

Changes to legislation: There are currently no known outstanding effects for the Taxation (Cross-border Trade) Act 2018, Paragraph 10A. (See end of Document for details)

SCHEDULES

SCHEDULE 5

INCREASE IN IMPORTS CAUSING SERIOUS INJURY TO UK PRODUCERS

PART 2

SAFEGUARDING INVESTIGATIONS

[^{F1}Requirement to give notice to the Secretary of State in certain cases

Textual Amendments

F1 Sch. 5 para. 10A and cross-heading inserted (25.8.2023) by Finance (No. 2) Act 2023 (c. 30), Sch. 19 paras. 9(4), 17(2); S.I. 2023/918, reg. 2 (with reg. 3)

- 10A (1) This paragraph applies where the TRA—
- (a) proposes to make a final negative determination, or
 - (b) proposes to make a final affirmative determination in relation to goods and to determine that there is not a recommendation which it could make under paragraph 16(3) in relation to them.
- (2) The TRA must notify the Secretary of State of its proposed determination.
- (3) Where the Secretary of State has been notified in accordance with sub-paragraph (2), the Secretary of State may, within the relevant period (and subject to sub-paragraph (4)), request that the TRA reassess its proposed determination by reference to any matters specified in the request.
- (4) The Secretary of State may only make a request under sub-paragraph (3) where the Secretary of State considers that—
- (a) there is information that the TRA did not take into account in its investigation that is relevant to the proposed determination,
 - (b) the TRA has made an error in relation to its proposed determination, or
 - (c) exceptional circumstances make the request appropriate.
- (5) The TRA must comply with a request under sub-paragraph (3).
- (6) The TRA may not make its proposed determination until—
- (a) the relevant period has ended, or
 - (b) if the Secretary of State informs the TRA within the relevant period that the Secretary of State will not make a request under sub-paragraph (3), the time when the TRA receives that information.

Changes to legislation: *There are currently no known outstanding effects for the Taxation (Cross-border Trade) Act 2018, Paragraph 10A. (See end of Document for details)*

- (7) For the purposes of this paragraph, the relevant period is the period of 21 days beginning with the day on which the TRA notifies the Secretary of State that it proposes to make the determination.]

Changes to legislation:

There are currently no known outstanding effects for the Taxation (Cross-border Trade) Act 2018, Paragraph 10A.