



Pre-Sampling Questionnaire (Exporter) Subsidy investigation

Case AS0046: Certain Excavators exported from the Peoples Republic of China (PRC)

| | |
|--------------------------|---|
| Period of Investigation: | <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="30 November 2023"/> |
| Case Team Contact: | <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 and in the header. We strongly recommend this questionnaire to be completed on the computer, so this step is easy to complete.

- Confidential
 Non-Confidential – will be made publicly available

Please note that you will have to provide **two copies of your response** – a **Confidential** and a **Non-Confidential version**. Both copies must be returned to the TRA using the Trade Remedies Service (www.trade-remedies.service.gov.uk) by **30 November 2023**.



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The scope of this investigation

Goods concerned

This investigation covers certain excavators exported from the PRC, 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 tons) or more.***

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

In this pre-sampling questionnaire, these goods will be referred to as the goods concerned. Any reference to the goods concerned in this pre-sampling 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 pre-sampling 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 goods concerned or like goods.

For more information about this case, you may refer to the Notice of Initiation published at: <https://www.trade-remedies.service.gov.uk/public/case/AS0046/>



Instructions

The Trade Remedies Authority (TRA) is responsible for investigating the allegation that the production and/or export of certain excavators from the PRC to the UK are being subsidised and that this subsidisation is causing injury to the UK for these goods.

Who should complete this form

You should complete this form if you are an overseas exporter of goods concerned.

Why you are being asked to complete this pre-sampling questionnaire

You have identified yourself as an overseas exporter of the goods concerned. We are therefore seeking your cooperation in the investigation.

This pre-sampling questionnaire allows us to collect basic information and data about your company. If a large number of overseas exporters of the goods concerned from the PRC complete this pre-sampling questionnaire, we will use the information each one provides to help us decide which companies we want to sample for further investigation. If you are sampled, we will send you a more detailed questionnaire to complete.

By submitting a completed detailed questionnaire response, you might become eligible for an individual countervailing amount, if we are recommending that measures apply following this investigation. Please refer to [Section C](#) for more information on individual countervailing amounts.

If you do not complete this pre-sampling questionnaire or the detailed questionnaire, you could be found to be non-cooperating. For more details on how this may affect you, please consult our [operational guidance on non-cooperation](#).

Deadline for response

A completed pre-sampling questionnaire must be submitted to the TRA by no later than **30 November 2023**. If you are unable to provide a completed submission by the given due date and you wish to request an extension, please contact **David George**, AS0046@traderemedies.gov.uk and see the TRA's guidance on extension requests for further information.



Note about confidentiality

You will need to submit one confidential version and one non-confidential version of your pre-sampling questionnaire by the due date.

Please ensure that each page of information you provide is clearly marked either “Confidential” or “Non-Confidential” in the header.

It is your responsibility to ensure that the non-confidential version does not contain any confidential information, which includes personal contact information, names and signatures.

Please see the [TRA's public guidance](#) for further information on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

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 <https://www.trade-remedies.service.gov.uk/public/case/AS0046/>



Section A – Activities of your company and any associated parties

A1 – Your company’s activities

To determine your company’s role for the purpose of this investigation, please select the activity/activities of your company below. For a definition of goods concerned please refer to above section 'the scope of this investigation'.

- overseas exporter of the goods concerned
- other (please give details below)

If you have selected ‘other’, please describe the role of your company with regards to the goods concerned or the like goods:

N/A.

Please describe your interest in this investigation:

SANY Heavy Machinery Limited (hereinafter referred to as “SANY Heavy Machinery” or “our company”) is a producer and overseas exporter of goods concerned. During the period of investigation, SANY Heavy Machinery exported the goods concerned manufactured by itself to the UK. Whether the anti-dumping and anti-subsidy measures will be imposed will have an influence on the sales of SANY Heavy Machinery.



A2 – Associated parties and operational links

Please give details of all associated parties involved with the company in the production and sales (export and/or domestic) of the goods concerned or like goods during the POI. 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](#).

Examples of activities could include manufacturing, exporting, purchasing, warehousing, sales (domestic), sales (export), further processing of the goods concerned or like goods.

| | Company name | Company location (city, country) | Activities | Relationship |
|--------------------------|---|---|---|---|
| Associated Party 1 | SHANGHAI SANY HEAVY MACHINERY CO., LTD | Shanghai, China | Production and sales of excavators | Same ultimate shareholder |
| Associated Party 2 | SANY HEAVY MACHINERY (UK) LTD | Glasgow, UK | Purchase and local sales of excavators | Same ultimate shareholder |
| Other Associated Parties | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] |

+ Add additional rows as required



Section B – Production and sales volumes

B1 – Production

Please fill in your company's total production volume and capacity for the goods concerned and like goods in the table below.

| POI 01 July 2022 – 30 June 2023 | Volume (KG) | Volume units |
|--|--|--|
| Overall production of the goods concerned and like goods during the POI | [commercially sensitive data: non-confidential range: 415,000,000-560,000,000] | [commercially sensitive data: non-confidential range: 11,000-14,000] |
| Total production capacity of the goods concerned and like goods during the POI | [commercially sensitive data: non-confidential range: 485,000,000-655,500,000] | [commercially sensitive data: non-confidential range: 12,500-16,500] |



B2 – Sales volume and value

Please provide the total sales volumes and sales price values in the table below.

| POI 01 July 2022 – 30 June 2023 | Volume (KG) | Volume units | Value in £ |
|--|--|--|--|
| Total export sales of the goods concerned to the UK during the POI manufactured by your company | [commercially sensitive data: non-confidential range: 2,050,000-2,700,000] | [commercially sensitive data: non-confidential range: 115-150] | [commercially sensitive data: non-confidential range: 6,350,000-8,500,000] |
| Total export sales of the goods concerned to the UK during the POI not manufactured by your company | 0 | 0 | 0 |
| Total domestic sales of like goods during the POI manufactured by your company | [commercially sensitive data: non-confidential range: 222,500,000-300,900,000] | [commercially sensitive data: non-confidential range: 5,900-7,900] | [commercially sensitive data: non-confidential range: 777,900,000-900,000,000] |
| Total domestic sales of like goods during the POI not manufactured by your company | 0 | 0 | 0 |



B3 – Commodity codes

Please provide details of the commodity code(s) you export the goods concerned to the UK under in the box below:

The commodity code under which SANY Heavy Machinery exports the goods concerned to the UK is 84295212.

Section C – Individual Countervailing amount

If the TRA decides to sample overseas exporters, and you are **not** selected for this sample, you might become eligible for an individual countervailing amount if you complete a detailed questionnaire. Please indicate whether you would complete this questionnaire below

- Yes
 - No

If you do **not** choose to complete a detailed questionnaire, you will not be eligible for an individual countervailing amount. Your countervailing amount will be determined based on the amounts imposed on the overseas exporters in the sample.

Please note:

If we recommend that a trade remedy measure applies following this investigation, and you have requested an individual countervailing amount, please note that you will be required to supply the necessary information within the given timeframe for us to calculate this for you.

The TRA must accept an overseas exporter's request for an individual countervailing amount and calculate an individual amount, providing that:

- the information required is complete and submitted on time; and
- the number of requests for individual calculations does not unduly burden the investigation and risk delaying its conclusion.



Section D – Additional information

D1 – Other interested parties

If you believe there are other interested parties that should receive a questionnaire, please provide their organisation name and website details below.

| Organisation name | Website |
|-------------------|---------|
| | |
| | |
| | |
| | |

D2 – Scope

Do you agree with the scope of the investigation as outlined on page 3?

Yes

No

If you have answered no to the above question, please can you explain why?

| |
|------|
| N/A. |
|------|



D3 – 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.

Given the relatively low number of sales in the UK 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.

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

Please review the draft PCN structure for this investigation shown in the table above. Please include any comments on the PCN structure in the box provided.

We have no comment on the PCN structure in the box provided above.

D4 – Economic Interest Test

It is a requirement of the investigation to conduct an Economic Interest Test (EIT). The aim of the EIT is to determine whether the implementation of the proposed trade



remedy measure is in the wider economic interest of the UK. In order to obtain a complete picture of the UK market, could you please help by providing us with details of your UK suppliers (upstream companies providing inputs) and UK customers (downstream companies buying your like goods). Please confirm in the final column if we are able to contact these companies.

| | Company name | Company location (city, country) | Company Contact Information (email/telephone) | Relationship | Can we contact Y/N |
|---|---|---|---|---|--------------------|
| 1 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 2 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 3 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 4 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 5 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | N |
| 6 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 7 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 8 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 9 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |



| | | | | | |
|----|---|---|---|---|---|
| 21 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 22 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 23 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 24 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 25 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 26 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 27 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 28 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 29 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |
| 30 | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | [redacted – commercially sensitive information] | Y |

D5 – Anything else



Please use the box below to provide information about anything else you consider relevant to this investigation.

SANY Heavy Machinery has a wholly owned subsidiary, SHANGHAI SANY HEAVY MACHINERY CO., LTD (hereinafter referred to as “SHANGHAI SANY”), also involved in production and sales of products concerned, the information of which has been reported in “A2 – Associated parties and operational links”.

During the POI, SANY Heavy Machinery and SHANGHAI SANY exported [redacted – commercially sensitive information] of excavators concerned to the UK respectively.

[redacted – commercially sensitive information]. Due to exclusive and absolute control over SHANGHAI SANY, SANY Heavy Machinery respectfully submits that the TRA should treat SANY Heavy Machinery and SHANGHAI SANY as a group and use the total of [redacted – commercially sensitive information] units of the products concerned exported to the UK as the basis of the data when sampling the exporters.

Now you have reached the end of this questionnaire please ensure that you have prepared a confidential and non-confidential version and indicated the status of each within the header. The non-confidential version should redact personal contact information, names, signatures, and exact sales quotes. Redacted figures should be replaced with a range where possible. Please return both versions to the TRA using the Trade Remedies Service (trade-remedies.service.gov.uk).