



Department for International Trade

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Dear Mr Speaker,

I am writing to outline the Government's approach to presenting the UK – Australia Free Trade Agreement (FTA) to Parliament.

The Government is committed to transparency and effective scrutiny of its trade agreements and has made enhanced transparency and scrutiny commitments that augment our statutory obligations under the Constitutional Reform and Governance Act 2010 (CRaG).

The Government has ensured that Parliament is kept updated throughout negotiations with Australia. In this spirit, the Government intends to publish the final treaty as an unnumbered Command Paper, alongside a draft Explanatory Memorandum and an independently scrutinised impact assessment, at the earliest opportunity following signature of the agreement. We will make clear when publishing these documents that the Command Paper is being presented for informational purposes and does not trigger the 21 sitting days period provided for in CRaG.

We are proposing this because there will be a time gap between FTA signature and the laying of the agreement under CRaG, in order to meet our commitments to enhanced scrutiny of new FTAs and our statutory obligations under Section 42 of the Agriculture Act 2020 ("Section 42"). Under Section 42, an FTA that includes measures applicable to trade in agricultural products may not be laid under CRaG until a report has been laid before Parliament explaining whether these measures are consistent with the maintenance of certain UK levels of statutory protection. This report can only be prepared once the FTA has been fully agreed and signed, and the Government will also need time to seek advice from the independent Trade and Agriculture Commission (TAC). In addition, we wish to ensure that there is sufficient time for the relevant Select Committees to produce reports, should they wish, ahead of CRaG; this will honour the commitment the Government has made to the Committees in this regard. Once these steps have been completed, we will lay the treaty for the purposes of CRaG.

My officials have been working closely with the relevant Parliamentary authorities to agree this pragmatic approach. The Clerks of the International Trade Committee and the House of Lords International Agreements Committee have also been made aware of these discussions.

The UK – Australia FTA is the first free trade agreement that the UK has negotiated from scratch in over 40 years and shows what we are capable of as a sovereign trading nation. The Government believes that the procedure outlined is the most effective and timely way of sharing the text of this historic agreement with Parliament. However, every FTA negotiation is unique. Consequently, the Government may need to utilise different procedures to the one we have outlined for the Australia FTA in order to share future FTAs with Parliament.

My officials would be very happy to answer any further questions that you might have on this matter.

I am copying this letter to the Leader of the House and the Chair of the International Trade Committee.

Best wishes,

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