
STATUTORY INSTRUMENTS

2020 No. 730

**The Trade Remedies (Amendment)
(EU Exit) (No. 2) Regulations 2020**

PART 3

**Amendment of the Trade Remedies (Dumping
and Subsidisation) (EU Exit) Regulations 2019**

Amendment of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019

16. The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019(1) are amended in accordance with this Part.

Amendment of regulation 88B (suspension of anti-dumping amount or a countervailing amount)

17. In regulation 88B(2), for paragraph (3), substitute—

- “(3) The suspension ends the day after the day on which—
- (a) the TRA publishes notice under—
 - (i) regulation 88F(2); or
 - (ii) regulation 88G(4); or
 - (b) the Secretary of State publishes notice under—
 - (i) paragraph 22(4)(a) of Schedule 4 to the Act; or
 - (ii) regulation 88I(4)(a).”.

Substitution of regulations 95 and 95A (investigation before replacement of EU trade duty)

18. For regulations 95 and 95A(3), substitute—

“Initiating an investigation before replacement of EU trade duty

95.—(1) This regulation applies if the TRA is requested to initiate an investigation in an application made by or on behalf of an applicant UK industry before replacement of EU trade duty(4).

(1) [S.I. 2019/450](#), amended by [S.I. 2019/1076](#), [S.I. 2019/1346](#), and [S.I. 2020/99](#).
(2) Regulation 88B was inserted by regulation 20 of the Trade Remedies (Amendment) (EU Exit) Regulations 2020 ([S.I. 2020/99](#)).
(3) Regulations 95 was substituted, and 95A was inserted, by regulation 10 of the Trade Remedies (Amendment) (EU Exit) Regulations 2019 ([S.I. 2019/1076](#)).
(4) The terms “applicant UK industry”, “application”, and “investigation” are defined in regulation 2 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 ([S.I. 2019/450](#)); the term “replacement of EU trade duty” is defined in regulation 94(1) of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 ([S.I. 2019/450](#), amended by [S.I. 2019/1076](#)).

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(2) The TRA may initiate an investigation only to the extent the application relates to goods which are the subject of—

- (a) an anti-dumping investigation initiated by the European Commission in accordance with article 5 of the EU anti-dumping regulation; or
- (b) a countervailing duty investigation initiated by the European Commission in accordance with article 10 of the EU countervailing regulation⁽⁵⁾.

Amendment of regulation 130A (modifications to Part 9A)

19. In regulation 130A(6), in paragraph (c), for “88B(3)(b)(iii)”, substitute “88B(3)(b)(ii)”.

Omission of regulation 141A (modification to Schedule 5A)

20. Omit regulation 141A(7).

(5) The European Commission publishes a notice of initiation of proceedings in the Official Journal of the European Union to announce the initiation of an investigation; the terms “EU anti-dumping regulation” and “EU countervailing regulation” are defined in regulation 94(1) of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 (S.I. 2019/450, amended by S.I. 2019/1076).

(6) Regulation 130A was inserted by regulation 33 of the Trade Remedies (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/99).

(7) Regulation 141A was inserted by regulation 34 of the Trade Remedies (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/99).