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STATUTORY INSTRUMENTS

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**2024 No. 545**

**The Trade Remedies (Amendment) Regulations 2024**

**Part 3**

**Amendment of the Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019**

**Amendment of the Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019**

**37.**—(1) The Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019<sup>(1)</sup> are amended as follows.

(2) In regulation 33A (early review)—

(a) after paragraph (5), insert—

“(5A) Where—

- (a) the TRA receives a request from the Secretary of State under paragraph (1) to undertake an early review; and
- (b) accepts an application under Chapter 2 of Part 2 of the Reconsideration and Appeals Regulations 2019 for reconsideration of an original decision to which the request under sub-paragraph (a) relates,

the TRA must take into account any notice published or public notice issued under regulation 14 of the Reconsideration and Appeals Regulations 2019 in relation to that reconsideration in any determination under this regulation.

(5B) For the purposes of paragraph (5A)—

“the Reconsideration and Appeals Regulations 2019” means the Trade Remedies (Reconsideration and Appeals) (EU Exit) Regulations 2019<sup>(2)</sup>;

“original decision” has the meaning given in regulation 9(1) of the Reconsideration and Appeals Regulations 2019.”;

(b) in paragraph (7), after “the application” insert “or suspension”.

(3) In regulation 36 (the conduct of reviews), after paragraph (3), insert—

“(3A) The TRA must terminate an early review on the request of the Secretary of State.”.

(4) In regulation 38 (powers of the Secretary of State in relation to the TRA’s recommendation)—

(a) in paragraph (2D)—

(i) for “decides to vary” substitute “makes a decision under paragraph (2C)(a) in relation to”;

(ii) omit the words “under paragraph (2C)(a)” at the end of the paragraph;

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(1) S.I. 2019/449, relevant amending instruments are S.I. 2020/99 and 2023/954.

(2) S.I. 2019/910, amended by section 74(11) of the Finance Act 2022 (c.3) and S.I. 2020/99, 730, 2022/113, 414, 2024/519.

- (b) after paragraph (2D), insert—
- “(2E) Where the Secretary of State makes a decision under paragraph (2C), the Secretary of State must lay a statement before the House of Commons setting out the reasons for making the decision.”.
- (5) In regulation 39 (suspension of a definitive safeguarding remedy), in paragraph (10B), for “the recommended period of suspension”, substitute “the period of suspension specified by the TRA”.
- (6) In regulation 41 (period of suspension), in paragraph (8B), omit “recommended”.
- (7) In regulation 42F (determination to maintain)—
- (a) in paragraph (1), for “determines” substitute “proposes to determine that”;
- (b) in paragraph (1A), for “Where the TRA proposes to make a determination under paragraph (1), the” substitute “The”.
- (8) In regulation 42I (powers of the Secretary of State in relation to TRA’s recommendation), after paragraph (3C), insert—
- “(3D) Where the Secretary of State makes a decision under paragraph (3C), the Secretary of State must lay a statement before the House of Commons setting out the reasons for the decision.”.
- (9) In the Schedule—
- (a) in paragraph 4 (notice of the Secretary of State accepting or rejecting a recommendation by the TRA regarding a provisional safeguarding remedy), in sub-paragraph (f)(i)—
- (i) omit the “and” after paragraph (aa);
- (ii) after paragraph (bb), insert “and” and—
- “(cc) where applicable, the varied provisional safeguarding remedy;”;
- (b) in paragraph 6 (notice of the Secretary of State accepting or rejecting a recommendation by the TRA on a definitive safeguarding remedy)—
- (i) in sub-paragraph (f)(i)—
- (aa) omit the “and” after paragraph (aa);
- (bb) after paragraph (bb), insert “and” and—
- “(cc) where applicable, the varied definitive safeguarding remedy;”;
- (ii) in sub-paragraph (g)(i)—
- (aa) omit the “and” after paragraph (aa);
- (bb) after paragraph (bb), insert “and” and—
- “(cc) where applicable, the varied definitive safeguarding remedy;”;
- (c) in paragraph 10 (notice of the Secretary of State accepting or rejecting a recommendation by the TRA on the variation of a definitive safeguarding remedy), in sub-paragraph (f)(i)—
- (i) omit the “and” after paragraph (aa);
- (ii) after paragraph (bb), insert “and” and—
- “(cc) where applicable, the varied definitive safeguarding remedy;”;
- (d) in paragraph 18 (notice of the Secretary of State accepting or rejecting a recommendation by the TRA relating to an international dispute investigation), in sub-paragraph (i)(i)—
- (i) omit the “and” after paragraph (aa);
- (ii) after paragraph (bb), insert “and” and—
- “(cc) where applicable, the varied definitive safeguarding remedy;”.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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