STATUTORY INSTRUMENTS

2019 No. 1346

The Taxation (Cross-border Trade) (Miscellaneous Provisions) (EU Exit) (No. 2) Regulations 2019

Amendment of Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019

10.—(1) The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 are amended as follows.

(2) After regulation 94C (scope review of trade remedies measure transitioned under this Part), insert—

"**Suspension of trade remedies measure transitioned under this Part**

94D.—(1) This regulation applies if the same goods are subject to—

(a) a trade remedies measure; and

(b) a safeguarding measure.

(2) The Secretary of State must by public notice suspend the application of—

(a) the full trade remedies measure if the trade remedies measure is equal to, or less than, the safeguarding measure;

(b) the portion of the trade remedies measure equal to the safeguarding measure if the trade remedies measure is more than the safeguarding measure.

(3) The Secretary of State must by public notice revoke the suspension of the trade remedies measure if the goods are no longer subject to the safeguarding measure.

(4) A suspension under paragraph (2) does not suspend the period specified in accordance with—

(a) regulation 96A(2)(c)(iii) in a public notice made under regulation 96A(1);

(b) regulation 101C(3)(b)(iii) in a public notice made under regulation 101C(2)(a).

(5) In this regulation—

(a) "trade remedies measure" means an anti-dumping amount or a countervailing amount applied by public notice under regulation 96A(1) or 101C(2)(a) but for the effect of any suspension under this regulation;

(b) "safeguarding measure" means an additional amount of import duty applied by public notice under regulation 47(2) or 52(4)(a) of the Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019(**1**).".

(3) In regulation 96A(3) for "as it applies immediately before replacement of EU trade duty" substitute "specified in the determination notice".

(**1**)   S.I. 2019/449. The relevant amending instrument is S.I. 2019/1076.