



**RECONSIDERATION OF AN ORIGINAL DECISION IN
TRANSITION REVIEW No. TF0006**

Safeguard measures on certain steel products

Note to Public File – Suspending Grounds on HMRC Data Revision

On Thursday 11 November 2021 HMRC issued corrected figures for the data regarding certain commodity codes on which TRA based its recommendation relating to TRQs in categories 4 (metallic coated sheets), 5 (organic coated sheets), and 19 (rail materials).

This means that the published data on which the TRA based this aspect of the steel safeguard transition review is now established to have been incorrect. Revisions of the TRQs for all of these commodity codes need to be considered.

The TRA recommendation for category 19, and its basis on challenged data, is one of the grounds we have been asked to address during our reconsideration of the TRA steel safeguards original decision. The TRA has also received reconsideration grounds relating to categories 4 and 6 – but not regarding HMRC data. Category 5 is not subject to reconsideration.

The HMRC data correction issue is unique among the reconsideration grounds in that the data error has been confirmed by HMRC. We are therefore certain that the TRQs as recommended by the TRA for the categories concerned were based on data that was incorrect. Further, the scale and complexity of the overall reconsideration is such that an outcome is not expected imminently. As a matter of good administration public bodies should correct known errors as soon as is reasonably practicable.

In our view, correcting this clear error therefore should not be contingent on the timeline of the reconsideration as a whole and justifies exceptional and expedited treatment.

The TRA therefore are suspending reconsideration work on all grounds related to the HMRC data revision in order that this TRQ Review can be undertaken to make a standalone recommendation as soon as possible to revise the affected TRQs.

The corrected HMRC figures also revise data relevant for category 6 (tin mill products). The TRA are not recommending a revised TRQ for product category 6 as the TRA did not recommend maintaining the measure in relation to this product category which was extended by the Secretary of State separately.

The TRA has today published a Notice of Initiation of this TRQ review which can be found at the new TRS case: <https://www.trade-remedies.service.gov.uk/public/case/SM0015>.

This TRQ Review is being undertaken without prejudice to the outcome of the reconsideration in relation to grounds associated with these product categories. The TRA will go on to address these grounds as part of the initiated reconsideration.

Parties with an interest in the TRQ Review are invited to comment on the TRA's proposed course of action.

To comment please access the Trade Remedies Service at <https://www.trade-remedies.service.gov.uk/dashboard>.

A registration form is available for this TRQ Review. To find it:

- Sign in to TRS (or create an account if you do not already have one)



Trade Remedies Authority

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- Click 'Register interest in a case' to the right of the screen
- Select case SM0015
- Proceed through the registration dialogue
- Download the provided form and complete **both** confidential and non-confidential versions
- Upload **both** confidential and non-confidential versions
- Proceed through the 'confirm' dialogue and submit.

Once you have registered and been accepted onto the case you will be able to make a submission into the review as an Interested Party.

Please see the SM0015 public file for further information and instructions.

4 February 2022