials - CONFIDENTIAL](#)



4. List any products produced by your company in the same facilities as the goods concerned and/or like goods, and comment on your ability to switch production.

RESPONSE:

[Redacted – commercially sensitive information].

Appendix reference: N/A

C3 Upwards cost reconciliation

1. Complete **Section C – Costing information**, subsection **C3 – Upwards cost reconciliation, Annex II**.

Please see additional notes in the annex for assistance on how to complete it.

C4 Purchases of the good concerned/like good

1. Please complete **C4 – Purchases, Annex II** for the good concerned / like good purchased for resale during the POI.
- Show purchases in value exclusive of VAT and net of credit notes and trade discounts (discounts immediately deducted on the invoice) received from suppliers.
 - Show purchases in volume net of returns outwards (purchases returned to the supplier).

Please see additional notes in the annex for assistance on how to complete it.

2. Give the name(s) of the country/countries of origin and the name(s) of the supplier(s) of the goods concerned purchased and sold by your company and your associated companies.

RESPONSE

SANY Kunshan produces the goods concerned itself therefore the country of origin is People's Republic of China.

Appendix reference: N/A

3. Within your company, do you use any integrated processes in the production of the goods concerned? If so, please explain.



RESPONSE:

SANY Kunshan produces the goods concerned itself since it has its own complete excavator production lines.

Appendix reference: [N/A](#)

C5 Raw material (RM) and major input purchases

1. Please complete **C5 – RM and input purchases, Annex II** for the principal RM and major input purchases in used in the production of your goods during the POI by your company

Please see additional notes in the annex for assistance on how to complete it.

2. If you purchase materials or inputs from associated suppliers, please provide information about how prices are set, the negotiation process on price setting, and any contracts or evidence of price negotiation.

RESPONSE:

SANY Kunshan does purchase materials or inputs from associated suppliers, and the price are set by the suppliers based on the cost of production and target profit, taking consideration into market situation and supply-demand relationship.

The Sany group has a system [Redacted – commercially sensitive information] Please refer to [\[Appendix C5.2 – CONFIDENTIAL\]](#) for the supporting document of price setting.

Appendix reference: [Appendix C5.2 Supporting Document of Price Setting – CONFIDENTIAL](#)

3. For material costs purchased from independent companies, explain the nature of contractual arrangements. State whether the material costs include transportation charges, duties and other expenses normally associated with obtaining the materials used in production.

RESPONSE:

Raw material purchase contracts between SANY Kunshan and the suppliers stipulate the [Redacted – commercially sensitive information].

Appendix reference: [N/A](#)



SECTION D: Subsidies

D1 – General

The applicant alleges that exporters of Certain Excavators in the PRC have benefited from subsidies granted to them by the Government of the PRC (the GOC). The TRA has initiated a subsidisation investigation under Schedule 4, paragraph 9 of the *Taxation (Cross-border Trade) Act 2018* and is investigating the alleged subsidies.

Please use this section of the questionnaire to provide any information you have on the programmes listed below and refer to Application '[Appendix F.2.001: Subsidisation of Chinese Excavators](#)' for full allegations regarding to each potential subsidy. You can also provide information on any other subsidy programmes that you believe relate to the production and/or sale of the goods concerned.

No.	Subsidy type
1	Grants
2	Loans
3	Loan Guarantees
4	Debt-for-equity swaps
5	Export credits and financing
6	Equity infusion
7	Provision for goods and services
8	Preferential tax programmes
9	Tariff and VAT Exemption
10	Unpaid Dividends
11	Other subsidies provided in special economic zones
12	Land-use rights
13	Any other programmes

D2 – Grants

The applicant has provided evidence that the GOC has directly transferred funds to domestic producers and exporters of the goods concerned. This evidence included financial reports from producers and exporters of the goods concerned in the PRC.

1. Complete **D2 – Grants in Section D – Subsidies of Annex II** for any grants that your company received or benefitted from during the POI, that support the



production or export of the goods concerned. Please list all the grants that benefit the POI irrespective of whether they were received outside the POI.

1. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified grant received.

RESPONSE

SANY Kunshan is not aware of any publicly available information about the legal bases for the grants received. Please refer to **[Appendices D2.1, D2.2 and D2.3 – CONFIDENTIAL]** for the sample documents available for the grants identified in Table D2 – Grants.

Due to the extensive volume of the documentation associated with the programmes identified, SANY Kunshan provides representative sample documents that are currently available to offer a rather comprehensive overview of the supporting materials. While the present submission includes sample documents, SANY Kunshan is determined to promptly comply with any instructions or requests by the TRA and remains at the TRA’s disposal to provide any additional documentation as it may be required.

Appendix reference: **Appendices D2.1, D2.2 and D2.3 - CONFIDENTIAL**

If there was a public announcement naming grant recipients, please provide the URL where you are included.

RESPONSE

SANY Kunshan is not aware of any publicly available URLs naming granting recipients.

Appendix reference: **N/A**

D3 – Loans

The applicant has provided evidence that the GOC has provided preferential loans to domestic producers and exporters of the goods concerned. These preferential loans include:

- export-contingent loans;
- policy loans to the manufacturing industry;
- scientific and technological credit;
- high-tech enterprise loans.



1. Complete **D3 – Loans in Section D – Subsidies of Annex II** if your company has received or benefited from any loan during the POI, that relates to the production or sale of the goods concerned. Please list all the loans relating to the POI irrespective of whether they were received outside the POI.

Include any additional loans relating to programmes not listed in the table above which may be relevant to the investigation.

Please see additional notes in the annex for assistance on how to complete it.

2. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified loan received.

RESPONSE

The laws relevant to the operation of loans in China consist of the following:

- Company Law of the People's Republic of China;
- Law of the People's Republic of China on Commercial Banks;
- Law of the People's Republic of China on Regulation of and Supervision over the Banking Industry.

Please refer to [\[Appendices D3.1, D3.2, D3.3 and D3.4 – CONFIDENTIAL\]](#) for the sample documents available for the loans identified in Table D3 – Loans.

Due to the extensive volume of the documentation associated with the programmes identified, SANY Kunshan provides representative sample documents that are currently available to offer a rather comprehensive overview of the supporting materials. While the present submission includes sample documents, SANY Kunshan is determined to promptly comply with any instructions or requests by the TRA and remains at the TRA's disposal to provide any additional documentation as it may be required.

Appendix reference: [Appendices D3.1, D3.2, D3.3 and D3.4 - CONFIDENTIAL](#)

3. Please give a general overview of how your company secures necessary financial resources on the financial market (e.g. loans, issuance of bonds etc.)

RESPONSE



SANY Kunshan secures financial resources [Redacted – commercially sensitive information].

Appendix reference: N/A

1. Please provide contact details for the bank(s), or institution, that provided the loan(s).

RESPONSE

The contact details for the banks providing the loans are retrieved from open sources and listed as follows:

[Redacted – commercially sensitive information].

Appendix reference: N/A

D4 – Loan guarantees

The applicant has provided evidence that the GOC has provided preferential loan guarantees to producers and exporters of the goods concerned. Loan guarantees include credit lines and bank acceptance drafts.

1. Complete **D4 – Loan guarantees programmes of Annex II** if your company has received or benefited from any loan guarantees during the POI, that relate to the production or sale of the goods concerned. Please list all the loans guarantees relating to the POI irrespective of whether they were received outside the POI.

Include any additional loan guarantees relating to programmes not listed in the table above which may be relevant to the investigation.

Please see additional notes in the annex for assistance on how to complete it.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan did not obtain any loan guarantee during POI.

2. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each loan guarantee identified.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan did not obtain any loan guarantee during POI.



Appendix reference: N/A

3. Please explain how the guaranteed amount was determined.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan did not obtain any loan guarantee during POI.

Appendix reference: N/A

2. Please provide contact details for the bank(s).

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan did not obtain any loan guarantee during POI.

Appendix reference: N/A

D5 – Debt-for-equity swaps

Debt-to-equity swaps are a form of debt forgiveness where a bank purchases equity in a company to reduce that company's debt to the bank. The applicant has provided evidence that debt-to-equity swaps are provided by the GOC to producers and exporters of the goods concerned at preferential conditions that are not available under normal market conditions.

1. Complete **D5 – Debt-for-equity swaps of Annex II** for debt-for-equity that your company received or benefited from during the POI, relating to the production or sale of the goods concerned. Please list all the debt-for-equity swaps relating to the POI irrespective of whether they were received outside the POI.

Include any additional debt-for-equity swaps relating to programmes not listed in the table above which may be relevant to the investigation.

Please see additional notes in the annex for assistance on how to complete it.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in debt-to-equity swaps during the POI.

2. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each of the debt-for-equity swap programme identified.



RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in debt-to-equity swaps during the POI.

Appendix reference: N/A

3. Describe each transaction with all the steps leading to the debt cancellation in exchange for equity, including the role of all government and non-government entities involved in each transaction.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in debt-to-equity swaps during the POI.

Appendix reference: N/A

4. What are the sources of funds for these debt-for-equity swaps? Please identify both public and private sources and the ratio of public to private.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in debt-to-equity swaps during the POI.

Appendix reference: N/A

5. Explain the expected commercial rate of return on equity sought by the relevant foreign authority and its calculation, and provide any study and analysis carried out by independent parties on this issue.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in debt-to-equity swaps during the POI.

Appendix reference: N/A

D6 – Export credits and financing

The applicant has provided evidence that the GOC has provided preferential export credit and preferential credit insurance against non-payment risks for buyers and sellers of the goods concerned. This includes green financing transactions under the 'Green Credit Framework' supported through Eximbank.



1. Complete **D6 – Export credits and financing of Annex II** for any export credits and financing your company received or benefited from during the POI, relating to the production or sale of the goods concerned. Please list all the export credits and financing applicable to the POI irrespective of whether they were received outside the POI.

Include any additional export credit and financing relating to programmes not listed in the table above which may be relevant to the investigation.

Please see additional notes in the annex for assistance on how to complete it.

2. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified programme.

RESPONSE

The laws, regulations and guidelines relevant to export credit insurance in China consist of the Notice on the Implementation of the Strategy of Promoting Trade through Science and Technology by Utilising Export Credit Insurance, Shang Ji Fa 2004 No. 368359.

Appendix reference: [N/A](#)

3. Please explain the process your company went through to apply for the export credits or financing.

RESPONSE

SANY Kunshan acquires [Redacted – commercially sensitive information].

Appendix reference: [N/A](#)

D7 – Equity infusion

The applicant has provided evidence that the GOC provides financial contributions to producers and exporters of the goods concerned in the form of equity infusions such as corporate bonds and convertible corporate bonds.

Complete **D7 – Equity infusion of Annex II** for any equity Infusion your company received or benefited from during the POI, relating to the production or sale of the goods concerned. Please list all the equity infusion applicable to the POI irrespective of whether they were received outside the POI.

Include any additional equity infusion relating to programmes not listed in the table above which may be relevant to the investigation.



Please see additional notes in the annex for assistance on how to complete it.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in equity infusion during the POI.

1. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified programme.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in equity infusion during the POI.

Appendix reference: [N/A](#)

2. What was the expected commercial rate of return on equity sought by the foreign authority that gave the equity infusion?

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in equity infusion during the POI.

Appendix reference: [N/A](#)

3. For equity investments made by the GOC, provide details of private (i.e., non-foreign authority) equity investments made contemporaneously with the government's equity infusion, including:
 - the dates
 - the numbers of shares
 - the amount paid per share for each purchase
 - a description of the rights and preferences of the equity interests received by these private entities
 - how these differ from the rights and preferences of the equity interests received or held by the government
 - a description of the circumstances and of any agreements related to these private equity purchases including the role played by the government or entities controlled or owned by the government in the negotiation and/or fulfilling of said agreements; and
 - agreements, notes, or other information related to these purchases should be provided.



RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan was not involved in equity infusion during the POI.

Appendix reference: N/A

D8 – Provision of goods and services

The applicant has provided evidence that the GOC has provided subsidies to producers and exporters of the goods concerned in the form of the provision of goods and services at less than adequate remuneration.

This includes:

- The provision of the raw material input steel
- The provision of energy
- The provision of shipping and logistic services

1. Complete **D8 – Provision of goods and services of Annex II** for such provisions your company received or benefited from during the POI, relating to the production or sale of the goods concerned. Please list all the relevant provisions received applicable to the POI irrespective of whether they were received outside the POI

Include any additional provisions of goods or services received not listed in the table above which may be relevant to the investigation.

Please see additional notes in the annex for assistance on how to complete it.

RESPONSE

Please refer to **Appendix D8.1 – CONFIDENTIAL** for the sample documents available for the relevant purchases in Table D8.

2. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified programme.

RESPONSE

SANY Kunshan purchased [Redacted – commercially sensitive information] as provided in Table D8 - Provision of goods and services of Annex II. Therefore, this question is not applicable to SANY Kunshan.

Appendix reference: N/A



D9 – Preferential tax programmes

The applicant has provided evidence that the GOC has foregone or not collected government revenue to the benefit of domestic producers and exporters of the goods concerned, including:

- Income tax reductions
- Land use tax exemptions
- Tax exemptions for policy-based relocations

1. Complete **D9 – Preferential tax programmes of Annex II** for any preferential tax rates your company received or benefited from during the POI, relating to the production or sale of the goods concerned. Please list all the preferential tax programmes applicable to the POI irrespective of whether they were received outside the POI

Include any additional preferential tax programmes which you benefitted from, and which are not listed in the table above which may be relevant to the investigation.

Please see additional notes in the annex for assistance on how to complete it.

2. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified programme.

RESPONSE

The laws, regulations and guidelines relevant to the identified programme in China consist of:

- Enterprise Income Tax Law of the People's Republic of China;
- Regulations for the Implementation of the Enterprise Income Tax Law of the People's Republic of China;
- Ministry of Science and Technology, the Ministry of Finance, and the State Administration of Taxation issued a circular on revising and issuing the Administrative Measures for the Identification of High-tech Enterprises;
- State Administration of Taxation Announcement on Issues Related to the Implementation of Preferential Income Tax Policies for High-tech Enterprises.

Appendix reference: N/A



D10 – Tariff and VAT Exemptions

The applicant has provided evidence that the GOC provides import tariff and VAT exemptions on imported equipment and technology, as well as VAT refunds that benefit certain listed industries such as the manufacturing industry and producers and exporters of the goods concerned.

Complete **D10 – Tariff and VAT Exemptions of Annex II** for tariff and VAT exemptions your company received or benefited from during the POI, relating to the production or sale of the goods concerned. Please list all the tariff and VAT exemptions applicable to the POI irrespective of whether they were received outside the POI.

Include any additional tariff and VAT exemptions which you benefitted from, and which are not listed in the table above which may be relevant to the investigation

Please see additional notes in the annex for assistance on how to complete it.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan received no tariff or VAT exemptions during the POI.

1. Has your company received exemption from payment of/refunds of import duty and import VAT for imported material inputs at any time that were used in the production of the goods during the POI?

RESPONSE

During the POI, SANY Kunshan has imported input materials (e.g., [Redacted – commercially sensitive information]) which are subsequently integrated into the excavators concerned for export, including to the UK. This aligns with international practices in processing trade, wherein certain imported materials are bonded and exempted from VAT at the procurement stage, as they are exclusively intended for export and are not consumed domestically in the PRC. Therefore, SANY Kunshan has not benefited from tariff and VAT exemptions in this regard.

This table and the corresponding questions are thus not applicable to SANY Kunshan, as our company received no tariff or VAT exemptions during the POI.

Appendix reference: [N/A](#)

2. Please provide documents for two items that you have detailed in your answer above, from two different quarters in the POI. The documents should include:



- copies of import entry documents for inputs used in the manufacturing of the goods under investigation,
- any applications submitted and/or approval document received from the GOC regarding exemptions or refunds on duties or VAT.
- copies of reports and audits by the GOC authority responsible for administering the duty rebate or duty drawback scheme with respect to the verification of the importation and use of inputs and the remittance or drawback of the related duty paid or payable.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan received no tariff or VAT exemptions during the POI.

Appendix reference: N/A

D11 – Unpaid dividends

The applicant has provided evidence of a dividends exemption which lowers the taxable income of eligible companies, including producers and exporters of the goods concerned.

Complete **D11 – Unpaid dividends of Annex II** for unpaid dividends your company benefited from during the POI, relating to the production or sale of the goods concerned. Please list all the unpaid dividends applicable to the POI irrespective of whether they were received outside the POI.

Include any additional unpaid dividends which you benefitted from, and which are not listed in the table above which may be relevant to the investigation

Please see additional notes in the annex for assistance on how to complete it.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan did not benefit from any unpaid dividends during the POI.

1. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified programme.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan did not benefit from any unpaid dividends during the POI.



Appendix reference: [N/A](#)

2. Please provide a list of investments in fixed assets affected since the POI financed out of retained earnings or other profits otherwise available for distribution to shareholders in previous years used to finance these investments.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan did not benefit from any unpaid dividends during the POI.

Appendix reference: [N/A](#)

3. Please provide a detailed description of the accounting treatment and the company policy concerning dividend distributions, retained earnings, and use of the proceeds otherwise available for dividend distribution. Please attach relevant underlying financial statements and records and any other relevant evidence.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan as SANY Kunshan did not benefit from any unpaid dividends during the POI.

Appendix reference: [N/A](#)

D12 – Other subsidies provided in special economic zones

The applicant has provided evidence of the GOC providing other subsidies for companies in special economic zones, which includes producers and exporters of the goods concerned.

1. If your company is located in a special economic zone, complete **D12 – Special Economic Zones of Annex II**. Include any additional subsidies your company received or benefited from during the POI, relating to the production or sale of the goods concerned. Please list all relevant subsidies applicable to the POI irrespective of whether they were received outside the POI.

Please see additional notes in the annex for assistance on how to complete it.

2. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified programme.

RESPONSE



SANY Kunshan is not aware of any publicly available information about the legal bases for the programmes identified by the Applicant. Please refer to [\[Appendix D12.1 – CONFIDENTIAL\]](#) for the sample documents available for the programmes identified in Table D12.

Due to the extensive volume of the documentation associated with the programmes identified, SANY Kunshan provides representative sample documents that are currently available to offer a rather comprehensive overview of the supporting materials. While the present submission includes sample documents, SANY Kunshan is determined to promptly comply with any instructions or requests by the TRA and remains at the TRA's disposal to provide any additional documentation as it may be required.

Appendix reference: [Appendix D12.1 – CONFIDENTIAL](#)

3. For any programmes relating to membership of a special economic zone, please report details of these on tab D12 Annex II.

D13 – Land-use rights

The applicant has provided evidence that the GOC has provided subsidies to producers and exporters of the goods concerned in the form of land-use rights at less than adequate remuneration.

Complete **D13 – Land-use rights in Subsidies of Annex II** for all Land-use rights received or benefited from related to programmes identified in D1. Please list all the Land-use rights relating to the POI irrespective of whether they were received outside the POI.

Include any additional Land Rights Use relating to programmes not listed in the table above which may be relevant to the investigation.

Please see additional notes in the annex for assistance on how to complete it.

1. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified programme.

RESPONSE

The laws, regulations and guidelines relevant to land-use rights in China consist of Land Administration Law of the People's Republic of China. Please refer to [\[Appendix](#)



[D13.1 – CONFIDENTIAL](#) for the supporting documents available for the land parcels in Table D13.

Appendix reference: [Appendix D13.1 - CONFIDENTIAL](#)

2. Please explain the process your company went through to apply for the land-use rights. Please provide detail on what conditions or criteria your company needed to fulfil to be granted the rights. Were the decisions to grant the rights dependent on the purpose of the land use?

RESPONSE

SANY Kunshan applied for the land-use rights through a competitive auction process held by the relevant authority, where prospective bidders participated. The auction was structured to award the rights to the highest bidder. Following a successful bid, SANY Kunshan undergoes a review by the relevant authority. Upon the review, the authority may conclude the relevant agreement. A real property ownership certificate is issued after the payment is settled. No specific requirements were imposed on purchasing entities, as long as they were legitimate and law-abiding entities. The purpose of the land use had been designated by the relevant authority such as industrial, commercial or residential, etc.

Please refer to [Appendix D13.1 – CONFIDENTIAL](#) for the sample documents available for the programmes identified in Table D13.

Appendix reference: [Appendix D13.1 - CONFIDENTIAL](#)

D14 – Any other programmes

If you are aware of any other assistance programmes not previously addressed, please complete **D14 – Other Programmes** in **Subsidies of Annex II**.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan, as the best of SANY Kunshan's knowledge, there is no other programme that has not been addressed elsewhere in Section D.

1. Please outline all laws, regulations, administrative guidelines and other acts, and any subsequent amendments, that are relevant to the operation of each identified programme.



RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan, as to the best of SANY Kunshan's knowledge, there is no other programme that has not been addressed elsewhere in Section D.

Appendix reference: N/A

2. Please explain the process your company went through to apply for each of these subsidies. Please provide detail on what conditions or criteria your company needed to fulfil in order to receive such support.

RESPONSE

This table and the corresponding questions are not applicable to SANY Kunshan, as to the best of SANY Kunshan's knowledge, there is no other programme that has not been addressed elsewhere in Section D.

Appendix reference: N/A



SECTION E: Other questions

Please note that all questions in this section are optional. If you choose not to provide information to a question in this section, please state this or write 'N/A' in the respective text box.

1. Please indicate any other factors which might have caused the injury to the UK industry, 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.

N/A

Appendix reference: N/A

2. Please describe how you would expect the implementation and non-implementation of a trade remedy to affect:

- your exports of Certain Excavators to the UK
- market price of Certain Excavators in the UK

Where possible, please provide estimates for future years (e.g., projections or forecasts) to support your claims.

N/A

Appendix reference: N/A



SECTION F: Checklist and appendices

This section is an aid to ensure that you have completed all sections of this questionnaire.

Section	Please tick if you have responded to all questions
Section A – Company structure and operations	<input checked="" type="checkbox"/>
Section B – Sales	<input checked="" type="checkbox"/>
Section C – Costs and performance	<input checked="" type="checkbox"/>
Section D – Subsidies	<input checked="" type="checkbox"/>
Section E – Other questions	<input checked="" type="checkbox"/>

Please list any appendices that you have referenced throughout and are attaching along with this questionnaire.

Appendix reference	Document title
Appendix A1.2	Letter of Authority
Appendix A2.3	Business License
Appendix A2.5	Membership Certificate
Appendix A3.2	Internal Organisational Structure Diagram – Confidential
Appendix A4.3	Articles of Association – Confidential
Appendix A6.3	Audit Reports – Confidential
Appendix A6.5	Trial Balances – Confidential
Appendix A6.6	P&L Statement – Confidential
Appendix A6.7	Consolidated Audit Reports 2022 – Confidential
Appendix A6.8	Chart of Accounts – Confidential
Appendix A7.6	Sales Brochure – Confidential
Appendix B2.2.3	Sales Docs to UK Customers – Confidential
Appendix C1.2.1	Income Tax Statements – Confidential
Appendix C1.2.2	VAT Statements – Confidential
Appendix C2.1.5	Export Tax Refund Rates for Tracked Excavator – Confidential
Appendix C2.2	Production Process Flowchart – Confidential
Appendix C2.3	Sample Invoices Raw Materials – Confidential
Appendix C5.2	Supporting Document of Price Setting – Confidential
Appendix D2.1	Sample Documents for Identified Grants – Confidential
Appendix D2.2	Sample Documents for Identified Grants – Confidential
Appendix D2.3	Sample Documents for Identified Grants – Confidential
Appendix D3.1	Sample Documents for Identified Loans – Confidential
Appendix D3.2	Sample Documents for Identified Loans – Confidential
Appendix D3.3	Sample Documents for Identified Loans – Confidential



Appendix D3.4	Sample Documents for Identified Loans – Confidential
Appendix D8.1	Sample Documents for Identified Purchase – Confidential
Appendix D12.1	Sample Documents for Identified Programme – Confidential
Appendix D13.1	Supporting Documents for Land-Use Rights – Confidential

+Add additional rows as required.