



Department for International Trade

The Rt Hon Elizabeth Truss MP
Secretary of State for International Trade
Department for International Trade
King Charles Street
Whitehall
London
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To: All MPs

30 November 2020

Dear Colleague,

Trade Bill Government Amendment: Trade and Agriculture Commission (TAC)

The Government has tabled an amendment at the Trade Bill's report stage in the House of Lords to put the Trade and Agriculture Commission (TAC) on a statutory footing, and to ensure the committee of independent experts play an active role in boosting the scrutiny of trade deals.

The TAC is an independent advisory board, established in July 2020 by the Secretary of State for International Trade, with a current remit to advise and inform the Government on its future trade policies - ensuring that animal welfare and environmental standards in food production are not undermined, consumer and developing country interests are represented and securing new export opportunities for producers in all parts of the UK.

Presently, the TAC has a fixed term, at the end of which it will produce a report which will be presented to Parliament by the Department for International Trade. The final report will be published in February 2021. The TAC has, through its series of regional and national roadshows, engaged with local businesses, farmers and food producers across the whole of the UK. We are engaging with the devolved administrations to ensure they are well sighted on the Commission's activity and we will continue this within the constructive working relationships we already have.

Government has listened to your concerns with regards to independent scrutiny of new Free Trade Agreements. We are now seeking to extend the role of the TAC after its current limited term ends and to update its remit to play a role in this additional scrutiny.

The amendments brought forward by the Government to the Trade Bill place a duty on the Secretary of State to request, and lay before Parliament, advice from the TAC on the extent to which new Free Trade Agreement measures applicable to trade in agricultural products are consistent with the maintenance of domestic levels of statutory protection for:

- animal or plant life or health;
- animal welfare; and
- the environment.

The TAC's advice will be published and will help to inform the report produced by the Secretary of State, in accordance with section 42 of the Agriculture Act 2020.

The amendment will allow the Secretary of State to appoint members of the TAC. It sets out expertise that the Secretary of State must consider when making appointments. This will ensure the TAC's advice is informed by expert opinion drawn from international trade law and policy as well as UK domestic standards as they relate to trade in agricultural products across the United Kingdom. Members of the TAC will not be civil servants but independent external experts with technical knowledge drawn from across the United Kingdom.

To deliver requirements set in section 42 of the Agriculture Act 2020 the Government has adopted a proportionate approach. The Secretary of State will review the TAC every three years to ensure that it continues to meet the required purpose for scrutiny of future trade agreements. The TAC will remain in place unless the Government brings forward secondary legislation, via the affirmative procedure, which is to be debated and voted on by Parliament.

This amendment – part of the Government's ambition to place farmers at the heart of its trade policy – will allow Parliamentarians access to independent and expert advice when reviewing the impact of certain free trade agreements. It is one of several new measures launched by Government to improve the scrutiny of free trade agreements and to ensure that the agricultural sector is brought into trade negotiations at each step in the process. This amendment will not impact the current role of the TAC or the report on trade and agriculture due to be published in February 2021.

In addition, the Government has undertaken the following measures to further improve transparency and to increase engagement with the agricultural sector:

- The Government announced that it would be sharing Free Trade Agreement text with Parliamentary Committees (including the International Trade Committee and the International Agreements sub-Committee) for certain new Free Trade Agreements. This will enable the production of independent reports by these Committees ahead of Free Trade Agreements being tabled before Constitutional Reform and Governance Act.
- The Government launched Trade Advisory Groups through which businesses and sector stakeholders can feed into negotiations as they take place. This includes the Agri-Food TAG which has representation from the farming and agri-food sector from all parts of the UK.
- The Government will continue to engage the devolved governments in all matters related to trade policy through the Ministerial Forum for Trade, which will have its fourth meeting in December.
- The Government holds consultation processes ahead of the launch of new Free Trade Agreement negotiations. As an example, the Department for International Trade carried out one of the largest consultations in UK government history on future Free Trade Agreement negotiations, with 158,720 respondents on a UK-US trade deal to form our priorities for an ambitious agreement.
- The Government continues to take policy decisions which place farmers, businesses, consumers and the agriculture sector at its heart. This includes measures in the Agriculture Act 2020 to support farmers as we leave the EU, and the commitment to holding an animal welfare labelling consultation.

Best wishes,

A handwritten signature in blue ink, appearing to read 'Elizabeth Truss', is centered below the text 'Best wishes,'.

THE RT HON ELIZABETH TRUSS MP
Secretary of State for International Trade
& President of the Board of Trade