



Trade Remedies
Authority

Trade Remedies Authority Corporate Plan

2021 - 2025

April 2022

Foreword

In 2020 as we left the European Union, the UK became an independent trading nation. With that freedom also comes the risk of foreign exporters who look to exploit unfair trade policies when trading with the UK. Our mission, at the UK's Trade Remedies Authority, is to defend UK economic interests against unfair international trade practices. This means balancing interests of UK consumers, manufacturing industries and the wider supply chains, as well as UK producers.

We are the first independent arm's length public body of the UK's Department for International Trade. Legislation establishing the UK's own trade remedies regime is set out in the (Taxation Cross-border) Trade Act 2018 and the Trade Act 2021 and has been designed around the principles of impartiality, proportionality, efficiency and transparency. Our remit extends to England, Northern Ireland, Scotland and Wales.

Our ambition is to be a globally respected trade remedies body. We aim to achieve this by following an open regulatory system and protecting and defending fair trading in accordance with World Trade Organisation rules. Our expert team of lawyers, analysts and investigators compile evidence-based recommendations to government that can withstand the highest degree of scrutiny in the event of legal challenge.

We provide a service to UK businesses to undertake investigations to establish if import practices are damaging their industries – for instance, if imports are being sold on the UK market at unfairly low prices, which the UK-made goods cannot compete with. Our trade remedy regime is not anti-competitive; it supports international competition and free trade, when done fairly. All users of imported goods, including end consumers, manufacturers and those in supply chains, need to rely on competitively traded goods.

Our Public File publishes all our live and forthcoming cases. We encourage affected parties to submit relevant evidence to cases, to ensure our investigation analysis considers a broad set of data and evidence.

We welcome applications from any UK industry for initiating new investigations. Our first new case was initiated in June 2021 on the import of aluminium extrusions originating in the People's Republic of China.



We understand that trade remedy investigation applications are complex and time-consuming and that few UK industries will be familiar with the process. Our Pre-Application Office helps UK businesses - particularly small manufacturing businesses - which may want to bring an application, by advising them on the sort of evidence they will need to provide for us to initiate an investigation.

We are currently examining several EU trade remedies which were transitioned to the UK when we left the EU and making recommendations to the Secretary of State for International Trade, about whether measures should be maintained or amended to better meet the needs of the UK domestic economy.

We are proud to be the world's first digital trade remedies authority. We offer interested parties access to our live cases, to follow the progress of our investigation as well as to provide contributions and key evidence for the Trade Remedies Authority to consider when assessing a case.

Our investigations establish if there are import practices that could be damaging UK industries. If we find that damage or injury have been caused, we can recommend sanctions and trade remedies to counter damage being done. The measures we propose to remedy the injustice to UK businesses usually take the form of additional tariffs on imports and in safeguard cases they can also include quotas for import volumes. They are designed to restore a level playing field at the border.

In our first year we have established a strong governance structure for the organisation and are continuing to develop our knowledge, expertise, culture and values. Collectively the aim is to make the UK Trade Remedies Authority a great place to work and to do business with.

We work independently from government to make evidence-based recommendations. As we mature and develop our independent regulatory regime, we are also building a strong and effective institutional relationship with the government. Working closely with our parent department, the Department for International Trade, we support the enacting of primary legislation to give the government an influence in decisions made within the trade remedies framework and introduce sufficient flexibility for Ministers for effective engagement with UK businesses.

I hope you will enjoy reading our refreshed Corporate Plan 2021-2025 setting out our key strategic priorities and how we will achieve them. We continue to draw on expert knowledge from inside our organisation and from our external stakeholders. I remain immensely proud to be guiding the Trade Remedies Authority in this important mission to defend the UK's economic interests against unfair international trade practices and am confident that this plan, and the work that it will guide, will help us navigate the exciting months and years ahead.

Simon Walker CBE
Chairman

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Introduction

Creating a trade remedies regime, which defends UK economic interests against unfair international trade practices, has been a fundamental aspect of building the UK's new independent trade policy.

The Trade Remedies Authority, based in Reading, has been established as an independent arm's length body to undertake investigations into the economic impact of unfair trade practices and to make recommendations on appropriate measures to the Secretary of State for International Trade.

The UK's trade remedies regime, which is set out in the Taxation (Cross-border Trade) Act 2018 and the Trade Act 2021, is designed around four guiding principles:



Impartiality

To be objective and fair to all parties and provide a route for interested parties to appeal decisions made by the Trade Remedies Authority.

Efficiency

To ensure that cases are investigated swiftly and effectively, avoiding unnecessary burdens on complainants as well as the subjects of the complaint.

Proportionality

To have recommendations based on clear evidence, targeted at addressing the injury caused, taking into account the interests of domestic producers and regional impacts, as well as those of other interested parties, such as user industries and consumers.

Transparency

To balance the need to protect commercially confidential data whilst ensuring that relevant information about cases is accessible to interested parties and that there is accountability for decision-making.

What we do

Our vision is to be

A globally respected trade remedies body.

Our mission is

To defend UK economic interests against unfair international trade practices.



Investigations

We undertake three types of investigation to determine if there is injury to UK industry:

Dumping investigations

Dumping occurs when goods are imported into a country and sold at a price that is below their normal value in the country of export. These investigations assess whether dumping is causing or threatening material injury to a domestic industry.

Subsidy investigations

Assess whether subsidised imports are causing or threatening material injury to a domestic industry.

Safeguard investigations

Assess whether an unforeseen surge of imports is causing or threatening serious injury to UK producers.

Since 1 January 2021, the Department for International Trade has had the power to accept applications from any UK industry for new investigations. That power now rests with the Trade Remedies Authority.

The Trade Remedies Authority also conducts reviews when measures expire (most last five years) or when some circumstances change; for example if there is evidence of circumvention of measures.

Transition Reviews

We are carrying out transition reviews of existing EU trade remedy measures that have been maintained by the UK. The Department for International Trade ran a 'Call for Evidence' to identify which UK businesses produce, in the UK, goods that were subject to EU anti-dumping or anti-subsidy measures. This was to provide certainty to UK manufacturing industries and avoid exposing them to injury from known unfair trade practices. They were asked to state whether they supported, were neutral to, or opposed the maintaining of those measures when the UK began to operate its own independent trade policy.

The applications were assessed if they met the Government's criteria for maintaining a measure. Following the Call for Evidence, the Secretary of State for International Trade decided to transition 44 of the 106 measures the EU had in place.

Prior to the creation of the Trade Remedies Authority, staff in The Department for International Trade launched the first transition review in February 2020. In accordance with guidance from the Secretary of State, the reviews are generally sequenced in the order of expiry of the original EU measures. We can adjust the timing of transition review initiations depending on the number of new applications we receive. From 2 March 2022, new powers came into force allowing the Secretary of State to 'call in' transition reviews of the transitioned measures. For called-in cases, the Trade Remedies Authority will still undertake the impartial investigative work and make a report of findings to the Secretary of State.

Advice

We may also be asked to provide the Secretary of State with advice, support and assistance relating to the conduct of international trade disputes or other broader trade functions such as trade remedy aspects of trade agreements.

Economic Interest Test

An important and novel feature of the UK system is the Economic Interest Test (EIT), which considers whether implementing a proposed trade remedy measure would be in the wider economic interest of the UK. In anti-dumping and anti-subsidy cases, there is a rebuttable presumption that the test will be met; for safeguards, this presumption does not exist.

The test looks at the:

- injury caused to UK industry by the imports we are investigating and the benefits to that industry of removing the injury;
- economic significance of affected UK industries and consumers;
- likely effect on wider UK industries and on consumers;
- likely effect on particular geographic areas or groups within the UK including whether some demographic groups are disproportionately affected, particularly groups with protected characteristics as outlined in the Equality Act 2010;
- likely consequences for the competitive environment and the structure of UK markets for these goods; and
- other matters that we consider relevant.

Recommendations

In a new investigation, where a final affirmative determination is made, we will make a recommendation to the Secretary of State for International Trade for the imposition of measures (as long as it is in the economic interest of the UK).

When we complete a transition review, we will make a recommendation to the Secretary of State for International Trade on whether to vary or revoke the measures.

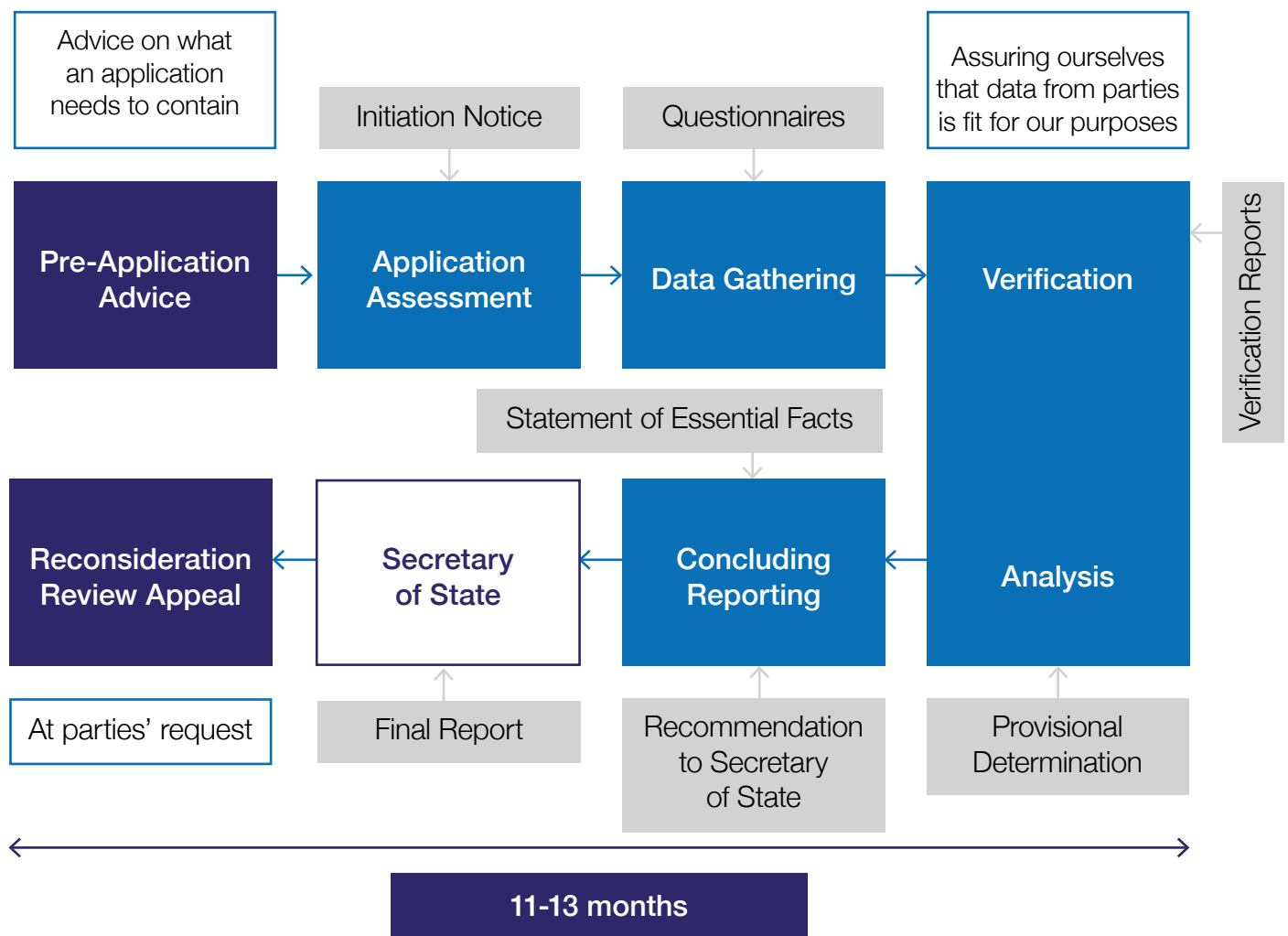
Measures usually take the form of additional tariffs on imports and in safeguard cases they can also include quotas regarding import volumes.

The Secretary of State can accept or reject a recommendation from the Trade Remedies Authority but cannot vary it (for example by substituting a different tariff level from the recommendation). If the Secretary of State decides to reject a recommendation, they must explain in writing their reasons to Parliament.

The lifecycle of an investigation

Most investigations are likely to be initiated in response to an application from UK industry which is, or fears it may be, harmed by unfair trading practices. We have established a Pre-Application Office to offer advice and support to all parties considering an application. These discussions are confidential as they may or may not result in a formal application being made. The identity of parties is only made public when we decide to initiate an investigation and publish a Notice of Initiation. We may also initiate investigations on our own behalf where relevant evidence comes to light – for example, of circumvention of a measure.

The typical stages in the lifecycle of an investigation are shown below.



Strategic goals



These are the strategic goals underpinning our vision:

Cases

Undertake fair, impartial, rigorous and efficient investigations.

We will do this consistently, transparently and impartially, following processes and procedures that comply with the law. Drawing on the best available evidence and deploying appropriate analytical techniques, we will ensure the timeliness and cost-effectiveness of our investigations as we develop our approaches over the course of this plan's period.

People

Develop an expert and innovative organisation where people enjoy working.

We will build an engaged and motivated workforce, where our people embody our values and behaviours and are committed to our vision and delivering our mission. There will be a strong emphasis on skills and knowledge development and cross-functional team working. We want to be a welcoming, diverse and inclusive place to work, where our people enjoy what they do and are proud to work here. As a new organisation, we will be building our staffing capabilities over the period of this corporate plan and will measure our progress through an annual People Survey and other workforce metrics.

Digital

Provide a high-quality experience for end-users, through digitally enabled delivery.

We will support investigations using our Trade Remedies Service (TRS) and will use technology, data and digital tools to optimise our operational performance, information base and the user experience. We will seek and act upon feedback from all users to continuously improve the trade remedies service and the investigations experience from the customer stand point.

Reputation

Be well-understood, known and respected by our domestic and international stakeholders.

We aim to be an outward-facing organisation, engaging proactively with our stakeholders both in the UK and overseas, learning from our peers and sharing best practice. We will conduct a bi-annual survey to measure both the effectiveness of our relationships with stakeholders and how far we are valued as an essential part of the UK's independent trade policy architecture. We will run ourselves as a model of good governance, which we will measure against established good practice and through effectiveness reviews and timely implementation of audit recommendations.

Under the terms of the Trade Act 2021, our first financial year will cover the period from initiation on 1 June 2021 to 31 March 2023.

This plan also covers April 2023 to March 2024 and April 2024 to March 2025.

Annual priorities

Establish June 2021 - March 2023	Develop April 2023 - March 2024	Consolidate April 2024 - March 2025
<p>Deliver reviews of 16 transitioned measures</p> <p>Assess new applications in accordance with our published guidance and initiate new cases</p>	<p>Complete transition reviews of over half of transitioned measures</p> <p>Conduct new cases and reviews in accordance with our published guidance</p>	<p>Complete remaining transition reviews (all 44 completed)</p> <p>Reduce number of adverse findings in investigations as a result of our Quality Assurance framework</p>
<p>Develop a People Strategy that builds employee engagement, attraction and retention and competitive pay arrangements</p>	<p>Develop a Trade Remedies Authority community of trade remedy specialists as part of our People Strategy</p>	<p>Consolidate People Strategy impact, with the Trade Remedies Authority aiming to perform consistently above Civil Service People Survey averages</p>
<p>Create Digital Vision and roadmap for success and improve trade remedies service user experience</p>	<p>Continue implementation of digital roadmap and conclude development of trade remedies service with positive user experiences</p>	<p>Promote trade remedies service and digital delivery internationally to other trade remedies bodies</p>
<p>Transition to an arm's length body, establish a Quality Assurance framework and set performance measures</p> <p>Create and implement a stakeholder engagement strategy</p> <p>Begin implementation of the trade remedies reform</p> <p>Decide on future office needs in time for 2024 lease end</p>	<p>Set priorities and performance measures informed by year 1 learning</p> <p>Deepen business engagement, thought leadership and continued development of profile</p> <p>Complete implementation of trade remedies reform</p> <p>Reduce our carbon footprint</p>	<p>Set priorities and performance measures informed by year 2 learning and develop future strategy</p> <p>Undertake stocktake of stakeholder engagement and international profile</p> <p>Develop roadmap for 2025 to 2028</p> <p>Report against outcome measures</p>



Values

Everything we do is driven by our values:

Expertise

We will focus on working together to the highest standards and be committed to self-development and delivering excellence.

Inclusion

We will build a community of diverse attitudes, ideas and backgrounds, operating within an accessible work environment and achieving efficient outcomes.

Integrity

We will deliver on commitments in an impartial way while accepting responsibility for our decisions and our duties to all stakeholders.

Transparency

We will be accountable through clear, evidence-based working practices, which will build confidence and ensure consistency.

Resources



Finances and assets

We are an arm's length body of The Department for International Trade. The Department for International Trade fully funds our operations as the sponsoring department. As the Trade Remedies Authority reports to Parliament, its accounts are laid before Parliament as part of, but separately identifiable from, expenditure within the Department for International Trade's accounts.

Our first financial year runs for 22 months from 1 June 2021 to 31 March 2023, in accordance with the Trade Act 2021. We exist in legislation on an ongoing concern basis but we are funded by the Department for International Trade on an annual basis through Parliamentary controls.

We lease office accommodation in North Gate House, Reading. Between 2021 and 2023, we will explore future ways of working in a post-COVID-19 world, learning from the experiences of 2020-21. This may lead to changes in our future accommodation needs.

Our cases are managed through our proprietary Trade Remedies Service, a secure IT platform which allows both our case teams and external parties to interact with investigations. The Trade Remedies Service hosts our public file where non-confidential material and decisions relating to our cases are available to registered parties and contributors. It is a critical tool to deliver on the guiding principle of transparency in the trade remedies regime.

Our people

We attach the highest priority to attracting, developing and retaining highly skilled people and building expertise. Recruitment to some specialist functions has proved to be challenging during the set-up period of the Trade Remedies Authority, not least because the UK has not operated a trade remedies regime for over 40 years. We are committed to providing high-quality development for staff and a culture of continual learning. We plan to increase our Full Time Equivalent staff numbers to around 164 by March 2023.



Risks

We will regularly monitor and manage our risks using a ‘three lines of defence’ model of management, assurance and oversight. The Board’s Audit and Risk Assurance Committee will provide the assurance to the organisation on the effective identification and management of risk.

Risk	Impact	Mitigation
<p>We fail to undertake investigations in an impartial and rigorous manner and in line with legal requirements.</p>	<p>We fail to live up to our guiding principle of impartiality and fail to deliver investigations consistent with our first strategic goal and legal requirements. The low quality of our investigations potentially leads to successful legal challenge and reputational damage to UK economic interests.</p>	<p>We will have a strong corporate governance framework, embedding our independence.</p> <p>We will integrate rigorous quality assessments into our investigation processes.</p>
<p>We do not secure the capabilities and engaged workforce we need to achieve our mission and vision.</p>	<p>We fail to deliver on our strategic goal of being an expert organisation where people want to work. Our lack of expertise and ability to retain staff means that we fail to deliver the investigations and corporate support essential to our success.</p>	<p>We will regularly review staffing needs to ensure that we are recruiting and retaining staff with the right skills and expertise.</p> <p>We will use feedback to improve staff engagement and sense of pride in the Trade Remedies Authority.</p> <p>We will deliver a learning and development plan to build and develop capabilities.</p> <p>We will use a pay and reward strategy to ensure we are positioned competitively to attract and retain talent.</p>

Risk	Impact	Mitigation
<p>We fail to engage sufficiently with our stakeholders.</p>	<p>We fail to deliver our mission by being insufficiently well known or understood. We fail to make improvements based on our users' feedback. We fail to live up to our value of transparency.</p>	<p>We will execute a comprehensive stakeholder engagement plan.</p> <p>We will seek regular feedback through surveys to understand our stakeholders' perception of the Trade Remedies Authority and act on it.</p> <p>We will remain objective and fair throughout, recognising the breadth of our stakeholder community.</p>
<p>Our digital platforms do not provide a high-quality experience for end-users.</p>	<p>We do not work effectively or efficiently, adding burdens on our stakeholders and our people.</p>	<p>We will seek and listen to feedback from users.</p> <p>We will create a digital vision and invest in data, technology and tools to support our business.</p>
<p>We have insufficient funding to deliver our strategic goals.</p>	<p>Our ability to deliver will be impaired because we cannot afford to invest adequately in people and systems. Inadequate resourcing results in lower quality investigations and puts timetables under pressure.</p>	<p>We have sufficient funding for the financial years 2021 - 2025, though will need to operate within Treasury pay restrictions.</p> <p>We will produce well evidenced funding bids for future years covered by the Plan.</p> <p>We will use regular reports from Our Pre-Application Office to determine levels of activity for potential new cases.</p>

Governance



The Department for International Trade is responsible for setting the UK’s trade remedies regime, which the Trade Remedies Authority will administer at arm’s length from government.

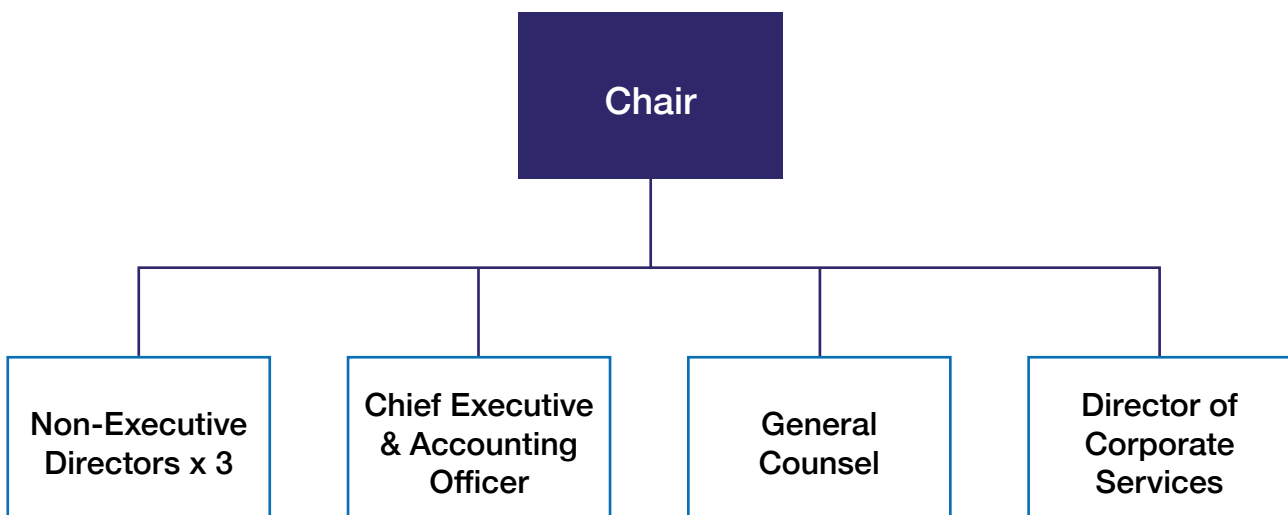
The Secretary of State will account for the Trade Remedies Authority’s business in Parliament. Their responsibilities in relation to the governance and oversight of the Trade Remedies Authority include laying our annual certified accounts, the Comptroller and Auditor General report and the Annual Report before Parliament.

Our board sets the strategic direction for the organisation, operating within the statutory trade remedies policy framework and World Trade Organisation rules. The unitary Board currently consists of four non-executive directors, which includes the Chair, and three executive directors as shown below:

The Board has the following committees:

- Audit and Risk Assurance Committee; and
- Remuneration Committee.

The Board may also establish special purpose committees from time to time. These will have a specific remit and will be time limited.



Responsibilities of the Board and the Chief Executive

The Board:

- sets the strategic direction;
- monitors performance;
- ensures there is effective governance;
- monitors and assures itself on strategic risk; and
- ensures compliance with all its statutory and administrative obligations.

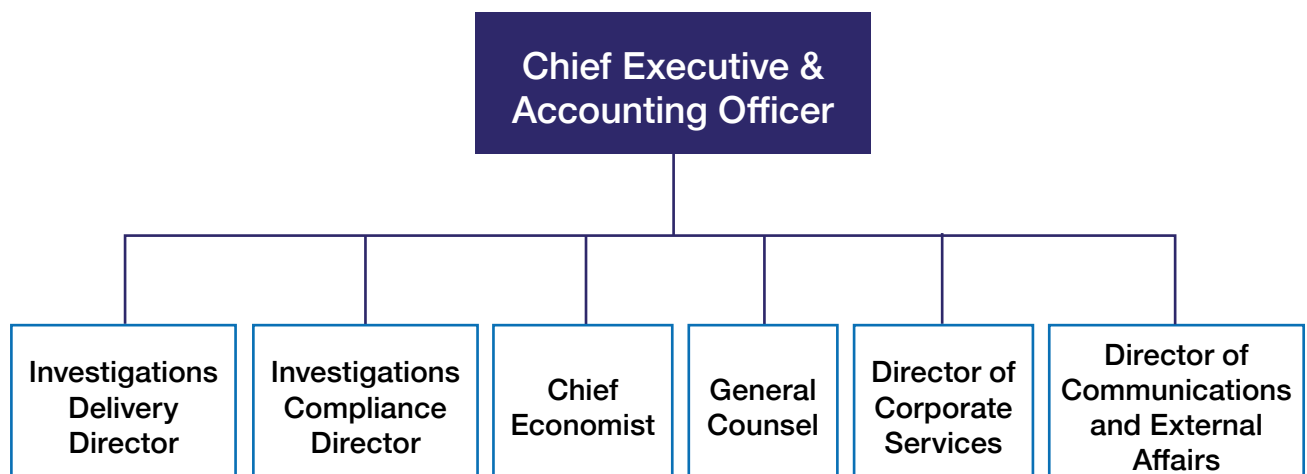
The Board, through the Chair and with the approval of the Secretary of State, appoints and holds the Chief Executive accountable, and supports them in the discharge of their role as Accounting Officer. As Accounting Officer, the Chief Executive answers personally for matters set out by HM Treasury, such as compliance with Managing Public Money.

The Board delegates authority to the Chief Executive to manage the organisation and take decisions on investigations, including:

- initiation of a case;
- a provisional determination and decision on whether to recommend imposition of provisional remedies;
- a final affirmative or final negative determination; and
- what recommendations to make to the Secretary of State.

The Chief Executive is responsible for deciding on any further delegation of decision-making responsibilities to others within the Trade Remedies Authority. The Board and the Chief Executive remain accountable for all their functions, even those they have delegated.

Executive Committee



The Executive Committee is the lead executive committee of the Trade Remedies Authority, chaired by the Chief Executive. It is the overall decision-making body for performance and delivery against the business plan. Its focus is strategic leadership, management and direction, ensuring the most effective prioritisation of resources.

Annex

Trade Remedies Authority Board and Senior Executive Committee Members



Chair: **Simon Walker**

Simon Walker CBE was appointed Chair-Designate of the Trade Remedies Authority in February 2020. He previously served as lead non-executive director of DIT. Simon was formerly Director General of the Institute of Directors. He previously served as CEO of the British Private Equity and Venture Capital Association. Prior to that, Simon was Director of Corporate Communications and Marketing at Reuters, Communications Secretary to HM The Queen and Director of Corporate Affairs at British Airways.

Non-Executive Director: **Patricia Gallan**

Patricia Gallan QPM is a Non-Executive Director for Her Majesty's Revenue and Customs. A former police officer, she retired in 2018 as Assistant Commissioner Specialist Crime and Operations of the Metropolitan Police Service. A qualified Barrister, Detective and Hostage Negotiator she began her police career as a Graduate Entrant in the Metropolitan Police Service in 1987 and served in Merseyside Police and the National Crime Squad as a Chief Officer before returning to the Metropolitan Police as a Deputy Assistant Commissioner.



Patricia is a Trustee of the Charity Red Thread and Chair of Governors at an East London Infant and Junior School.



Non-Executive Director: **John Hughes**

John Hughes is a Non-Executive Director and specialist adviser on non-technical risk mitigation and the management of strategy and governance internationally. He sits on private and public sector Boards and acts as an executive coach.

This followed a long career in BP as an expert in non-technical risk and external affairs; strategic problem-solving and the development of international teams. He has Chaired Advisory Boards, Audit Committees and a range of other Committees including Strategic Risk.

Other current or recent Non-Executive Director roles include Ofsted, London School of Economics, Abkons, Marlow Strategy, and Community Schools Trust.

Non-Executive Director: **Adam Marshall**

Adam is an experienced business leader and advocate, working in a range of portfolio roles. He is Senior Adviser at the Chartered Management Institute and HSBC UK, Specialist Partner at business advisory firm Flint Global, an advisory council member of UK cybersecurity firm Glasswall, and a Non-Executive director of the Industry and Parliament Trust.

Adam served as Director General of the British Chambers of Commerce from March 2016 to March 2021, where he led the expansion of the BCC's Global Business Network.



Adam helped to start up the Centre for Cities. He holds a BA degree from Yale University and MPhil and PhD degrees from the University of Cambridge.



Chief Executive: **Oliver Griffiths**

Oliver Griffiths is the Chief Executive, having joined the Trade Remedies Authority from the Department for International Trade where he was the UK's Chief Trade Negotiator with the US. As a civil servant, Oliver specialised in trade policy and corporate finance including managing the Government's 100% shareholding in Post Office Limited and establishing the UK Green Investment Bank. He started his career as a corporate lawyer at Freshfields Bruckhaus Deringer and has worked in infrastructure investment and fintech.

General Counsel: **Clare Brodie**

Clare is General Counsel and responsible for the legal function. She has extensive experience of regulatory and international law and litigation. She has experience on working on anti-trust and EU law matters. She worked for the Competition Commission before moving into central government and working in a number of departments including the Cabinet Office and the (former) Department of Energy and Climate Change. She was Head of EU Litigation in the Cabinet Office managing the conduct of all of the UK's litigation at the European Court of Justice before joining the Brexit Department in 2016.



Director of Corporate Services: **Steven O'Donoghue**



Steve O'Donoghue is our Director of Corporate Services and joined us in February 2021. He has extensive experience in public sector finances, corporate governance, risk management and strategic HR and is a Fellow of the Chartered Institute of Public Finance and Accountancy (CIPFA).

Steve was previously Director of Finance & HR at Audit Wales, the public spending watchdog in Wales, where he helped set up new governance arrangements under the Public Audit (Wales) Act 2013. Prior to that, Steve was Head of Resources at the Welsh Parliament Commission, where he led the finance, HR and governance teams, having previously spent 15 years in local government bodies in Wales.



Chief Economist: **Aproop Bhawe**

As Chief Economist, Aproop leads a team of economists and statisticians who will provide analysis and evidence to support trade remedy investigations. Prior to this, he was a Senior Economic Adviser in the Analysis Group at the Department for International Trade where he worked on trade remedies, market access and trade disputes. He has also worked in economist roles within the Department for Energy & Climate Change (now BEIS) and Office of Fair Trading (now CMA).

Investigations Delivery Director: **John Kirkpatrick**

John is jointly responsible for trade remedies investigations undertaken by multidisciplinary teams focussing on project management and delivery and has been with us since we began to come together in 2018. He started his career as a civil servant doing a variety of policy, private office, operational, strategy and finance jobs. John then spent a few years working as a strategy consultant, advising businesses and non-profit organisations. Before joining the TRA, he worked in the UK's competition authorities leading team's analysing where markets are not working well for consumers and trying to make them work better, interrupted by a short stint at the Audit Commission assessing evidence on value for money in local public services.



Investigations Compliance Director: **Sarah Milum**



Sarah is jointly responsible for trade remedies investigations undertaken by multidisciplinary teams focussing on compliance, quality assurance and verification. She is a fully qualified accountant, who in 2000 joined the Intervention Board just before the creation of the Rural Payments Agency to Head up the Anti-Fraud Unit and then from 2011 the role of EU Reporting and Compliance Director. Sarah's previous roles include various posts within the Insolvency Service and then that of a Chief Examiner in the Companies Investigation Branch of the former Department for Trade and Industry.



Michelle Cupples

As Director for Communications and External Affairs, Michelle is responsible for the communications and engagement strategy to build and maintain our corporate reputation and help to make Trade Remedies Authority known, understood and respected by our domestic and international stakeholders. She leads cross functionally to ensure effective communications that directly contribute to high quality case investigations. Her background is in government communications. Prior to joining government she led investor relations and engagement in EDF International and Volkswagen Group.



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