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STATUTORY INSTRUMENTS

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**2020 No. 99**

The Trade Remedies (Amendment) (EU Exit) Regulations 2020

PART 1

Amendment of the Trade Remedies (Increase in Imports Causing Serious Injury to UK Producers) (EU Exit) Regulations 2019

**Insertion of regulation 70A (further modifications to Part 7A)**

14. After regulation 70, insert—

**“Further modifications to Part 7A**

**70A.** Part 7A (investigation in light of an international dispute decision) has effect as if—

- (a) for “recommendation”, in each place where this occurs, there were substituted “preliminary decision”;
- (b) in regulation 42A—
  - (i) in paragraph (1), the words “direct the TRA to” were omitted;
  - (ii) in paragraph (2), for “required” there were substituted “initiated”;
- (c) in regulation 42B(3)(b)(iii), after “regulation” there were inserted “42I(3)(a) or”;
- (d) in regulations 42G(2) and 42H(2), for “recommend to the Secretary of State” there were substituted “make a preliminary decision”;
- (e) for the section heading after regulation 42H and for regulation 42I there were substituted—

*“Decision*

**Decision to give effect to a preliminary decision**

**42I.—**(1) The Secretary of State must decide whether or not to give effect to a preliminary decision made under regulation 42G(2) or 42H(2).

(2) The Secretary of State must decide to give effect to the preliminary decision unless the Secretary of State is satisfied it is not in the public interest to give effect to the preliminary decision.

(3) If the Secretary of State decides to give effect to the preliminary decision, the Secretary of State must—

- (a) publish notice of the preliminary decision and of the decision to give effect to it;
- (b) notify interested parties;

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*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

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- (c) make provision by public notice under section 13 of the Act to give effect to the preliminary decision.
- (4) If the Secretary of State decides not to give effect to the preliminary decision, the Secretary of State must—
  - (a) publish notice of the preliminary decision and of the decision not to give effect to it;
  - (b) notify interested parties;
  - (c) lay a statement before the House of Commons setting out the reasons for which the Secretary of State is satisfied it is not in the public interest to give effect to the preliminary decision.””.