



HOUSE OF COMMONS

LONDON SW1A 0AA

July 2020

Dear Constituents,

On Monday 20<sup>th</sup> July, the Trade Bill was passed by the House of Commons with a significant majority. It was a whipped vote – which means that Conservative MPs are obliged to vote with the Government – but many misleading stories are doing the rounds, which is normal. As with any new legislation, opponents will naturally seek to exploit isolated clauses for political gain and use them as an excuse for malice.

The Trade Bill does not end Parliamentary scrutiny of trade deals. The extensive checks and balances behind negotiating and ratifying new deals under the Constitutional Reform & Governance Act 2010 remain in place. The role of MPs is to pass legislation, support, lobby and hold the Government to account when needed – They are not there to fulfil the role that is normally delegated to Ministers.

The Trade Bill does not mean that sub-standard food will be flooding into our supermarkets. The Government remains fully committed to maintaining the UK's world-leading food and animal welfare standards. In fact, these will not drop after Brexit but should actually increase. More effective labelling will also be used to allow consumers to discern what they buy – It's called choice.

The Trade Bill does not mean that the NHS is 'for sale' or 'on the table' in any future trade agreements. This is a lie that Jeremy Corbyn and the Labour Party desperately tried to repeat again and again at the last election. However many times they repeat it, it remains a cheap shot. The NHS has looked after me, my family, the Bracknell constituency and so many others across the UK throughout their lives and I will always defend it and fight for better local services. It is also irrefutable that more money is being pumped into the NHS now than at any time in its past - This is certainly no source of shame for me.

The NHS is already protected by specific carve-outs, exceptions and reservations in EU trade agreements and I know that my Ministerial colleagues have no intention of lowering standards as these trade agreements are transitioned. The very purpose of these transitioned 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 has resulted in standards being lowered. I want to be clear that the NHS will also be protected in any future trade agreement. The price the NHS pays for drugs will not be on the table, and nor will the services the NHS provides.

For the avoidance of doubt, the Trade Bill is a straightforward but critical piece of legislation that allows the UK to maintain trade agreements with 20+ countries that were signed before the UK left the EU, which will be vital for our economy as we end the transition period. It is a continuity bill and cannot be used to implement new agreements with countries such as the US. It has nothing to do with MPs being unable to scrutinise trade deals, approve trade deals or exercising any kind of Parliamentary power over the Government. In fact, it allows British businesses to access £1.3 trillion of overseas government contracts and gives them protection from unfair trade practices, which will be vital as we go forward as a sovereign and independent nation.

I did not support new clauses 7 and 11 as they could have significant unforeseen consequences and could well endanger existing trade. The UK operates trade on the grounds of adherence to sanitary and phytosanitary (SPS) requirements only. Indeed, the UK does not require other countries who trade with us to follow our domestic regulations, whether we trade on WTO terms or through preferential trade agreements.

This is not a UK-specific position. Existing trade agreements in place around the world do not require partner countries to operate by another country's domestic regulations and standards; doing so would be unprecedented. If the UK were to insist on its domestic regulations being applicable to imports, then it would create new barriers to trade for our exporters, including our farmers. In addition, if the UK adopted such a position it would hurt developing nations where access to UK markets is key to lifting millions out of extreme poverty.

In addition, I do not believe that signing new clause 20 would be in the UK's interest. The UK has already negotiated investment agreements with Investor-State Dispute Settlement (ISDS) provisions with over 90 trading partners. Despite the UK's participation in these agreements, there has never been a successful ISDS claim made against the UK and nor has the threat of potential disputes affected the Government's legislative programme. It is also important to stress that ISDS does not, and cannot, force the privatisation of public services.

ISDS mechanisms help to protect UK investors, both large and small, from discriminatory or unfair treatment by a state when operating abroad. Indeed, a number of ISDS cases have been brought about by UK companies and investors directly, with UK jobs at stake.

The exact details of any future FTA are a matter for formal negotiations, and I would not seek to pre-empt these discussions. However, where ISDS is included in future agreements, I know the Government will seek to ensure fair outcomes of claims and high ethical standards for arbitrators, with increased transparency and efficiency of proceedings.

So to conclude, tabling opportunistic and targeted amendments which are not relevant to the legislation and then forcing the Government to vote them down is a standard Parliamentary tactic for the Opposition. Thankfully, most people in Bracknell are too smart to fall for it, but there will always be those who use it as an excuse to score political points, prolong old Brexit divisions or criticise their MP. Specific opt-outs, exceptions and reservations already protect the NHS and Ministers have repeatedly made clear that the NHS will not be on the table. And for the record, I will continue to scrutinise the Government's plans carefully, stand up for local farmers, businesses, people and NHS services and fully support efforts to open up new trade and export opportunities for British business.

Thank you once again for taking the time and effort to contact me. I wish you and your family all stay safe and well throughout the summer months.

A handwritten signature in black ink, appearing to read 'James Sunderland', with a long horizontal stroke extending to the right.

James Sunderland MP  
Member of Parliament for the Bracknell Constituency  
Bracknell, Crowthorne, Finchampstead, Sandhurst and Wokingham Without