

Jane Hunt MP



House of Commons

21 July 2020

Dear local residents,

Thank you for your email regarding the *Trade Bill*.

The *Trade Bill* is an important piece of legislation which has a number of practical functions.

The UK has been working to reach continuity agreements with the countries that we currently trade with through EU trade deals. The *Trade Bill* will enable these continuity agreements to be embedded into UK law so that the agreements can be fully implemented.

In leaving the EU, the UK will be complying with the World Trade Organisation's Agreement on Government Procurement (GPA) as an independent member. The Bill's provisions will make sure the UK can implement procurement obligations under the agreement, ensuring continued access to £1.3 trillion per year of global procurement opportunities for UK businesses.

The Bill will also facilitate the creation of a new Trade Remedies Authority (TRA), to deliver a new UK trade remedies framework, which among other things will include protections for UK businesses from unfair trade practices or unforeseen import surges.

It is important to make clear that the *Trade Bill* is a continuity Bill, and its functions are largely different from the Government's future trade agreements programme. The Bill cannot be used to implement new free trade agreements with countries such as the US. The Bill simply enables the 40 free trade agreements that the EU had signed with third countries before the UK exited the EU.

I know a number of local residents have specific concerns about the *Trade Bill* and future trade agreements and I have addressed these in turn below.

NHS

Like you, I cherish our National Health Service and its guiding principles: that it is universal and free at the point of need.



The Government has been repeatedly clear that our NHS will never be on the table in any trade agreements. This is a principle I fully support. Indeed, protecting the NHS goes to the heart of the UK's negotiations, which include:

- protecting the right to regulate public services, including in the NHS;
- ensuring patent provisions do not lead to increased medicines prices for the NHS; and
- making sure that Government Procurement maintains existing protections for NHS health services.

I cannot stress enough that the *Trade Bill* is not about the content of future trade deals and the future of the NHS, and it is misleading to claim otherwise. It also cannot be used to implement future trade deals. It is for these reasons that I did not support the amendments.

ISDS

The inclusion of investment protection provisions and associated ISDS mechanisms in trade agreements helps protect UK investors, both large and small, from discriminatory or unfair treatment by a state. These kinds of provisions are already in place within over 90 bilateral investment treaties between the UK and other countries, helping to safeguard the interests of UK businesses trading across the globe.

I wish to reassure you, despite the UK's participation in these agreements, there has never been a successful ISDS claim made against the UK and nor has the threat of potential disputes affected the Government's legislative programme. ISDS also does not, and cannot, force the privatisation of public services or oblige the Government to open the NHS to further competition.

Food standards

I would like to refer you to my previous [letter](#) to local residents which sets out my views on this. I am pleased that, since my letter, the Government has agreed in principle to establish a Trade and Agriculture Commission. By forming this Commission, Ministers can ensure close engagement with the agriculture industry to help inform, shape and guide agricultural trade policy so that this is recognised throughout our trade negotiations. Once the Commission has finished its work, it will produce a recommendatory report in line with its terms of reference that will be presented to Parliament by the Department for International Trade.

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I would also like to reassure you that the *EU Withdrawal Act* will transfer all existing EU food safety provisions into UK legislation. This includes current importation requirements, which for example, bans the use of artificial growth hormones in domestic and imported products, and stipulates that no products besides potable water are approved to decontaminate poultry carcasses.

Parliamentary Scrutiny

As I have already mentioned, at its core, the *Trade Bill* is a continuity Bill which can only be used to transition the free trade agreements that the UK has been party to through EU membership. All of these agreements have already been subject to scrutiny as underlying EU agreements through the European Scrutiny Committee process or equivalent. I, therefore, do not believe that the provisions set out in New Clause 4 are necessary.

Regarding future trade agreements, public consultations have and will continue to be held prior to negotiations to inform the Government's approach. Ministers have also published their negotiating objectives prior to the start of trade talks and held open briefings for MPs and Peers, for example at the launch of talks with the US and Japan.

Regular updates are also provided to Parliament on the progress of negotiations and Ministers will engage closely with the International Trade Committee and the Lords International Agreements Committee as negotiations progress. In addition, the Government has made repeatedly clear that, where necessary, it will bring forward primary legislation to implement new free trade agreements, which will be debated and scrutinised by Parliament in the usual way.

This approach strikes an appropriate balance as it respects the UK constitution, ensuring that the Government can negotiate in the best interests of the UK, while making sure that Parliament has the information it needs to effectively scrutinise and lend its expertise to trade policy.

I hope that this information is helpful. If you have any further questions or concerns, please do let me know.

Yours sincerely,

A handwritten signature in blue ink that reads "Jane".

Jane Hunt MP