
STATUTORY INSTRUMENTS

2023 No. 561

The Trade Preference Scheme (Developing Countries Trading Scheme) Regulations 2023

PART 6

Suspension of a country from the DCTS or suspension or variation of DCTS rates

Further conditions for DCTS

17.—(1) Where a qualifying DCTS country has engaged or is engaging in serious and systematic violations of the human rights and labour rights contained in conventions specified at 1 to 17 of the list in Schedule 2, or has engaged or is engaging in acts or omissions which seriously and systematically undermine the object and purpose of conventions specified at 18 to 28 of the list in Schedule 2, the Secretary of State may publish—

- (a) a suspension notice to—
 - (i) suspend a qualifying DCTS country from the DCTS, or
 - (ii) suspend the DCTS rate on specified DCTS goods originating from a qualifying DCTS country, or
- (b) a variation notice to vary the DCTS rate on specified DCTS goods originating from a qualifying DCTS country.

(2) The Secretary of State must follow the warning and assessment procedure set out in regulation 21 before publishing a notice under paragraph (1).

(3) The conventions listed in Schedule 2 include any amendments made to the conventions where the amendment is in force for the United Kingdom on the date these Regulations come into force.

Goods graduation – SP

18.—(1) The Secretary of State may publish a goods graduation notice, suspending the DCTS rate on specified DCTS goods originating from an SP country, where the goods graduation ground applies in accordance with Schedule 3.

(2) The power to publish a goods graduation notice where the goods graduation ground applies under paragraph (1) includes the power to publish a goods graduation notice extending the suspension period for graduated goods.

Trade preference safeguard measure

19. The Secretary of State may publish a trade preference safeguard notice in order to apply a trade preference safeguard measure in accordance with Schedule 4.

Additional import duty

20.—(1) The DCTS rate is suspended on DCTS goods originating from a DCTS country where additional import duty is applied to those goods pursuant to a notice or regulations referred to in paragraph (2).

- (2) The notices and regulations referred to in paragraph (1) are—
- (a) a public notice published under section 13 of the Act (dumping of goods, foreign subsidies and increases in imports);
 - (b) regulations made under section 14 of the Act (increases in imports or changes in price of agricultural goods);
 - (c) regulations made under section 15 of the Act (international disputes etc);
 - (d) regulations made under section 51 or section 56 of the Act that make provision for additional import duty.
- (3) In this regulation—
- (a) “additional import duty” means—
 - (i) an import duty applied to goods in addition to the standard rate of import duty, or
 - (ii) a tariff rate quota;
 - (b) “tariff rate quota” has the same meaning as given in paragraph 16(3)(b) of Schedule 5 to the Act, when applied to “relevant goods” as referred to in paragraph 16(2) of that Schedule.