
STATUTORY INSTRUMENTS

2019 No. 450

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

PART 2

Dumping

CHAPTER 2

Determination of the normal value

Normal value

7.—(1) The TRA must use the comparable price to determine the normal value unless it is not appropriate to use that price.

(2) For the purpose of paragraph 1(2) of Schedule 4 to the Act, it is not appropriate to use the comparable price to determine the normal value of the goods concerned where—

- (a) there are no sales of the like goods in the ordinary course of trade in the domestic market of the exporting country or territory;
- (b) because, of a particular market situation or the low volume of sales in the domestic market of the exporting country or territory, such sales do not permit a proper comparison between the like goods destined for consumption in the exporting country or territory and the goods concerned; or
- (c) the overseas exporter in the exporting country or territory does not sell the like goods on the domestic market of the exporting country or territory.

(3) For the purpose of paragraph (2)(b), the volume of sales of the like goods destined for consumption in the domestic market of the exporting country or territory is sufficient to permit a proper comparison where—

- (a) the sales constitute 5 per cent. or more of the volume of sales of the goods concerned exported to the United Kingdom; or
- (b) the sales constitute less than 5 per cent. of the volume of sales of the goods concerned exported to the United Kingdom but the TRA considers they are sufficient.

(4) For the purpose of paragraph (2)(b), a “particular market situation” includes situations where—

- (a) prices are artificially low;
- (b) there is significant barter trade;
- (c) prices reflect non-commercial factors.