
STATUTORY INSTRUMENTS

2019 No. 449

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

PART 9

Transitional Provisions

TRA's recommendations to the Secretary of State

51.—(1) Except where paragraph (2) applies, the TRA must, following the making of a determination referred to in regulation 50 (determinations of the TRA), make a recommendation to the Secretary of State in respect of the goods to which the determination relates.

(2) This paragraph applies in respect of a determination that the application of a tariff rate quota to goods should continue unvaried.

(3) A recommendation referred to in paragraph (1) is a recommendation that the application of a tariff rate quota to goods should be—

- (a) varied;
- (b) replaced with a safeguarding amount; or
- (c) revoked.

(4) The TRA must not make a recommendation that the application of a tariff rate quota to goods should be varied or replaced with a safeguarding amount, unless it is satisfied that such a recommendation would meet the economic interest test and, where it is not so satisfied, it must instead make a recommendation that the application of that tariff rate quota to those goods should be revoked.

(5) Before making a recommendation that the application of a tariff rate quota to goods be varied which comprises or includes varying (or providing for) the allocation of the tariff rate quota, the TRA must consult the Secretary of State regarding the proposed allocation.

(6) Where the TRA recommends that the application of a tariff rate quota to goods be varied, that variation must ensure that the pace of liberalisation is maintained or increased.

(7) Any recommendation made by the TRA that the application of a tariff rate quota to goods be varied or replaced with a safeguarding amount must be such as the TRA is satisfied facilitates the adjustment of UK producers of the like goods and directly competitive goods to the importation of the goods in increased quantities.

(8) The TRA's recommendation must include—

- (a) a description of the goods to which the recommendation relates;
- (b) the reasons for its recommendation;
- (c) where relevant, the period for which the tariff rate quota (or a safeguarding amount) should now be applicable;

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (d) information which the TRA considers is likely to be relevant to the Secretary of State's decision as to whether it would not be in the public interest to accept the TRA's recommendation (see regulation 52);
- (e) any other information which the TRA considers relevant.

Commencement Information

II Reg. 51 in force at 6.3.2019 with effect in accordance with reg. 1(3)-(8), see **reg. 1(2)**

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 4(f)(i)(cc) and word inserted by [S.I. 2024/545 reg. 37\(9\)\(a\)\(ii\)](#)
- Sch. para. 6(f)(i)(cc) and word inserted by [S.I. 2024/545 reg. 37\(9\)\(b\)\(i\)\(bb\)](#)
- Sch. para. 6(g)(i)(cc) and word inserted by [S.I. 2024/545 reg. 37\(9\)\(b\)\(ii\)\(bb\)](#)
- Sch. para. 10(f)(i)(cc) and word inserted by [S.I. 2024/545 reg. 37\(9\)\(c\)\(ii\)](#)
- Sch. para. 18(i)para. 18(i)(cc) and word inserted by [S.I. 2024/545 reg. 37\(9\)\(d\)\(ii\)](#)
- reg. 33A(5A)(5B) inserted by [S.I. 2024/545 reg. 37\(2\)\(a\)](#)
- reg. 36(3A) inserted by [S.I. 2024/545 reg. 37\(3\)](#)
- reg. 38(2E) inserted by [S.I. 2024/545 reg. 37\(4\)\(b\)](#)
- reg. 42I(3D) inserted by [S.I. 2024/545 reg. 37\(8\)](#)