
STATUTORY INSTRUMENTS

2019 No. 450

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

PART 12

Transitional Provisions

Application of this Part

95.—(1) This Part applies where—

- (a) an EU anti-dumping duty has been the subject of a qualifying application and, in respect of that duty, the Secretary of State has, before replacement day, made a relevant determination; or
- (b) an EU countervailing duty has been the subject of a qualifying application and, in respect of that duty, the Secretary of State has, before replacement day, made a relevant determination.

(2) A relevant determination referred to in paragraph (1)(a) is a determination that, where the EU anti-dumping duty is expected to apply to goods immediately before replacement day, an anti-dumping amount in the same amount as the EU anti-dumping duty applies to the same goods upon and from replacement day until the appropriate date.

(3) A relevant determination referred to in paragraph (1)(b) is a determination that, where the EU countervailing duty is expected to apply to goods immediately before replacement day, a countervailing amount in the same amount as the EU countervailing duty applies to the same goods upon and from replacement day until the appropriate date.

(4) An EU countervailing duty expected to apply to goods immediately before replacement day includes a duty which would so apply were it not for the acceptance by the European Commission, before replacement day, of an undertaking referred to in Article 13 of Regulation (EU) 2016/1037.

(5) In this regulation, the “appropriate date” means—

- (a) the date upon which the EU anti-dumping duty or the EU countervailing duty, as the case may be, is due to expire; or
- (b) where upon replacement day the relevant duty is undergoing an expiry review (pursuant to Regulation (EU) 2016/1036 in the case of an anti-dumping duty or Regulation (EU) 2016/1037 in the case of a countervailing duty), the date that is 30 days after replacement day.