
STATUTORY INSTRUMENTS

2020 No. 1438

The Trade Preference Scheme (EU Exit) Regulations 2020

PART 7

Enhanced Framework

EF - general

15.—(1) For the purposes of the EF, an eligible developing country is a qualifying GSP country that—

- (a) is an economically vulnerable country in accordance with regulation 16;
- (b) has ratified, acceded to, or otherwise expressed its consent to be bound as a matter of international law by, the conventions specified in Schedule 2 (“Schedule 2 conventions”);
- (c) is considered by the Secretary of State to be effectively implementing those conventions, in accordance with paragraph (2); and
- (d) complies with monitoring conditions specified for EF countries in an Enhanced Framework notice provided for by paragraph (3).

(2) Effective implementation for the purposes of paragraph (1)(c) means that—

- (a) reporting and monitoring requirements specified in Schedule 2 conventions are complied with;
- (b) the most recent available conclusions of monitoring bodies under those conventions, where appropriate, do not identify a serious failure to effectively implement obligations in those conventions; and
- (c) the most recent available United Kingdom monitoring does not identify such a serious failure.

(3) The Secretary of State may publish an “Enhanced Framework notice” for purposes relating to this regulation.

(4) An Enhanced Framework notice may include—

- (a) information to be provided by eligible developing countries in connection with an application to the EF;
- (b) conditions that an EF country must comply with in order to participate in and cooperate with United Kingdom monitoring;
- (c) the form of binding undertaking that an EF country may be required to give to the Secretary of State for the purposes of conditions specified in the notice; and
- (d) steps the Secretary of State may undertake relating to United Kingdom monitoring.

(5) “United Kingdom monitoring” means monitoring undertaken by or on behalf of the Secretary of State to monitor effective implementation of the Schedule 2 conventions, for the purposes of the EF.