
STATUTORY INSTRUMENTS

2024 No. 545

The Trade Remedies (Amendment) Regulations 2024

Part 4

**Amendment of the Trade Remedies (Reconsideration
and Appeals) (EU Exit) Regulations 2019**

Amendment of regulation 14 (outcome of reconsideration)

41. In regulation 14—

(a) after paragraph (5A), insert—

“(5B) Except where paragraph (5A) applies, the TRA must notify the Secretary of State of its intention to uphold the original decision at least two working days before taking the steps in paragraph (5).”;

(b) in paragraph (6)(a), after “Secretary of State”, insert “at least two working days before publishing a notice under sub-paragraph (b)”;

(c) in paragraph (9)(b), at the end, insert “in accordance with paragraph (9A)”;

(d) after paragraph (9), insert—

“(9A) Save as provided in paragraph (9B), the Secretary of State has the same powers and duties, subject to the same conditions, in accepting or rejecting the reconsidered decision, including where applicable—

(a) where the Secretary of State accepts a recommendation which contains options, the duty to decide which of those options to adopt;

(b) the power to apply an alternative remedy;

(c) the power to request assistance from the TRA; and

(d) the power to decide that the date from which any revocation or variation has effect is a date before the date of the decision by the Secretary of State,

as the Secretary of State had in respect of the original decision, or would have had, were the original decision a recommendation.

(9B) The Secretary of State may not request that the TRA reassess its reconsidered decision.”

(e) in paragraph (11), after “paragraph (9)(b)” insert “and does not make a decision to apply an alternative remedy in accordance with paragraph (9A)(b)”;

(f) after paragraph (11), insert—

“(11A) Where the Secretary of State rejects a reconsidered decision under paragraph 9(b) and makes a decision to apply an alternative remedy in accordance with paragraph (9A)(b), the Secretary of State must—

(a) publish a notice of the TRA’s reconsidered decision and the Secretary of State’s decision made in accordance with paragraph (9A)(b);

Status: This is the original version (as it was originally made).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

- (b) lay a statement before the House of Commons setting out the reasons for rejecting the TRA’s reconsidered decision and making the Secretary of State’s decision; and
- (c) by public notice make provision giving effect to the Secretary of State’s decision.”;
- (g) in paragraph 13, in the opening words, after “(10)(b)”, insert “, (11A)”.