**Department for International Trade**

Objection form: UK Duty Suspensions

# Guidance

## Duty suspensions

Duty suspensions, or tariff suspensions, are the complete or partial reduction in the Most Favoured Nation (‘MFN’) UK Global Tariff (UKGT) rate for specified products. Duty suspensions are temporary measures that are in place for defined periods. After this period expires, the applicable tariff rate reverts to the UKGT rate, unless a decision is taken to extend it.

## Objection process

Between 1 June and 31 July 2021, the government invited applications for duty suspensions. A Notice of these applications has been published on [GOV.UK](https://www.gov.uk/guidance/duty-suspensions-and-tariff-quotas).

The government will announce successful applications no earlier than late 2021 and the suspensions are expected to come into effect no earlier than early 2022. The duty suspensions are expected to be in force until summer 2024.

Businesses[[1]](#footnote-2) based in the UK or Crown Dependencies[[2]](#footnote-3) can object to an application made for a duty suspension. The product descriptions in the Notice provide detailed information about the suspension requests that the government received between 1 June and 31 July. To make an objection, a completed objection form should be sent to TariffSuspensions@trade.gov.uk by 11.55pm on 24 September 2021.

Objections will inform the government’s assessment of the applications. Those who submit objections may be contacted for further information.

The government has committed to extending all current duty suspensions rolled over from the EU regime, including EU ATQs changed to duty suspensions, beyond 31 December 2021.

The government will not consider objections relating to products not included in the Notice of applications.

# Objection form

IMPORTANT**:** please read the guidance above and the [GOV.UK page](https://www.gov.uk/guidance/duty-suspensions-and-tariff-quotas) before completing the objection form.

You should only complete a return for one application; if you would like to object to other applications, please submit additional forms.

You must complete all sections below.

# Section 1: Privacy and confidentiality

Please read the privacy notice before answering the privacy and confidentiality questions below.

## Privacy notice

This notice sets out your rights with respect to how we will use your personal data. The Department for International Trade (DIT) recognises that it has a duty to people whose information it holds to treat that information responsibly, keep it safe and secure, and process it correctly and proportionately. This Privacy Notice broadly explains what information we collect, the purpose for processing, categories of personal information and who we may share it with.

## Purpose

In December 2020, legislation was laid to implement the UK’s new independent tariff regime. This included legislation implementing the UK’s independent duty suspensions regime. To guide its suspensions regime, following the application window which closed on 31 July 2021, the UK will now invite objections which will allow UK and Crown Dependency businesses to make objections to tariff suspension requests.

In line with this, the government has made a form available on GOV.UK for stakeholders to make objections.

Information provided whilst contributing to this process, including personal information, may be published or disclosed in accordance with access to information regimes, primarily the Freedom of Information Act 2000 (FOIA) and the Data Protection Act (2018).

The Department for International Trade will process personal data supplied for this purposed in accordance with the Data Protection Act. The information you provide will be processed on the lawful basis of public task. We will ensure we get your clear consent to process your personal data for the specific purpose detailed.

Consent will be sought in accordance with the Data Protection Act should there be a requirement to share information with any other third parties listed in this notice. If you want the information you provide to be treated confidentially, please be aware that, in accordance with the FOIA, public authorities are required to comply with a statutory code of practice which deals, amongst other things, with obligations of confidence. In view of this, it would be helpful if you could explain to us why you wish that information to be treated confidentially. If we receive a request for disclosure of information that has been provided, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances.

## Your data

Mandatory Information to be collected when submitting an application form:

* Name (first name and surname)
* Email Address
* Contact number
* Name of organisation / business you represent
* Signature

We will use your personal information to help us identify any responses from bots or other fraudulent sources to maintain the integrity of the information received. We may also use your contact details, with your consent, to get in touch with you to discuss the information you have provided in your form, or any attachments you have provided. We may also use your contact details to remove your response if you instruct us to do so.

Your information will be processed and shared within the department and with selected third parties for purposes connected with the DIT performing a task in the public interest and on the basis of your consent, or to fulfil an official function, and the task or function has a clear basis in law, including to:

* ensure that the UK’s suspensions regime is tailored to the UK economy
* design effective and intelligent trade, services and investment policy, and make business decisions
* identify international and UK-based opportunities
* better understand the domestic and international business landscape with respect to the UK’s international trade
* ensure that trade opportunities are inclusive
* enable the department (DIT) to follow up on the points raised in the suspension form

## How we may share your information

Your personal data will be processed and shared within the Department for International Trade and with selected third parties.

Third parties with whom information may be shared with are:

* other government departments including but not limited to: Department for Business, Energy and Industrial Strategy; Department for Transport; HM Revenue & Customs; HM Treasury, Department for Environment, Food and Rural Affairs, Foreign Commonwealth and Development Office, and Department of Health and Social Care
* non-personal information provided within your form may be shared with a science and technology consultant. This is to ensure that, for some products, the product details provided in your form relate to those provided in the suspension application you are objecting to.
* should there be a requirement to share your personal data with other third parties not included in this list, you will be notified beforehand via a revised privacy notice.

The Department for International Trade may use your data to inform UK tariff and trade policy. In particular, your data might be considered as part of the Tariff Implementation Monitoring (TIM) Exercise, which assesses evidence on the impact of the UK Global Tariff (UKGT). Information may also be used to inform any future reviews of the UKGT. We will seek your consent before considering the data you have provided via these other processes.

We will not:

* sell or rent your data to third parties
* share your data with third parties for marketing purposes
* use your data in analytics

We will also share your data if we are required to do so by law or regulation – for example, by court order, or to prevent fraud or other crime.

## How long we will retain your information

We will only retain your personal information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements. We will only retain your personal information for as long as:

· it is needed for the purposes set out in this document

· the law requires us to

Subject to the paragraph above, we will retain your personal information for up to 3 years from the date on which it is provided or subsequently updated, and your overall response for up to 10 years, however we conduct regular reviews to ensure we only keep information required for the purpose of which it was collected. Should there be any indication that there will be a business need to extend this retention period, this will be robustly reviewed, and any changes will be clearly outlined and recorded in a revised notice.

## Your rights and access to your information

You have the right to request a copy of the information that we hold about you. The DPA also gives you additional rights that refer to how the DIT holds and uses your information.

Consequently, under certain circumstances, by law you have the right to:

* raise an objection to how your data is processed
* withdraw consent and the right to object and restrict further processing of your data; however, where legally enforceable, this may affect the service we are able to provide to you.
* request to have your data deleted where there is no compelling reason for its continued processing and provided that there are no legitimate grounds for retaining it.
* request your data to be rectified if it is inaccurate or incomplete.
* not be subject to automated decision-making including profiling.
* request details about how your personal data is processed and to request a copy of your personal data.

## Identity and contact details

The Department for International Trade are registered as a Data Controller under the General Data Protection Regulation and Data Protection Act 2018. Our contact details are:

Department for International Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Email: data.protection@trade.gov.uk

You have a right to complain to us if you think we have not complied with our obligation for handling your personal information. You can contact our Data Protection Officer using the same contact.

If you are not satisfied with the DIT response you have a right to complain to the Information Commissioner’s Office (ICO). You can report a concern by visiting the [ICO website](https://ico.org.uk/).

For more information about your rights under the Data Protection Act or to request a copy of any data held about you please contact data.protection@trade.gov.uk.

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| **1.1. Do you consent for the Department for International Trade (DIT) to gather your personal data and responses provided in the objection form, as outlined in the privacy notice?** Consent is required in order for the DIT to process your objection. [ ] Yes [ ] No |
| **1.2. Do you consent to the DIT sharing your data and the responses provided in the objection form with other UK government departments, as listed in the privacy notice?** Consent is required in order for the DIT to process your objection. [ ] Yes [ ] No |
| **1.3. Do you consent for the DIT, or organisations working on their behalf, to contact your regarding your objection if necessary?** Consent is required in order for the DIT to process your objection.[ ] Yes [ ] No |

# Section 2: Product and application details

In this section, you should provide us with details about the application to which you would like to submit an objection, as well as the related product. Please refer to the notice of applications published on [GOV.UK](https://www.gov.uk/guidance/duty-suspensions-and-tariff-quotas) to find this information.

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| **2.1. Application ID:**      |
| **2.2. Commodity code:** |
| **2.3. Product description:** |

# Section 3: Objection details

In this section, you should provide us with details about the reasons for which you are objecting to a suspension application made during the recent application window.

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| **3.1. Please explain why you are objecting to this suspension application as described in the Notice in the column “product description”.** Please make reference to the assessment criteria as listed on [GOV.UK](https://www.gov.uk/guidance/duty-suspensions-and-tariff-quotas) where relevant to your objection, as well as any other impacts that a duty suspension might have. You should provide as much detail as possible.       |
| **3.2. Other remarks.** Please use this space to provide any information you consider relevant to your objection. |

# Section 4: Domestic businesses producing an identical, equivalent, or substitutable product

Please use this section to list UK or Crown Dependency based businesses that produce an identical, equivalent, or substitutable product. Please add additional rows as needed if submitting the details of multiple businesses.

[ ]  I am not aware of any UK or Crown Dependency based businesses that produce an identical, equivalent or substitutable product. *Please go to section 5.*

|  |
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| **4.1. Business/organisation name:** |
| **4.2. If not named under Section 5, has the business named in 4.1 consented to being included on this form and has it confirmed that the details in the following sections (4.3 to 4.7) are correct?** |
| **4.3. the product that this business produces which is relevant to this objection** |
| **4.4. Is the product this business produces identical or equivalent to the product that is the subject of the subject of the suspension application to which you are objecting?**[ ] Yes Please go to question 4.6.[ ] No Please go to question 4.5. |
| **4.5. If the product this business produces is similar but not identical to the product that is the subject of this objection, please explain in exactly what circumstances your product can be considered substitutable.** You should also provide supporting literature, such as a product datasheet or brochure, that includes a product specification when submitting your application. You should attach this documentation as a separate file alongside submitting your completed form via email. If you are unable to provide this, please indicate why: |
| **4.6. Production capacity available for market (e.g. not bound in-house or by contracts) in 2020. Figures for 2019 can be provided if the business was impacted by COVID-19.** Figures should be reported in the same format as would be required on customs declarations, or as defined in the UK Global Tariff. Weight is ordinarily declared in KG.**Figure:** **Unit:**  |
| **4.7. Anticipated production capacity of the product available for the market next year (2022).** Figures should be reported in the same format as would be required on customs declarations, or as defined in the UK Global Tariff. Weight is ordinarily declared in KG.**Figure:** **Unit:** Please add additional entries of the rows in this section as needed if you are submitting the details of multiple businesses.  |

# Section 5: Contact details of the objector/s

If you are submitting this objection on behalf of UK or Crown Dependency business/es that produce the product concerned (or a substitutable one), you must also provide their details below. Please add additional rows as needed.

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| **Contact details:**  |
| **Full name:**  |
| **Company/organisation name:**  |
| **Email address:**  |
| **Telephone number:**  |
| **Mobile number (optional):**  |
| **Is the objector a producer of the product, or a substitutable one?**[ ] Yes [ ] No |
| **Contact details (optional):**  |
| **Full name:**  |
| **Company/organisation name:**  |
| **Email address:**  |
| **Telephone number:**  |
| **Mobile number (optional):**  |
| **Is the objector a producer of the product, or a substitutable one?**[ ] Yes [ ] No |

# Section 6: Declaration

Please note that the Department for International Trade will not process your objection form if you do not sign the declaration below.

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|  **By signing below, I certify that:** * **I am submitting this objection form on behalf of a UK or Crown Dependency business/es.[[3]](#footnote-4)**
* **the information provided in this form and supporting attachments is complete and correct. I understand that if I provide incorrect information, my objection may not be considered.**
 |
| **Full name:**  |
| **Business/es name:**  |
| **Position in / relationship to the above business/es:**  |
| **Date:**  |
| **Signature (typewritten):**  |

# Annexes

Please clearly label any documents that are commercially sensitive.

**Documents provided:**

|  |  |
| --- | --- |
| Literature to support the objection e.g., technical datasheets or brochures | [ ]  |
| Other – please detail: | [ ]   |

# Completed forms

Once you have completed your form, please send your objection to Tariffsuspensions@trade.gov.uk by 11.55pm on 24 September 2021. We may contact you for further information.

1. As defined in the Customs Tariff (Suspension of Import Duty Rates) (EU Exit) Regulations 2020, a business based in the UK is a company entered in the register of companies maintained under the Companies Act 2006(4) with a permanent establishment in the United Kingdom. A business based in the Crown Dependencies is one that is established in the Bailiwick of Guernsey or the Isle of Man or the Bailiwick of Jersey. [↑](#footnote-ref-2)
2. The Crown Dependencies are the Bailiwick of Guernsey, the Isle of Man, and the Bailiwick of Jersey. [↑](#footnote-ref-3)
3. As defined in the Customs Tariff (Suspension of Import Duty Rates) (EU Exit) Regulations 2020, a business based in the UK is a company entered in the register of companies maintained under the Companies Act 2006([[4](https://www.legislation.gov.uk/uksi/2020/1435/regulation/2/made#f00005)](https://www.legislation.gov.uk/uksi/2020/1435/regulation/2/made#f00005)) with a permanent establishment in the United Kingdom. A business based in the Crown Dependencies is one that is established in the Bailiwick of Guernsey or the Isle of Man or the Bailiwick of Jersey. [↑](#footnote-ref-4)