



# Trade Act 2021

## CHAPTER 10

### TRADE ACT 2021

#### PART 1

##### INTERNATIONAL TRADE AGREEMENTS

- 1 Implementation of the Agreement on Government Procurement
- 2 Implementation of international trade agreements
- 3 Free trade agreements and genocide
- 4 Regulations: devolved authorities and general provision
- 5 Interpretation of Part 1

#### PART 2

##### THE TRADE REMEDIES AUTHORITY

- 6 The Trade Remedies Authority
- 7 Provision of advice, support and assistance by the TRA

#### PART 3

##### THE TRADE AND AGRICULTURE COMMISSION

- 8 Trade and Agriculture Commission
- 9 Trade and Agriculture Commission: advisory functions
- 10 Trade and Agriculture Commission: further provision
- 11 Trade and Agriculture Commission: repeal

#### PART 4

##### TRADE INFORMATION

- 12 Collection of exporter information by HMRC

*Status: Point in time view as at 01/06/2021.*  
**Changes to legislation:** *There are currently no known outstanding effects for the Trade Act 2021. (See end of Document for details)*

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- 13 Disclosure of information by HMRC
- 14 Disclosure of information by other authorities
- 15 Offence relating to disclosure under section 14

## PART 5

### GENERAL

- 16 Interpretation
- 17 Extent
- 18 Commencement
- 19 Short title

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## SCHEDULES

### SCHEDULE 1 — Restrictions on devolved authorities

#### *No power to make provision outside devolved competence*

- 1 (1) No provision may be made by a devolved authority...

#### *Requirement for consultation in certain circumstances*

- 2 (1) No regulations may be made by a devolved authority...

#### *Requirement for consent where it would otherwise be required*

- 3 (1) The consent of a Minister of the Crown is...

#### *Requirement for joint exercise where it would otherwise be required*

- 4 (1) No regulations may be made under section 1(1) or...

#### *Requirement for consultation where it would otherwise be required*

- 5 (1) No regulations may be made under section 1(1) or...

#### *Meaning of devolved competence*

- 6 A provision is within the devolved competence of the Scottish...
- 7 A provision is within the devolved competence of the Welsh...
- 8 A provision is within the devolved competence of a Northern...

#### *Meaning of “Northern Ireland devolved authority”*

- 9 In this Schedule, a “Northern Ireland devolved authority” means the...

### SCHEDULE 2 — Regulations under Part 1

#### PART 1 — STATUTORY INSTRUMENTS AND STATUTORY RULES

- 1 (1) Any power to make regulations under Part 1 of...

#### PART 2 — SCRUTINY OF REGULATIONS UNDER SECTION 1(1)

#### *Scrutiny of regulations made by Minister of the Crown or devolved authority acting alone*

- 2 (1) A statutory instrument containing regulations of a Minister of...

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*Scrutiny of regulations made by Minister of the Crown and devolved authority acting jointly*

- 3 (1) This paragraph applies to regulations of a Minister of...  
PART 3 — SCRUTINY OF REGULATIONS UNDER SECTION 2(1)

*Scrutiny of regulations made by Minister of the Crown or devolved authority acting alone*

- 4 (1) A statutory instrument containing regulations of a Minister of...

*Scrutiny of regulations made by Minister of the Crown and devolved authority acting jointly*

- 5 (1) This paragraph applies to regulations of a Minister of...  
PART 4 — SCRUTINY OF REGULATIONS UNDER SECTION 2(10)(B)  
6 A statutory instrument containing regulations of the Secretary of State...

SCHEDULE 3 — Exceptions to restrictions in the devolution settlements

*Scotland Act 1998*

- 1 In section 57 of the Scotland Act 1998 (EU law...

*Government of Wales Act 2006*

- 2 In section 80 of the Government of Wales Act 2006...

*Northern Ireland Act 1998*

- 3 In section 24 of the Northern Ireland Act 1998 (EU...

*Transitional exception*

- 4 Section 57(2) of the Scotland Act 1998, section 80(8) of...

SCHEDULE 4 — The Trade Remedies Authority

*Status*

- 1 (1) The TRA is not to be regarded—

*Membership*

- 2 (1) The TRA is to consist of—

*Terms of appointment and tenure of members*

- 3 A person holds and vacates office as a member of...  
4 The terms and conditions of a person's appointment as a...  
5 The terms and conditions of a person's appointment as an...  
6 The terms and conditions of a person's appointment may cover...  
7 A person may resign from office as a non-executive member...  
8 A person may resign from office as an executive member...  
9 The Secretary of State may remove a person from office...  
10 The Chair may remove a person from office as an...

*Remuneration of members*

- 11 The TRA must pay to non-executive members of the TRA...  
12 The TRA must pay to executive members of the TRA...

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- 13 The TRA must pay, or make provision for paying, to...
- 14 The TRA must pay, or make provision for paying, to...
- 15 If a person ceases to be a non-executive member of...
- 16 If a person ceases to be an executive member of...

*A chief executive appointed by the Secretary of State*

- 17 Paragraphs 18 to 23 apply in respect of a person...
- 18 The terms and conditions of a person's appointment as chief...
- 19 If the first Chair has not been appointed, a person...
- 20 The Secretary of State may remove a person from office...
- 21 The TRA must pay to a person appointed as chief...
- 22 The TRA must pay, or make provision for paying, to...
- 23 If a person ceases to be the chief executive of...

*Staffing of the TRA*

- 24 (1) The TRA may— (a) appoint employees, and

*Committees*

- 25 (1) The TRA may establish committees, and any committee so...

*Procedure*

- 26 The TRA may determine its own procedure and the procedure...
- 27 The validity of any proceedings of the TRA is not...

*Delegation of functions*

- 28 (1) The TRA may delegate any of its functions to—...

*Funding*

- 29 The Secretary of State must pay to the TRA such...

*Accounts and audit*

- 30 (1) The TRA must— (a) keep proper accounts and proper...

*Annual report*

- 31 (1) The TRA must prepare a report on the performance...

*Seal and evidence*

- 32 (1) The application of the TRA's seal must be authenticated...

*Supplementary powers*

- 33 (1) The TRA may do anything which appears to it...

*Guidance*

- 34 (1) In performing its functions, the TRA must have regard...

*Public records*

- 35 In Part 2 of the Table in paragraph 3 of...

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*Investigation by the Parliamentary Commissioner*

- 36 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

*House of Commons disqualification*

- 37 In Part 2 of Schedule 1 to the House of...

*Northern Ireland Assembly disqualification*

- 38 In Part 2 of Schedule 1 to the Northern Ireland...

*Freedom of information*

- 39 In Part 6 of Schedule 1 to the Freedom of...

*Public sector equality duty*

- 40 In Part 1 of Schedule 19 to the Equality Act...

SCHEDULE 5 — Transfer schemes

- 1 (1) The Secretary of State may make one or more...  
2 (1) A staff transfer scheme may, among other things, make...  
3 For the purposes of this Schedule— (a) an individual who...

SCHEDULE 6 — Trade and Agriculture Commission: public authorities legislation

*Public records*

- 1 In Part 2 of the Table in paragraph 3 in...

*Investigations by the Parliamentary Commissioner*

- 2 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

*House of Commons disqualification*

- 3 In Part 2 of Schedule 1 to the House of...

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- 4 In Part 2 of Schedule 1 to the Northern Ireland...

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- 5 In Part 6 of Schedule 1 to the Freedom of...

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