SCHEDULES

SCHEDULE 4

DUMPING OF GOODS OR FOREIGN SUBSIDIES CAUSING INJURY TO UK INDUSTRY

Modifications etc. (not altering text)

C1 Sch. 4 applied (6.3.2019) by The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 (S.I. 2019/450), regs. 1(2), **97(1)** (with Pt. 13) (as amended (23.7.2019) by The Trade Remedies (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/1076), regs. 1, **11(2)**)

PART 1

KEY DEFINITIONS

Meaning of "subsidised", "countervailable subsidy" and related terms

3 (1) For the purposes of this Schedule—

(a) goods are "subsidised" if they are goods in respect of whose manufacture, production, export or transport a countervailable subsidy is granted, and

(b) references to the "subsidisation" of goods are to be read accordingly.

(2) For the purposes of this Schedule, a "countervailable subsidy" is a subsidy which is specific and which is granted directly or indirectly for the manufacture, production, export or transport of goods.

(3) For the purposes of this Schedule, a "subsidy" exists if there is—

(a) a financial contribution by a foreign authority which confers a benefit, or

(b) a form of income or price support within the meaning of Article XVI of the General Agreement on Tariffs and Trade 1994 (being part of Annex 1A to the WTO Agreement) received from a foreign authority which confers a benefit.

(4) For the purposes of this Schedule, a "foreign authority" means a government or public body within the territory of a foreign country or territory.

(5) Regulations may make provision for the purposes of this paragraph—

(a) about what constitutes or does not constitute a "subsidy", "a financial contribution by a foreign authority", "a government" or a "public body" and how any of those matters are to be determined;

(b) about what constitutes or does not constitute "a benefit" and how it is to be determined whether a benefit is conferred;

(c) about what constitutes or does not constitute a subsidy which is "specific" and how it is to be determined whether such a subsidy is granted directly or indirectly as described in sub-paragraph (2).

Commencement Information

I1 Sch. 4 para. 3 in force at 4.3.2019 at 11:59 a.m. by S.I. 2019/429, **reg. 2** (with regs. 4-9)

Changes to legislation:
There are currently no known outstanding effects for the Taxation (Cross-border Trade) Act 2018, Cross Heading: Meaning of “subsidised”, “countervailable subsidy” and related terms.