

2019 No. 1319

EXITING THE EUROPEAN UNION

CUSTOMS

The Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (Amendment) (EU Exit) Regulations 2019

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| <i>Made</i> - - - - | <i>8th October 2019</i> |
| <i>Laid before the House of Commons</i> | <i>9th October 2019</i> |
| <i>Coming into force</i> - - | <i>30th October 2019</i> |

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 51(1) and (8), and 56(1) and (4) of the Taxation (Cross-border Trade) Act 2018(a).

Citation and commencement

1. These Regulations may be cited as the Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (Amendment) (EU Exit) Regulations 2019 and come into force on 30th October 2019.

Amendment of the Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019

2. The Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019(b) are amended in accordance with these Regulations.

Amendment of Part 9 (Transitional Provisions)

3.—(1) In regulation 45, for the definition of “EU Regulation”, substitute “Commission Implementing Regulation (EU) 2019/159 imposing definitive safeguard measures against imports of certain steel products(c)”.

(2) For regulation 46(5), substitute “The Secretary of State’s determination may provide for a part or the whole of a tariff rate quota to be allocated or utilised on such terms as the Secretary of State considers appropriate.”.

(3) In regulation 47(3)(a)—

(a) for sub-paragraph (v), substitute—

(a) 2018 c.22.

(b) S.I. 2019/449, as amended by S.I. 2019/1076.

(c) OJ No L 31, 1.2.19, p.27, as amended by Commission Implementing Regulation (EU) 2019/1590 (OJ No L248, 1.10.19, p.28).

- “(v) the allocation of the tariff rate quota;” and
- (b) after sub-paragraph (vi), insert—
- “(vii) where applicable, the terms on which a part or the whole of a tariff rate quota is allocated or may be utilised.”.
- (4) In regulation 49—
- (a) in paragraph (4)(d), omit “the recurrence of”; and
- (b) in paragraph (5)—
- (i) in sub-paragraph (e), for “increase”, substitute “vary”; and
- (ii) after sub-paragraph (e), insert—
- “(f) vary (or provide for) the terms on which a part or the whole of a tariff rate quota is allocated or may be utilised.”.
- (5) In regulation 50(6)—
- (a) in sub-paragraph (e), for “increasing”, substitute “varying”; and
- (b) after sub-paragraph (e), insert—
- “(f) varying (or providing for) the terms on which a part or the whole of a tariff rate quota is allocated or may be utilised.”.
- (6) In regulation 52(5), after sub-paragraph (g), insert—
- “(h) where relevant, the revised terms on which a part or the whole of a tariff rate quota is allocated or may be utilised.”.

Signed by the authority of the Secretary of State for International Trade

Conor Burns
Minister of State for Trade Policy
Department for International Trade

8th October 2019

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019^(a) provide for certain EU safeguarding remedies (tariff rate quotas) that will be in place immediately before the United Kingdom leaves the European Union to take effect (with appropriate adjustments) as new UK tariff rate quotas. These Regulations amend those Regulations to give effect to changes introduced to the EU safeguarding remedies by Commission Implementing Regulation (EU) 2019/1590 of 26 September 2019 amending Implementing Regulation (EU) 2019/159 imposing definitive safeguard measures against imports of certain steel products^(b) so that they can be implemented when the new UK tariff rate quotas take effect. Those changes include, for example, stipulating that access to the tariff rate quota for a particular category of steel products is to be restricted based on end-use, and limiting each country’s access to only a specified proportion of the global/residual quota.

(a) S.I. 2019/449, as amended by S.I. 2019/1076.

(b) OJ No L 248, 1.10.19, p 28.

An impact assessment has not been prepared for this instrument as the expected impact of the trade remedies system has already been assessed in the impact assessment accompanying the Taxation (Cross-border Trade) Act 2018.

A copy of the Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk. Further information is available from the Department for International Trade, 3 Whitehall Place, London SW1A 2AW and on the gov.uk website (www.gov.uk).

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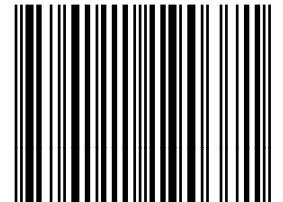
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