July 2020

Thank you for contacting me about the Trade Bill and New Clause 12.

I appreciate your concerns, but I do not believe New Clause 12 would be necessary, however laudable the aims behind it. There are several reasons for this.

The Trade Bill is a continuity Bill, and it cannot be used to implement new free trade agreements with countries such as the US. Rather, the Trade Bill is designed to enable the free trade agreements that the EU had signed with third countries before the UK exited to be transitioned. The NHS is already protected by specific carve outs, exceptions and reservations in these trade agreements. I know that my Ministerial colleagues have no intention of lowering standards in transitioned trade agreements, and the very purpose of these agreements is to replicate as close as possible the effects of existing commitments in EU agreements.

Indeed, I can reassure you that none of the 20 continuity agreements signed have resulted in standards being lowered.

In future trade agreements the Government has made a clear and absolute commitment that the NHS will not be on the table. Indeed, I note Ministers have made clear they will ensure rigorous protections are included for the NHS in all trade agreements to which the UK is party, whether transitioned from an EU context or as a result of future negotiations.

Rigorous checks and balances on the Government’s power to negotiate and ratify new agreements also already exist, including through the Constitutional Reform and Governance Act 2010.

Moreover, trade agreements cannot by themselves make changes to our domestic law. Any legislative changes required as a result of trade agreements would be subject to the separate scrutiny and approval of Parliament in the usual ways.

I hope this response has provided some reassurance and thank you again for taking the time to contact me.

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Yours faithfully,

**CHRIS HEATON-HARRIS MP**

**MEMBER OF PARLIAMENT FOR DAVENTRY**