
STATUTORY INSTRUMENTS

2020 No. 1438

The Trade Preference Scheme (EU Exit) Regulations 2020

PART 9

Suspension of a country from the GSP or suspension or variation of GSP rates

Further conditions for GSP

21.—(1) Subject to paragraph (3), paragraph (2) sets out circumstances in which the Secretary of State may publish a —

- (a) suspension notice to—
 - (i) suspend a qualifying GSP country from the GSP; or
 - (ii) suspend the GSP rate on specified GSP goods originating from a qualifying GSP country; or
 - (b) variation notice to vary the GSP rate on specified goods originating from a specified country.
- (2) The circumstances are that a qualifying GSP country—
- (a) has engaged or is engaging in serious and systematic violations of the human rights and labour rights contained in conventions specified in Part 1 of Schedule 2;
 - (b) is engaging in unfair trading practices, after a determination by a competent WTO body that those practices are prohibited or actionable under the WTO Agreement;
 - (c) is engaging in export of goods made by prison labour;
 - (d) has serious shortcomings in its customs controls on the export or transit of the substances controlled under—
 - (i) the UN Single Convention on Narcotic Drugs (1961) as amended by the 1972 Protocol⁽¹⁾;
 - (ii) the UN Convention on Psychotropic Substances (1971)⁽²⁾; or
 - (iii) the UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (1988)⁽³⁾;
 - (e) has engaged or is engaging in serious and systematic violations of the principles of international conventions on anti-terrorism and money laundering to which the United Kingdom is a party;
 - (f) is seriously and systematically infringing the requirements imposed by regional fishery management organisations or international arrangements to which the United Kingdom is a party, concerning the conservation and management of fishery resources; or

⁽¹⁾ Cmnd. 7466. Available electronically at the Foreign Commonwealth and Development Office treaties database treaties.fco.gov.uk. A hard copy is available free of charge at the offices of the Foreign and Commonwealth Office, King Charles Street, London SW1A 2AH.

⁽²⁾ Cmnd. 2307. Available electronically and hard copy, as described above.

⁽³⁾ Cmnd.1927. Available electronically and hard copy, as described above.

(g) is seriously and systematically failing to comply with the conditions specified in a customs cooperation notice.

(3) The Secretary of State must follow the warning and assessment procedure specified in and provided for by regulation 26, before publishing a notice under paragraph (1).

(4) In these Regulations—

“WTO body” means a body established under the WTO Agreement; and

“WTO Agreement” means the Agreement Establishing the World Trade Organization, signed at Marrakesh on 15th April 1994(4).