



Department for International Trade

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30 March 2022

Dear Angus,

Thank you for your letter of 23rd March regarding the scrutiny of the Australia and New Zealand free trade agreements (FTAs).

My officials will be updating your clerks on next steps shortly. I would highlight that the Government will continue to honour all of the commitments that we have made and that these are not contingent on the issuing of a letter. This is an important distinction to make as I would not wish colleagues or the wider public to be under the false impression that there are no enhanced transparency and scrutiny measures in place at the present time. The Government is committed to transparency and enabling the effective scrutiny of its trade agenda and is proud of the enhanced transparency and scrutiny framework that it has put in place.

Before I turn to your specific questions, I would first like to address some of the wider points about transparency and scrutiny that you raised.

Firstly, your letter referred to “the CRaG ratification period”. I would like to draw an important distinction here between CRaG and ratification. The process of taking an agreement through CRaG scrutiny does not mean that the Government can automatically ratify that treaty. Any legislation necessary to implement an international agreement must also be passed by Parliament in the usual way. Parliament therefore adds an additional layer of scrutiny of any necessary changes to domestic legislation.

Regarding the progress that has been made since the passage of the Japan FTA, I do not agree with your assertion that “little to no tangible change in approach from your department [since the conclusion of the Japan FTA]” in regard to scrutiny processes. I believe that this assertion not only ignores the reality of the additional steps that have been put in place since November 2020, but also ignores the hard work of my Department, the Parliamentary Authorities and indeed your Committee’s own clerks.

For example, clear evidence that the Government has been listening and responding to the feedback provided by your Committee is the ‘at least’ three month period which your Committee has to scrutinise the final text of both the Australia and New Zealand agreements.

This is a significant change in practice and was a result of extensive work between my department, your clerks and the Parliamentary Authorities. As you will know the Japan FTA was published and laid for CRaG upon agreement signature. Both the Australia and New Zealand FTAs have been presented to Parliament along with draft Explanatory Memoranda. The notion that Parliament has not been given more time and opportunity to scrutinise FTAs is therefore misleading and does not stand up to scrutiny.

On your specific questions regarding the UK-Australia FTA, I cannot set out specific dates for some of these activities, at this point as we are still awaiting the Trade and Agriculture Commission's advice.

We will share the Government's S42 report with you and the International Agreements Committee when it has been finalised and approved, and will endeavour to share it with both committees prior to publication where time allows. I cannot yet put a specific date on this as the S42 report will need to carefully consider, and reflect, the TAC's advice as well as that of the relevant food standards agencies. The TAC advice and S42 report are independent of your Committee's own inquiry and are intended to add to Parliamentarians' understanding of the treaty text and aid scrutiny under the processes set out in CRaG. I do not believe that they are intended to be separate processes or inputs into your Committee's own inquiry.

The trade modelling review and the Government's response will be published in due course. Lord Grimstone will be sharing a copy of this letter with the International Agreements Committee.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Anne Marie Trevelyan', 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