Status: Point in time view as at 31/10/2019.

Changes to legislation: There are currently no known outstanding effects for the The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019, Section 12. (See end of Document for details)

STATUTORY INSTRUMENTS

2019 No. 450

The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019

PART 2

Dumping

CHAPTER 2

Determination of the normal value

The amounts for administrative, selling and general costs and for profits

12.—(1) The TRA must determine a reasonable amount for administrative, selling and general costs and for profits for the purpose of regulation 8(1)(a) in accordance with this regulation.

(2) Subject to paragraph (3), the TRA must determine reasonable amounts for the administrative, selling and general costs and for profits on the basis of the actual data pertaining to the production and sales by the overseas exporter of the like goods, in the ordinary course of trade, in the domestic market of the exporting country or territory.

(3) Where the TRA cannot determine reasonable amounts in accordance with paragraph (2), it may determine them on the basis of—

(a) the actual amounts incurred and realised by the overseas exporter in question in respect of production and sales in the domestic market of the exporting country or territory of the same general category of goods;

(b) the weighted average of the amounts incurred and realised by other overseas exporters subject to investigation in respect of production and sales of the like goods in the domestic market of the exporting country or territory; or

(c) any other reasonable method provided that the amount for profit so established does not exceed the profit normally realised by other overseas exporters on sales of goods of the same general category in the domestic market of the exporting country or territory.

(4) This regulation is subject to the TRA's power to make adjustments in accordance with regulation 13 (adjustments).

Commencement Information

I1   Reg. 12 in force at 6.3.2019, see **reg. 1(2)**