

SCHEDULE

Regulations 21, 30, 34, 35, 37 to 39, 41, 42
and 49

Content of an application for the initiation of an investigation

1. For the purpose of regulation 21(1), the information to be contained in an application for the initiation of an investigation is—

- (a) the contact details of the applicant UK producers;
- (b) a description of the goods in relation to which the applicant UK producers are requesting an investigation, including their—
 - (i) technical characteristics;
 - (ii) current tariff classification;
- (c) a description of the like goods and directly competitive goods;
- (d) details of all known UK producers of the like goods and directly competitive goods (see paragraphs 4 and 5 of Schedule 5 to the Act), or associations of such UK producers;
- (e) the level of UK producers' support for or opposition to the application, including—
 - (i) the total volume and value of production in the United Kingdom of the like goods and directly competitive goods;
 - (ii) the applicant UK producer's volume and value of production in the United Kingdom of the like goods and directly competitive goods;
 - (iii) the volume and value of production in the United Kingdom of the like goods and directly competitive goods by each identified UK producer, or associations of such UK producers;
 - (iv) each identified UK producer's support or opposition to the application;
- (f) a description of the increased imports alleged to exist, including whether such increase is absolute, relative to domestic production or both;
- (g) information relevant to the existence of serious injury to the UK producers of the goods identified, for the three calendar years preceding the application, and any more recent partial-year data;
- (h) information on relevant unforeseen developments that led to the alleged increased imports of the goods identified;
- (i) a statement giving specific reasons for requesting a provisional safeguarding remedy or definitive safeguarding remedy;
- (j) information that the market share requirement is met;
- (k) if a provisional safeguarding remedy is requested—
 - (i) information regarding critical circumstances where delay in taking action would cause damage to UK producers which would be difficult to repair; and
 - (ii) a statement indicating the level of tariff increase requested as the remedy.

Notice of initiation of an investigation

2. The information to be contained in a notice referred to in paragraph 7(6)(b) of Schedule 5 to the Act is—

- (a) where applicable, the contact details of the applicant UK producers, unless the TRA is treating such information as confidential in accordance with regulation 16 (confidential information);

Status: This is the original version (as it was originally made).

- (b) the date of initiation of the investigation;
- (c) a description of the goods concerned;
- (d) a description of the like goods and directly competitive goods;
- (e) where applicable, a description of the UK producers on behalf of which the application is made;
- (f) a summary of the factors on which the allegations of increased imports and serious injury caused by the increased imports are based, including a summary of the unforeseen developments that led to the alleged increased imports of the goods;
- (g) the period of investigation;
- (h) a summary of the investigation process;
- (i) the address of the TRA to which comments by interested parties or persons with sufficient interest in the investigation are to be delivered, or the means by which such comments are to be delivered;
- (j) details of a registration period during which interested parties, or any other person, may make themselves known to the TRA;
- (k) a statement that interested parties may request the TRA to conduct a hearing.

Notice of a provisional affirmative determination with no recommendation regarding a provisional safeguarding remedy

3. The information to be contained in a notice referred to in paragraph 11(9) of Schedule 5 to the Act is—

- (a) a description of the goods to which the notice relates;
- (b) a summary of the investigation to date and the expected future stages of the investigation;
- (c) the date of publication of the notice;
- (d) the reasons for the TRA's provisional affirmative determination, where such notice is published under paragraph 11(9)(a) of Schedule 5 to the Act;
- (e) the reasons why the TRA has determined that there is no recommendation that it could make under paragraph 11(3) of Schedule 5 to the Act, where such notice is published under paragraph 11(9)(b) of Schedule 5 to the Act.

Notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding a provisional safeguarding remedy

4. The information to be contained in a notice referred to in paragraph 14(3)(a), (4)(a), 15(3)(a) or (4)(a) of Schedule 5 to the Act is—

- (a) a description of the goods to which the notice relates;
- (b) a summary of the investigation to date and the expected future stages of the investigation;
- (c) the reasons for the TRA's provisional affirmative determination;
- (d) the reasons for the TRA's recommendation regarding a provisional safeguarding remedy;
- (e) where the Secretary of State accepts the TRA's recommendation, that such notice is a public notice made under section 13 of the Act;
- (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

Notice of a final affirmative determination with no recommendation regarding a definitive safeguarding remedy

5. The information to be contained in a notice referred to in paragraph 16(11) of Schedule 5 to the Act is—

- (a) a description of the goods to which the notice relates;
- (b) a summary of the investigation;
- (c) the date the notice comes into effect;
- (d) the reasons for the final affirmative determination, where such notice is published under paragraph 16(11)(a) of Schedule 5 to the Act;
- (e) the reasons why the TRA has determined that there is no recommendation that it could make under paragraph 16(3) of Schedule 5 to the Act, where such notice is published under paragraph 16(11)(b) of Schedule 5 to the Act.

Notice of the Secretary of State accepting or rejecting a recommendation by the TRA on a definitive safeguarding remedy

6. The information to be contained in a notice referred to in paragraph 19(3)(a), (4)(a), 20(3)(a) or (4)(a) of Schedule 5 to the Act is—

- (a) a description of the goods to which the notice relates;
- (b) a summary of the investigation;
- (c) the reasons for the TRA's final affirmative determination;
- (d) the reasons for the TRA's recommendation on a definitive safeguarding amount or tariff rate quota;
- (e) where the Secretary of State accepts the TRA's recommendation—
 - (i) that such notice is a public notice made under section 13 of the Act;
 - (ii) a specified period for which the definitive safeguarding remedy is applicable (see paragraph 17(2) or 18(2) of Schedule 5 to the Act);
 - (iii) details of exceptions of goods from the application of the definitive safeguarding remedy, if any;
- (f) where a provisional safeguarding remedy is in force and the Secretary of State rejects the TRA's recommendation—
 - (i) that such notice is a public notice made under section 13 of the Act;
 - (ii) the reasons for the Secretary of State's rejection;
- (g) where a provisional safeguarding remedy is not in force and the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

Notice of a final negative determination

7. The information to be contained in a notice referred to in paragraph 9(7)(a) of Schedule 5 to the Act is—

- (a) a summary of the investigation;
- (b) the date the notice comes into effect;
- (c) the TRA's reasons for its determination.

Status: This is the original version (as it was originally made).

Notice of termination

8. The information to be contained in a notice referred to in regulation 30(3)(a) is—
- (a) a summary of the investigation to date;
 - (b) the date the notice comes into effect;
 - (c) the reasons for termination.

Notice of initiation of a review

9. The information to be contained in a notice referred to in regulation 34(2)(a), 35(5)(a) or 49(3)(b) is—
- (a) details of the content of the relevant public notice made under section 13 of the Act to which the review relates;
 - (b) where applicable, the contact details for or on behalf of the review applicant, unless the TRA is treating such information as confidential in accordance with regulation 16 (confidential information);
 - (c) the name of any person importing or exporting the goods subject to review;
 - (d) the type of review initiated;
 - (e) the date of initiation of the review;
 - (f) the description of the goods subject to review; and
 - (g) the period of investigation for the review;
 - (h) where applicable, a description of the UK producers on behalf of which the review application is made;
 - (i) a summary of the reasons for initiating a review;
 - (j) a summary of the issue involved in the review;
 - (k) a summary of the review process;
 - (l) the address of the TRA to which comments by interested parties and persons with sufficient interest in the review is to be delivered, or the means by which such comments are to be delivered;
 - (m) details of a registration period during which interested parties, or any other person, may make themselves known to the TRA; and
 - (n) a statement that interested parties may request that the TRA conduct a hearing.

Notice of the Secretary of State accepting or rejecting a recommendation by the TRA on the variation of a definitive safeguarding remedy

10. The information to be contained in a notice referred to in paragraph 21(7)(a) of Schedule 5 to the Act or regulation 38(3)(a) is—
- (a) a description of the goods to which the notice relates;
 - (b) a summary of the review;
 - (c) the TRA's recommendation;
 - (d) the reasons for the TRA's recommendation;
 - (e) where the Secretary of State accepts the TRA's recommendation—
 - (i) that such notice is a public notice made under section 13 of the Act;
 - (ii) a specified period during which the varied definitive safeguarding remedy is applicable;

- (iii) details of exceptions of goods from the application of the definitive safeguarding remedy, if any;
- (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

Notice of the Secretary of State accepting or rejecting a recommendation by the TRA to revoke the application of a definitive safeguarding remedy

11. The information to be contained in a notice referred to in paragraph 21(7)(a) of Schedule 5 to the Act or regulation 38(3)(a) is—

- (a) a description of the goods to which the notice relates;
- (b) a summary of the review;
- (c) the TRA's recommendation;
- (d) the reasons for the TRA's recommendation;
- (e) where the Secretary of State accepts the TRA's recommendation—
 - (i) that such notice is a public notice made under section 13 of the Act;
 - (ii) the date that the revocation takes effect, which must be the day after the date of publication of the notice;
- (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

Notice of termination of a review

12. The information to be contained in a notice referred to in regulation 37(5)(a) or 49(10)(c) is—

- (a) a summary of the review to date;
- (b) the date the notice comes into effect;
- (c) the reasons for termination.

Notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding suspension of a definitive safeguarding remedy

13. The information to be contained in a notice referred to in paragraph 24(6)(a) of Schedule 5 to the Act or regulation 39(11)(a) is—

- (a) a description of the goods to which the notice relates;
- (b) the TRA's recommendation;
- (c) the reasons for the TRA's recommendation;
- (d) where the Secretary of State accepts the TRA's recommendation—
 - (i) that such notice is a public notice made under section 13 of the Act;
 - (ii) the period of suspension;
- (e) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

Notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding extension of the period of suspension

14. The information to be contained in a notice referred to in regulation 41(9)(a) is—

Status: This is the original version (as it was originally made).

- (a) a description of the goods to which the notice relates;
- (b) the TRA's recommendation;
- (c) the reasons for the TRA's recommendation;
- (d) the Secretary of State's decision to accept or reject the recommendation and the reasons for the decision;
- (e) where the Secretary of State accepts the TRA's recommendation—
 - (i) that such notice is a public notice made under section 13 of the Act;
 - (ii) the extended period of suspension;
- (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

Notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding reinstatement of a definitive safeguarding remedy

- 15.** The information to be contained in a notice referred to in regulation 42(4)(a) or (6)(a) is—
- (a) a description of the goods to which the notice relates;
 - (b) the TRA's recommendation and the reasons for the recommendation;
 - (c) the Secretary of State's decision to accept or reject the recommendation and the reasons for the decision;
 - (d) where the Secretary of State accepts the TRA's recommendation—
 - (i) that such notice is a public notice made under section 13 of the Act;
 - (ii) the date that the reinstatement takes effect, which must be the day after the date of publication of the public notice under section 13 of the Act giving effect to the recommendation;
 - (e) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.