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STATUTORY INSTRUMENTS

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**2019 No. 450**

**The Trade Remedies (Dumping and  
Subsidisation) (EU Exit) Regulations 2019**

**PART 1**

**Introductory**

**Interpretation**

**2.** In these Regulations—

“absorption review” has the meaning given by regulation 72 (absorption review);

“the Act” means the Taxation (Cross-border) Trade Act 2018;

“applicant UK industry” has the meaning given by paragraph 9(1)(a)(i) of Schedule 4 to the Act;

“application” means an application referred to in paragraph 9(1)(a) of Schedule 4 to the Act;

“circumvention review” has the meaning given by regulation 73 (circumvention review);

“comparable price” in relation to goods means the price of the goods, in the ordinary course of trade, destined for consumption in the exporting country or territory;

“contributor” means a person other than an interested party who has made themselves known to the TRA for the purpose of participating in an investigation or a review;

“expiry review” has the meaning given by regulation 70 (expiry review);

“the export price” in relation to goods means the price determined by the TRA in accordance with regulation 15 (export price);

“exporting country or territory” has the meaning given by regulation 3 (exporting country or territory);

“facilitation visit” means a visit conducted by the TRA, other than a verification visit, for the purpose of facilitating the progress of an investigation;

“goods concerned” means the goods described in the relevant notice of initiation of a dumping investigation under regulation 65(1) or of a subsidisation investigation under regulation 65(2);

“goods identified” means the goods in relation to which the applicant UK industry is requesting the TRA to conduct an investigation;

“goods subject to review” means the goods described in the notice of initiation of a review under paragraph 1 of Schedule 3;

“interested party” means—

- (a) a government of the relevant foreign country or territory;
- (b) an overseas exporter or importer of the goods concerned or the goods subject to review;
- (c) a trade or business association of producers, overseas exporters or importers of the goods concerned or the goods subject to review;

- (d) a producer of the like goods in the United Kingdom; or
  - (e) a trade or business association of UK producers of the like goods;
- “interim review” has the meaning given by regulation 69 (interim review);
- “investigation” means a dumping investigation or a subsidisation investigation;
- “minimal” means—
- (a) in the case of dumping, a dumping margin of less than 2 per cent. expressed as a percentage of the export price;
  - (b) subject to paragraph (c), in the case of subsidisation, an amount of subsidy of less than 1 per cent. ad valorem; or
  - (c) where the exporting country or territory is a developing foreign country or territory in sub-paragraph (b), for 1 per cent. substitute 2 per cent.;
- “new exporter” has the meaning given by regulation 71 (new exporter review);
- “new exporter review” has the meaning given by regulation 71 (new exporter review);
- “non-confidential summary” has the meaning given by regulation 45(6)(a);
- “period of investigation” means a period of at least one year ending as close as possible to the date of the initiation of the investigation or such other period as the TRA considers appropriate;
- prices are “depressed” or there is a “depressing” effect on prices where prices in the United Kingdom of the like goods are reduced;
- prices are “suppressed” or there is a “suppressing” effect on prices where price increases in the United Kingdom of the like goods, which would otherwise have occurred, are prevented;
- “price undercutting” means the price of the goods concerned or the goods subject to review is lower than the price of the like goods in the United Kingdom;
- “review applicant” means a person who applies to the TRA for the initiation of a review;
- “review application” means an application for a review made in accordance with Part 7;
- “scope review” has the meaning given by regulation 74 (scope review);
- “statement of essential facts” has the meaning given by regulation 62(1)(a);
- “statement of reasons” has the meaning given by regulation 45(6)(b);
- “subsidised imports” means goods that benefit from a countervailable subsidy that are imported into the United Kingdom;
- “UK producer” has the meaning given by regulation 29 (disregarding a producer for the purpose of the definition of a UK industry);
- “verification visit” means a visit conducted by the TRA to any premises the principal purpose of which is to verify information supplied to it in or with a completed questionnaire referred to in regulation 54 (registration of interest and the issuing of questionnaires);
- “working day” means any day except a Saturday or Sunday, Christmas Day, Good Friday or a bank holiday under section 1 of the Banking and Financial Dealings Act 1971(1).