



## Department for International Trade

The Rt Hon Anne-Marie Trevelyan MP  
Secretary of State for International Trade  
Department for International Trade  
Old Admiralty Building  
London  
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Angus Brendan MacNeil MP  
Chair, International Trade Committee,  
House of Commons,  
London, SW1A 0AA

27 April 2022

Dear Angus,

Thank you for the opportunity to appear before your Committee today. I welcomed the opportunity to discuss the work of my department.

We discussed at length the scrutiny of the Australia and New Zealand agreements. I am writing to clarify some points that may be helpful in this regard.

I was disappointed with the Committee's characterisation of the situation regarding scrutiny of Free Trade Agreements (FTAs). I understand you remain dissatisfied with the position on the S42 report, which I discuss further below, but I would note that you already have the vast majority of the information pertaining to the Australia FTA – most importantly the treaty itself - for a considerable period:

- We published the treaty text on the day of signature, together with the Impact Assessment and draft Explanatory Memorandum, meaning colleagues have now had 132 days to scrutinise the treaty and these accompanying documents;
- We published the TAC's advice two weeks after receiving it on the 13<sup>th</sup> April, having sent it to your committee in confidence on 8<sup>th</sup> April to maximise the time available to you to consider it.

The final outstanding piece of information is the S42 report, which must be laid before CRaG can commence. You reiterated your request for a period of 15 days between S42 publication and the commencement of CRaG. As is required by law, the S42 report will be published ahead of CRaG. I will endeavour to ensure your Committee receive it prior to publication to ensure you can consider it fully.

It may be helpful if I provide some further clarification on the interplay between CRaG and the implementing legislation. As you will know from the draft Explanatory Memorandums for both the Australia and New Zealand agreements, we have identified a need for primary legislation to bring the agreements into force. As you will appreciate, I cannot pre-empt the content of the Queen's speech. However, I can confirm that the required primary legislation is focused on narrow and technical areas of the agreement relating solely to procurement. The passage of the primary legislation is a separate process to CRaG, and both steps must

be completed prior to the deals being brought into force. The timetabling of these processes is ultimately for the Business Managers to determine. I have however noted your strong views on this subject and, in line with my commitment earlier today, will raise your position with the Leader of the House. Please find annexed my letter to the Leader on this matter.

Yours sincerely,

A handwritten signature in black ink, reading "Anne Marie Trevelyan". The signature is written in a cursive style with a horizontal line underneath the name.

**THE RT HON ANNE-MARIE TREVELYAN MP**  
**Secretary of State for International Trade**  
**& President of the Board of Trade**