
STATUTORY INSTRUMENTS

2023 No. 222

The Trade Remedies (Dumping and Subsidisation) (Amendment) Regulations 2023

Amendment of Part 11 (Miscellaneous)

- 3.—(1) In regulation 91 (Relevant period in a dumping investigation)—
- (a) in paragraph (1), for “paragraph 19(3)(a)(i)”, substitute “paragraph 19(3)(a)”;
 - (b) after paragraph (1), insert—
 - “(1A) The TRA may recommend that an anti-dumping amount should apply to goods from the relevant date specified in paragraph 19(3)(b) of Schedule 4 to the Act where in an anti-dumping investigation—
 - (a) a final determination of injury is made (but not a threat of injury or material retardation of the establishment of an industry), or
 - (b) a final determination of a threat of injury is made, and the TRA determines that injury would have occurred in the absence of provisional measures.”.
 - (c) after paragraph (3), insert—
 - “(4) The TRA may recommend that the anti-dumping amount to be applied during all or part of the relevant period is the same or less than the anti-dumping amount determined in the final affirmative determination, provided that the anti-dumping amount applied during the relevant period does not exceed the estimated anti-dumping amount as specified in paragraph 13(3)(a) of Schedule 4 to the Act.”.
- (2) In regulation 92 (relevant period in a subsidisation investigation)—
- (a) in paragraph (1), for “paragraph 19(3)(a)(i)”, substitute “paragraph 19(3)(a)”;
 - (b) after paragraph (1), insert—
 - “(1A) The TRA may recommend that a countervailing amount should apply to goods from the relevant date specified in paragraph 19(3)(b) of Schedule 4 to the Act where in a subsidisation investigation—
 - (a) a final determination of injury is made (but not a threat of injury or material retardation of the establishment of an injury), or
 - (b) a final determination of a threat of injury is made, and the TRA determines that injury would have occurred in the absence of provisional measures.”.
 - (c) after paragraph (2), insert—
 - “(3) The TRA may recommend that the countervailing amount to be applied during all or part of the relevant period is the same or less than the countervailing amount in the final affirmative determination, provided that the countervailing amount to be applied during the relevant period does not exceed the estimated countervailing amount as specified in paragraph 13(3)(b) of Schedule 4 to the Act.”.