
STATUTORY INSTRUMENTS

2019 No. 450

**The Trade Remedies (Dumping and
Subsidisation) (EU Exit) Regulations 2019**

PART 7

Initiation and conduct of a review

CHAPTER 2

Conduct of a review

Absorption review

72.—(1) The TRA may conduct a review (an “absorption review”) to consider whether there has been a sufficient change to the export price or resale price of goods to reflect the application of an anti-dumping amount.

(2) An absorption review application must include evidence that after the period of investigation relating to the application of an anti-dumping amount—

- (a) export prices of the goods subject to review have decreased; or
- (b) there has been no movement, or insufficient movement, in the resale price or subsequent selling prices of the imported goods subject to review.

(3) In conducting an absorption review, the TRA must consider, among other things—

- (a) available information from overseas exporters, importers and UK industry in respect of the export prices, resale prices and subsequent selling prices;
- (b) whether the application of an anti-dumping amount has led to movements in resale prices and subsequent selling prices;
- (c) any other relevant factors which may have had an impact on prices.

(4) Subject to paragraph (5), for the purpose of making a determination under this regulation, the TRA may make any assessment, finding or determination relevant to the calculation of the anti-dumping amount which it could have made in the investigation to which the anti-dumping amount relates.

(5) The TRA must not reassess the economic interest test (see paragraph 25 of Schedule 4 to the Act) when carrying out an absorption review.

(6) The TRA must not recommend the application of an anti-dumping amount exceeding twice the anti-dumping amount most recently applied to the goods subject to review.

(7) Following the conclusion of an absorption review, the TRA may determine that the level of an anti-dumping amount to some or all of the goods subject to review should be—

- (a) maintained; or
- (b) varied.