

Changes to legislation: There are currently no known outstanding effects for the Taxation (Cross-border Trade) Act 2018, Paragraph 26. (See end of Document for details)

SCHEDULES

SCHEDULE 4

DUMPING OF GOODS OR FOREIGN SUBSIDIES CAUSING INJURY TO UK INDUSTRY

Modifications etc. (not altering text)

- C1** Sch. 4 applied (6.3.2019) by [The Trade Remedies \(Dumping and Subsidisation\) \(EU Exit\) Regulations 2019 \(S.I. 2019/450\)](#), regs. 1(2), **97(1)** (with Pt. 13) (as amended (23.7.2019) by [The Trade Remedies \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1076\)](#), regs. 1, **11(2)**)

PART 6

SUPPLEMENTARY

Suspension of anti-dumping or anti-subsidy remedies

- 26 (1) Regulations may make provision for or in connection with—
- (a) the TRA recommending to the Secretary of State that the application of an anti-dumping remedy or anti-subsidy remedy should be suspended, and
 - (b) [^{F1}the Secretary of State’s powers in relation to] such a recommendation.
- (2) The regulations must secure that the TRA may make such a recommendation to the Secretary of State only if the TRA is satisfied that market conditions have temporarily changed such that the injury caused to a UK industry in the goods would be unlikely to recur as a result of the suspension.
- (3) Regulations may make provision for the purposes of sub-paragraph (2) about what constitutes or does not constitute “market conditions” or a temporary change in such conditions.
- (4) Regulations under sub-paragraph (1) may, among other things, make—
- (a) provision for the TRA to investigate certain matters;
 - (b) provision about the conduct of such an investigation;
 - (c) provision about the period for which a suspension may have effect;
 - (d) provision about whether that period counts towards the period for which the suspended remedy applies.
 - [^{F2}(e) provision corresponding or similar to any provision made by or under this Schedule in relation to dumping or subsidisation investigations, including any of the powers or duties of the TRA or the Secretary of State in respect of those investigations and any recommendations or decisions resulting from them;
 - (f) provision conferring functions (including functions involving the exercise of a discretion) on the Secretary of State or the TRA.]

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- (5) Paragraph 10(2) applies to regulations under sub-paragraph (4)(b) in relation to an investigation as it applies to regulations under paragraph 10(1) in relation to a dumping or a subsidisation investigation.
- (6) Where, by virtue of provision made under sub-paragraph (1), the Secretary of State [^{F3}decides] that the application of an anti-dumping remedy or anti-subsidy remedy should be suspended, the Secretary of State—
- (a) must publish notice of the [^{F4}decision],
 - (b) must notify interested parties (see paragraph 32(3)) accordingly, and
 - (c) is required under section 13 to make provision by public notice to give effect to the [^{F5}decision].
- (7) References in this paragraph to the application of an anti-dumping remedy or anti-subsidy remedy have the same meaning as in paragraph 25.

Textual Amendments

- F1** Words in Sch. 4 para. 26(1)(b) substituted (25.8.2023) by Finance (No. 2) Act 2023 (c. 30), **Sch. 19 paras. 5(3)(a)**, 17(2); S.I. 2023/918, reg. 2 (with reg. 3)
- F2** Sch. 4 para. 26(4)(e)(f) inserted (25.8.2023) by Finance (No. 2) Act 2023 (c. 30), **Sch. 19 paras. 5(3)(b)**, 17(2); S.I. 2023/918, reg. 2 (with reg. 3)
- F3** Word in Sch. 4 para. 26(6) substituted (25.8.2023) by Finance (No. 2) Act 2023 (c. 30), **Sch. 19 paras. 5(3)(c)(i)**, 17(2); S.I. 2023/918, reg. 2 (with reg. 3)
- F4** Word in Sch. 4 para. 26(6)(a) substituted (25.8.2023) by Finance (No. 2) Act 2023 (c. 30), **Sch. 19 paras. 5(3)(c)(ii)**, 17(2); S.I. 2023/918, reg. 2 (with reg. 3)
- F5** Word in Sch. 4 para. 26(6)(c) substituted (25.8.2023) by Finance (No. 2) Act 2023 (c. 30), **Sch. 19 paras. 5(3)(c)(iii)**, 17(2); S.I. 2023/918, reg. 2 (with reg. 3)
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Commencement Information

- I1** Sch. 4 para. 26 in force at 4.3.2019 at 11:59 a.m. by S.I. 2019/429, **reg. 2** (with regs. 4-9)

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