



To: All MPs
Trade Bill (Introduction)

19th March 2020

Dear Colleague,

THE TRADE BILL

The Government has today introduced the Trade Bill to the House of Commons. The Bill is an important element of the UK's independent trade policy now we have left the EU. It contains key measures that will deliver for UK businesses and consumers across the UK, providing continuity and certainty as we take action to build a country that is more outward-looking than ever before.

The Trade Bill delivers the following key objectives:

- Maintain UK businesses' access to public procurement opportunities around the world, worth approximately £1.3 trillion per year, and ensure that we get the best deal for the UK taxpayer by allowing reciprocal access to UK public service contracts. The legislation will do this by making provision for the UK to implement our obligations as an independent member of the World Trade Organization (WTO) Agreement on Government Procurement (GPA).
- Provide continuity for UK businesses and consumers. The Bill will create powers intended to be used to ensure that a limited number of obligations in trade continuity agreements, particularly in relation to procurement and mutual recognition, can be fully implemented in domestic law, over time and in all circumstances, via secondary legislation.
- Provide a safety net for domestic producers against injury caused by unfair trade practices such as dumping and subsidies, or unforeseen surges in imports. We will do this by creating a new independent body, the Trade Remedies Authority, to deliver the UK's trade remedies system.
- Enable HMRC to collect and share trade-related data with the Department for International Trade. This will allow the Government to identify exporters of goods and services for trade promotion purposes, as well as ensure that DIT can carry out the trade dispute and critical trade remedies functions that are currently fulfilled by the European Commission.

As you will be aware, these measures were originally included in the Trade Bill introduced during the 2017-19 Parliamentary session. However, this legislation failed to complete all of its Parliamentary stages prior to the dissolution of Parliament ahead of the General Election.

During the 2017-19 Parliamentary session, Parliament made a number of amendments to the legislation. We have retained some of these where they are consistent with Government policy, or where it makes sense to do so, such as maintaining the requirement that regulations to implement trade continuity agreements are subject to the affirmative procedure. I can confirm we will also continue to produce Parliamentary reports, on a voluntary basis, outlining significant differences between the original EU/3rd country free trade agreement and the continuity agreement. This will assist all Parliamentarians in their scrutiny of these agreements.

I hope this will reassure Parliamentarians in both Houses that we have listened to and taken account of previous scrutiny of the legislation.

It is important to note that the Trade Bill does not deal with future Free Trade Agreements; as in the previous Bill, the powers to transition trade agreements apply only to those countries with which the EU has signed a trade agreement before Exit Day. Consequently, the powers in this legislation cannot be used to implement any future Free Trade Agreement with countries such as the US, Australia, New Zealand or Japan. The Government is committed to ensuring that our trade policy is transparent and subject to appropriate parliamentary scrutiny. As such it has committed to publishing its approach to negotiations as well as its initial scoping assessments for new Free Trade Agreements so that Parliament will be able to scrutinise these documents; indeed, you will be aware that we published our US negotiating objectives and consultation response on 2 March 2020. The Government will publish regular updates on negotiations and has proposed that it should draw on the expertise of Parliament via a close relationship with a parliamentary committee in each House. At the end of negotiations, the Government will lay the full treaty text before Parliament and publish an Explanatory Memorandum as well as a full Impact Assessment.

The Trade Bill represents one of the first tangible opportunities of the United Kingdom leaving the European Union. For the first time in almost 50 years we will have our own independent trade policy. The Government is determined that we will take the maximum opportunity to benefit every nation and every region of our United Kingdom. For that reason I am excited to have been tasked with taking this Bill through Parliament.

I recognise that, once you have had the opportunity to consider the Bill and accompanying Explanatory Notes, you may have questions that you would like to discuss with me. In the coming days and weeks I would be very happy to have a conversation on the phone or meet in person when that becomes easier again.

With all good wishes.

Yours ever,



THE RT HON CONOR BURNS MP
Minister of State for Trade Policy
Department for International Trade