

SCHEDULES

SCHEDULE 5

INCREASE IN IMPORTS CAUSING SERIOUS INJURY TO UK PRODUCERS

PART 5

SUPPLEMENTARY

Suspension of safeguarding remedies

- 24 (1) Regulations may make provision for or in connection with—
- (a) the TRA recommending to the Secretary of State that the application of a safeguarding remedy should be suspended, and
 - (b) the Secretary of State accepting or rejecting such a recommendation.
- (2) The regulations must secure that the TRA may make such a recommendation to the Secretary of State only if the TRA is satisfied that market conditions have temporarily changed such that the serious injury caused to UK producers of the goods would be unlikely to recur as a result of the suspension.
- (3) Regulations may make provision for the purposes of sub-paragraph (2) about what constitutes or does not constitute “market conditions” or a temporary change in such conditions.
- (4) Regulations under sub-paragraph (1) may, among other things, make—
- (a) provision for the TRA to investigate certain matters;
 - (b) provision about the conduct of such an investigation;
 - (c) provision about the period for which a suspension may have effect;
 - (d) provision about whether that period counts towards the period for which the suspended remedy applies.
- (5) Paragraph 10(2) of Schedule 4 applies to regulations made by virtue of sub-paragraph (4)(b) in relation to an investigation as it applies to regulations under paragraph 10(1) of that Schedule in relation to a dumping or a subsidisation investigation.
- (6) Where, by virtue of provision made under sub-paragraph (1), the Secretary of State accepts a recommendation that the application of a safeguarding remedy should be suspended, the Secretary of State—
- (a) must publish notice of the recommendation and of the acceptance of it,
 - (b) must notify interested parties (see paragraph 31(3)) accordingly, and
 - (c) is required under section 13 to make provision by public notice to give effect to the recommendation.

Status: This is the original version (as it was originally enacted).

(7) References in this paragraph to the application of a safeguarding remedy have the same meaning as in paragraph 23.