

## SCHEDULE 1

Regulation 50

### Content of applications

#### Content of an application for the initiation of a dumping investigation

1. For the purpose of regulation 50(1), the information to be contained in an application for the initiation of a dumping investigation is—

- (a) a description of the goods in relation to which the applicant UK industry is requesting an investigation, including their—
  - (i) technical characteristics;
  - (ii) current tariff classification;
- (b) a statement identifying the exporting country or territory;
- (c) details of all known overseas exporters of the goods identified;
- (d) details of all known importers in the United Kingdom of the goods identified;
- (e) details of all known UK producers of the like goods (see paragraph 7 of Schedule 4 to the Act), or associations of such UK producers;
- (f) the level of UK industry support for or opposition to the application, including—
  - (i) the total volume and value of production in the United Kingdom of the like goods;
  - (ii) the applicant UK industry's volume and value of production in the United Kingdom of the like goods;
  - (iii) the volume and value of production in the United Kingdom of the like goods by each identified UK producer, or associations of such UK producers;
  - (iv) each identified UK producer's support or opposition to the application;
- (g) information that the goods identified have been or are being dumped within the meaning of Part 1 of these Regulations;
- (h) information on the volume of importation of the goods identified;
- (i) information that the importation of the goods identified has caused or is causing injury to UK industry within the meaning of Part 4 of these Regulations, including—
  - (i) the evolution of the volume of importation of the goods identified;
  - (ii) the effect of such importation on the prices of the like goods which are produced in the United Kingdom;
  - (iii) the impact of such importation on UK industry;
- (j) information that the market share requirement is met.

#### Commencement Information

**II** Sch. 1 para. 1 in force at 6.3.2019, see [reg. 1\(2\)](#)

#### Content of an application for the initiation of a subsidisation investigation

2. For the purpose of regulation 50(2), the information to be contained in an application for the initiation of a subsidisation investigation is—

- (a) a description of the goods in relation to which the applicant is requesting an investigation, including their—

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- (i) technical characteristics;
- (ii) current tariff classification;
- (b) a statement identifying the exporting country or territory;
- (c) details of all known overseas exporters of the goods identified;
- (d) details of all known importers in the United Kingdom of the goods identified;
- (e) details of the applicant UK industry, including details of all known UK producers of the like goods (see paragraph 7 of Schedule 4 to the Act), or associations of such UK producers;
- (f) the level of UK industry support for or opposition to the application, including—
  - (i) the total volume and value of production in the United Kingdom of the like goods;
  - (ii) the applicant UK industry's volume and value of production in the United Kingdom of the like goods;
  - (iii) the volume and value of production in the United Kingdom of the like goods by each identified UK producer, or associations of such UK producers;
  - (iv) each identified UK producer's support or opposition to the application;
- (g) information that the goods identified, which are imported into the United Kingdom, have been or are being subsidised within the meaning of Part 3 of these Regulations;
- (h) information on the volume of the importation of the goods identified;
- (i) information that the importation of the goods identified has caused or is causing injury to UK industry within the meaning of Part 4 of these Regulations, including—
  - (i) the evolution of the volume of importation of the goods identified;
  - (ii) the effect of such importation on the prices of the like goods which are produced in the United Kingdom;
  - (iii) the impact of such importation on UK industry;
- (j) information that the market share requirement is met.

#### Commencement Information

**I2** Sch. 1 para. 2 in force at 6.3.2019, see [reg. 1\(2\)](#)

## SCHEDULE 2

Regulations 65 and 89

### Content of notices

#### Notice of initiation of a dumping investigation

1. The information referred to in regulation 65(1) is—
  - (a) where applicable, the contact details of the applicant UK industry, unless the TRA is treating such information as confidential in accordance with regulation 45 (confidential information);
  - (b) the date of initiation of the investigation;
  - (c) the name of the exporting country or territory;
  - (d) a description of the goods concerned;

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- (e) a description of the like goods;
- (f) where applicable, a description of the UK industry on behalf of which the application is made;
- (g) the basis on which dumping is alleged in the application;
- (h) a summary of the factors on which the allegation of injury is based;
- (i) where the TRA considers that it may be appropriate to use a sampling process in accordance with regulation 56 (the use of sampling in respect of Part 2 of these Regulations) or 57 (the use of sampling in respect of Parts 3, 4 and 5 of these Regulations), a statement to that effect;
- (j) the period of investigation;
- (k) a summary of the investigation process;
- (l) 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;
- (m) details of a registration period during which interested parties, or any other person, may make themselves known to the TRA;
- (n) a statement that interested parties may request the TRA to conduct a hearing.

#### Commencement Information

**I3** Sch. 2 para. 1 in force at 6.3.2019, see [reg. 1\(2\)](#)

#### Notice of initiation of a subsidisation investigation

2. The information referred to in regulation 65(2) is—
- (a) where applicable, the contact details of the applicant UK industry, unless the TRA is treating such information as confidential in accordance with regulation 45 (confidential information);
  - (b) the date of initiation of the investigation;
  - (c) the name of the exporting country or territory;
  - (d) a description of the goods concerned;
  - (e) a description of the like goods;
  - (f) where applicable, a description of the UK industry on behalf of which the application is made;
  - (g) a description of the alleged subsidy practice to be investigated;
  - (h) a summary of the factors on which the allegation of injury is based;
  - (i) where the TRA considers that it may be appropriate to use a sampling process in accordance with regulation 57 (the use of sampling in respect of Parts 3, 4 and 5 of these Regulations), a statement to that effect;
  - (j) the period of investigation;
  - (k) a summary of the investigation process;
  - (l) the address of the TRA to which comments by interested parties and persons with sufficient interest in the investigation are to be delivered, or the means by which such comments are to be delivered;

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- (m) details of a registration period during which interested parties, or any other person, may make themselves known to the TRA;
- (n) a statement that interested parties may request the TRA to conduct a hearing.

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**Commencement Information**

**I4** Sch. 2 para. 2 in force at 6.3.2019, see [reg. 1\(2\)](#)

**Notice of a provisional affirmative determination with no recommendation regarding requiring a guarantee**

3. The information referred to in regulation 65(3) 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 why the TRA has determined that there is no recommendation that it could make under paragraph 13(3) of Schedule 4 to the Act.

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**Commencement Information**

**I5** Sch. 2 para. 3 in force at 6.3.2019, see [reg. 1\(2\)](#)

**Notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding requiring a guarantee**

4. The information referred to in regulation 65(4) 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 person or category of persons who is required to give a guarantee;
  - (d) details of exclusion of goods from the requirement to give a guarantee, if any;
  - (e) the reasons for the TRA's provisional affirmative determination;
  - (f) the reasons for the TRA's recommendation regarding requiring a guarantee;
  - (g) where the Secretary of State accepts the TRA's recommendation, the date the notice comes into effect;
  - (h) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

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**Commencement Information**

**I6** Sch. 2 para. 4 in force at 6.3.2019, see [reg. 1\(2\)](#)

**Notice of a final affirmative determination with no recommendation on an anti-dumping amount or a countervailing amount**

5. The information referred to in regulation 65(5) is—
- (a) a description of the goods to which the notice relates;

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- (b) a summary of the investigation;
- (c) the date the notice comes into effect;
- (d) the reasons for the final affirmative determination;
- (e) the reasons why the TRA has determined that there is no recommendation that it could make under paragraph 17(3) or (4) of Schedule 4 to the Act and, where applicable, paragraph 23(1) of that Schedule.

#### Commencement Information

I7 Sch. 2 para. 5 in force at 6.3.2019, see [reg. 1\(2\)](#)

#### Notice of the Secretary of State accepting or rejecting a recommendation by the TRA on an anti-dumping amount or a countervailing amount

6. The information referred to in regulation 65(6) 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 an anti-dumping amount or a countervailing amount;
  - (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 anti-dumping amount or countervailing amount is applicable (see paragraph 17(3)(a) or 17(4)(a) of Schedule 4 to the Act);
    - (iii) where applicable, the relevant date and the relevant period (see paragraph 19 of Schedule 4 to the Act);
  - (f) where the Secretary of State rejects the TRA's recommendation—
    - (i) the reasons for the Secretary of State's rejection; and
    - (ii) the date the notice comes into effect;
  - (g) where the Secretary of State accepts the TRA's recommendation on accepting an undertaking—
    - (i) a reference to the relevant notice made under regulation 79(2)(a) on the Secretary of State's acceptance of the recommendation;
    - (ii) a statement that the dumped goods or subsidised imports are exempt from the application of an anti-dumping amount or a countervailing amount whilst the undertaking is in force;
    - (iii) details of the consequences of a breach of the undertaking;
  - (h) where the Secretary of State rejects the TRA's recommendation on accepting an undertaking—
    - (i) the fact that an undertaking was offered;
    - (ii) the reasons for the rejection of the recommendation.

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#### Commencement Information

**I8** Sch. 2 para. 6 in force at 6.3.2019, see [reg. 1\(2\)](#)

#### Notice of a final negative determination

7. The information referred to in regulation 65(7) is—
- (a) a summary of the investigation;
  - (b) the date the notice comes into effect;
  - (c) the TRA's reasons for its determination.

#### Commencement Information

**I9** Sch. 2 para. 7 in force at 6.3.2019, see [reg. 1\(2\)](#)

#### Notice of termination

8. The information referred to in regulation 65(8) <sup>F1</sup>... is—
- (a) a summary of the investigation to date;
  - (b) the date the notice comes into effect;
  - (c) the reasons for termination.

#### Textual Amendments

**F1** Words in [Sch. 2 para. 8](#) omitted (23.7.2019) by virtue of [The Trade Remedies \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1076\)](#), regs. 1, [12](#)

#### Commencement Information

**I10** Sch. 2 para. 8 in force at 6.3.2019, see [reg. 1\(2\)](#)

#### Notice of repayment of an anti-dumping amount or a countervailing amount

9. The notice in regulation 89(8)(c) must include—
- (a) the amount of the repayment;
  - (b) the goods in respect of which the repayment is due;
  - (c) the TRA's reasons for its determination.

#### Commencement Information

**I11** Sch. 2 para. 9 in force at 6.3.2019, see [reg. 1\(2\)](#)

## SCHEDULE 3

Regulations 67, 75 and 76

### Content of reviews notices

#### Notice of initiation of a review

1. The information to be contained in a notice referred to in regulation 67(8) is—
  - (a) details of the content of the relevant notice referred to in regulation 65(6);
  - (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 45 (confidential information);
  - (c) the name of the exporting country or territory;
  - (d) description of the goods subject to review;
  - (e) the name of any person [<sup>F2</sup>known to the TRA to import or export] the goods subject to review or the goods subject to the application of an anti-dumping amount or a countervailing amount;
  - (f) the type of review initiated;
  - (g) the date of initiation of the review;
  - (h) the period of investigation for the review;
  - (i) where applicable, a description of the UK industry on behalf of which the review application is made;
  - (j) a summary of the reasons for initiating a review;
  - (k) a summary of the issues involved in the review;
  - (l) a summary of the review process;
  - (m) 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;
  - (n) details of a registration period during which interested parties, or any other person, may make themselves known to the TRA;
  - (o) a statement that interested parties may request that the TRA conduct a hearing.

#### Textual Amendments

**F2** Words in Sch. 3 para. 1(e) substituted (23.7.2019) by [The Trade Remedies \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1076\)](#), regs. 1, **13(a)**

#### Commencement Information

**I12** Sch. 3 para. 1 in force at 6.3.2019, see reg. 1(2)

#### Notice of termination of a review

2. The information to be contained in a notice referred to in regulation 75(4) [<sup>F3</sup>or 97B(3)] is—
  - (a) a summary of the review;
  - (b) the date of publication of the notice;
  - (c) the reasons for termination.

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#### Textual Amendments

- F3** Words in Sch. 3 para. 2 inserted (23.7.2019) by [The Trade Remedies \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1076\)](#), regs. 1, **13(b)**

#### Commencement Information

- I13** Sch. 3 para. 2 in force at 6.3.2019, see reg. 1(2)

### Notice of the Secretary of State accepting or rejecting a recommendation by the TRA on the variation of an anti-dumping amount or a countervailing amount

3. The information to be contained in a notice referred to in regulation 76(4)(a) or (5) 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 anti-dumping amount or countervailing amount is applicable;
    - (iii) details of any exemptions from the application of the anti-dumping amount or countervailing amount;
  - (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

#### Commencement Information

- I14** Sch. 3 para. 3 in force at 6.3.2019, see [reg. 1\(2\)](#)

### Notice of the Secretary of State accepting or rejecting a recommendation by the TRA to revoke the application of an anti-dumping amount or a countervailing amount

4. The information to be contained in a notice referred to in regulation 76(4)(a) or (5) 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 [<sup>F4</sup>notice] 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.



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#### Textual Amendments

- F4** Word in Sch. 3 para. 4(e)(ii) substituted (23.7.2019) by [The Trade Remedies \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1076\)](#), regs. 1, **13(c)**

#### Commencement Information

- I15** Sch. 3 para. 4 in force at 6.3.2019, see reg. 1(2)

## SCHEDULE 4

Regulations 79, 82 to 84

### Content of undertakings notices

#### Notice of the Secretary of State accepting a recommendation by the TRA on accepting an undertaking

1. The information to be contained in a notice referred to in regulation 79(2)(a) is—
  - (a) a non-confidential version of the undertaking;
  - (b) a reference to the relevant notice made under regulation 65(6) on the Secretary of State's acceptance of the TRA's recommendation;
  - (c) a description of the goods to which the notice relates;
  - (d) the name(s) of the parties to the undertaking;
  - (e) the reasons for the TRA's recommendation to accept an undertaking;
  - (f) the reasons for the Secretary of State's acceptance of the TRA's recommendation;
  - (g) the date that the undertaking comes into effect;
  - (h) the period for which the undertaking applies;
  - (i) where relevant, the anti-dumping amount or countervailing amount applicable in the event the undertaking ceases to apply.

#### Commencement Information

- I16** Sch. 4 para. 1 in force at 6.3.2019, see [reg. 1\(2\)](#)

#### Notice of the Secretary of State that an undertaking ceases to apply

2. The information to be contained in a notice referred to in regulation 82(2)(a) is—
  - (a) a reference to the relevant parallel notice made under regulation 65(6);
  - (b) a description of the goods to which the notice relates;
  - (c) the name(s) of the parties to the undertaking;
  - (d) the reasons why the undertaking ceases to apply;
  - (e) details of the consequences of the undertaking ceasing to apply.

#### Commencement Information

- I17** Sch. 4 para. 2 in force at 6.3.2019, see [reg. 1\(2\)](#)

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### **Notice that the acceptance of an undertaking is withdrawn following a breach of the undertaking**

3. The information to be contained in a notice referred to in regulation 83(6) is—
- (a) a reference to the relevant parallel notice made under regulation 65(6);
  - (b) a description of the goods to which the notice relates;
  - (c) the name(s) of the parties to the undertaking;
  - (d) the TRA's determination following the breach investigation;
  - (e) the date of the breach as determined by the TRA;
  - (f) details of the consequences of the undertaking ceasing to apply.

#### **Commencement Information**

**I18** Sch. 4 para. 3 in force at 6.3.2019, see [reg. 1\(2\)](#)

### **Notice of the Secretary of State accepting a recommendation by the TRA regarding the continuing application of an undertaking**

4. The information to be contained in a notice referred to in regulation 84(8)(a) is—
- (a) a reference to the relevant parallel notice made under regulation 65(6);
  - (b) a description of the goods to which the notice relates;
  - (c) the name(s) of the parties to the undertaking;
  - (d) a summary of the review;
  - (e) the TRA's recommendation;
  - (f) the Secretary of State's decision to accept the TRA's recommendation;
  - (g) details of the consequences of the Secretary of State's decision.

#### **Commencement Information**

**I19** Sch. 4 para. 4 in force at 6.3.2019, see [reg. 1\(2\)](#)

## SCHEDULE 5

Regulations 85, 87 and 88

### Content of suspension notices

#### **Notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding suspension**

1. The information to be contained in a notice referred to in regulation 85(10) or (12)(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) the Secretary of State's decision to accept or reject the recommendation and the reasons for the decision;

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- (e) where the Secretary of State accepts the TRA's recommendation—
  - (i) that such notice is a public notice under section 13 of the Act;
  - (ii) the period of suspension;
- (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

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**Commencement Information**

**I20** Sch. 5 para. 1 in force at 6.3.2019, see [reg. 1\(2\)](#)

**Notice of rejection of an application for an extension of the period of suspension**

**2.** The information to be contained in a notice referred to in regulation 87(4) is the reasons for rejecting the application.

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**Commencement Information**

**I21** Sch. 5 para. 2 in force at 6.3.2019, see [reg. 1\(2\)](#)

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

- 3.** The information to be contained in a notice referred to in regulation 87(8) or (10)(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) 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 under section 13 of the Act;
    - (ii) the period of suspension;
  - (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

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**Commencement Information**

**I22** Sch. 5 para. 3 in force at 6.3.2019, see [reg. 1\(2\)](#)

**Notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding reinstatement of an anti-dumping amount or a countervailing amount**

- 4.** The information to be contained in a notice referred to in regulation 88(4)(a) or (6)(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;

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- (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 under section 13 of the Act;
  - (ii) the date that the [<sup>F5</sup>notice] 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;
- (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

#### Textual Amendments

**F5** Word in Sch. 5 para. 4(e)(ii) substituted (23.7.2019) by [The Trade Remedies \(Amendment\) \(EU Exit\) Regulations 2019 \(S.I. 2019/1076\)](#), regs. 1, 14

#### Commencement Information

**I23** Sch. 5 para. 4 in force at 6.3.2019, see reg. 1(2)

## [<sup>F6</sup>SCHEDULE 5A

Regulations 88C(2), 88F(3), and 88G(5)

### Content of international dispute investigation notices

#### Textual Amendments

**F6** Sch. 5A inserted (1.3.2020) by [The Trade Remedies \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/99\)](#), regs. 1, 35

#### Notice of initiation

1. The information referred to in regulation 88C(2) is—
  - (a) the date of initiation of the investigation;
  - (b) the name of the exporting country or territory;
  - (c) a description of the goods concerned;
  - (d) a description of the anti-dumping amount or the countervailing amount to which the investigation relates;
  - (e) a summary of the international dispute decision;
  - (f) a summary of the investigation process; and
  - (g) any other information the TRA considers relevant.

#### Notice of determination

2. The information referred to in regulation 88F(3) and 88G(5) is—
  - (a) the name of the exporting country or territory;
  - (b) a description of the goods concerned;

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- (c) a description of the anti-dumping amount or the countervailing amount to which the notice relates;
- (d) a summary of the investigation;
- (e) a summary of the international dispute decision;
- (f) the determination made in light of the international dispute decision;
- (g) the reason for the determination;
- (h) the date of the determination; and
- (i) any other information the TRA considers relevant.]

## SCHEDULE 6

Regulation 90

### Content of notices concerning extensions of provisional remedies

#### **Notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding an extension of the period of a provisional remedy in a dumping investigation**

1. The information to be contained in a notice referred to in regulation 90(9)(a) or (10)(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) 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 revised notice under paragraph 15(5)(b) of Schedule 4 to the Act;
    - (ii) the revised period of the provisional remedy;
    - (iii) the date the notice comes into effect;
  - (f) where the Secretary of State rejects the TRA's recommendation, the reasons for the Secretary of State's rejection.

#### **Commencement Information**

**I24** Sch. 6 para. 1 in force at 6.3.2019, see [reg. 1\(2\)](#)

**Status:**

Point in time view as at 01/03/2020.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019. Any changes that have already been made by the team appear in the content and are referenced with annotations.