
STATUTORY INSTRUMENTS

2019 No. 449

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

PART 3

Serious injury and causation

Determination of serious injury

8.—(1) The TRA is to determine whether UK producers of the like goods and directly competitive goods have suffered or are suffering serious injury for the purpose of paragraph 6 of Schedule 5 to the Act in accordance with this regulation.

(2) A threat of significant overall impairment to the position of UK producers only arises where the TRA considers that threat to be clearly imminent.

(3) In order to determine whether UK producers have suffered or are suffering serious injury (see paragraph 2 of Schedule 5 to the Act), the TRA must assess all relevant economic factors having a bearing on UK producers including—

- (a) the rate and volume of increase of the importation of the goods concerned into the United Kingdom, in absolute or relative terms;
- (b) the export capacity of the goods concerned in foreign countries or territories and the likelihood that the capacity will be exported to the United Kingdom;
- (c) the share of the domestic market in the United Kingdom taken by the importation of the goods concerned in increased quantities;
- (d) changes in the UK producers' level of—
 - (i) sales;
 - (ii) productivity;
 - (iii) production;
 - (iv) capacity utilisation;
 - (v) profits and losses; and
 - (vi) employment.