

2021 No. 550 (C. 19)

TRADE

The Trade Act 2021 (Commencement No. 1 and Expiry Provision) Regulations 2021

Made - - - -

5th May 2021

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 4(2) of the Trade (Disclosure of Information) Act 2020^(a) (“the 2020 Act”) and section 18(2) of the Trade Act 2021^(b) (“the Act”).

In accordance with section 4(1) of the 2020 Act, the Secretary of State is of the opinion that sections 13 to 15 of the Act have the same effect as, or similar effect to, sections 1 to 3 of the 2020 Act, in circumstances where the Act, being an Act resulting from the Trade Bill, was passed in the same Session as the 2020 Act.

Citation and interpretation

1.—(1) These Regulations may be cited as the Trade Act 2021 (Commencement No. 1 and Expiry Provision) Regulations 2021.

(2) In these Regulations, “the Act” means the Trade Act 2021.

Provisions of the Act coming into force on 6th May 2021

2. The following provisions of the Act come into force on 6th May 2021—

- (a) section 1 (implementation of the Agreement on Government Procurement);
- (b) section 2 (implementation of international trade agreements);
- (c) section 4 (regulations: devolved authorities and general provision);
- (d) section 5 (interpretation of Part 1);
- (e) section 6(3) (The Trade Remedies Authority: schemes for the transfer of staff);
- (f) Schedule 1 (restrictions on devolved authorities);
- (g) Schedule 2 (regulations under Part 1);
- (h) Schedule 3 (exceptions to restrictions in the devolution settlements); and
- (i) Schedule 5 (transfer schemes).

Provisions of the Act coming into force on 1st June 2021

3. The following provisions of the Act come into force on 1st June 2021—

(a) 2020 c. 28.
(b) 2021 c. 10.

- (a) sections 6(1) and (2) (The Trade Remedies Authority);
- (b) section 7 (provision of advice, support and assistance by The Trade Remedies Authority); and
- (c) Schedule 4 (The Trade Remedies Authority).

Provisions of the Act coming into force on 30th June 2021

4. The following provisions of the Act come into force on 30th June 2021—
- (a) section 3 (free trade agreements and genocide);
 - (b) section 12 (collection of exporter information by HMRC);
 - (c) section 13 (disclosure of information by HMRC);
 - (d) section 14 (disclosure of information by other authorities); and
 - (e) section 15 (offence relating to disclosure under section 14).

Expiry of sections 1 to 3 of the Trade (Disclosure of Information) Act 2020

5. The following sections of the Trade (Disclosure of Information) Act 2020 expire on 30th June 2021 (the date on which sections 13 to 15 of the Act come into force)—
- (a) section 1 (trade functions: disclosure of information by HMRC);
 - (b) section 2 (trade functions: disclosure of information by other authorities); and
 - (c) section 3 (offence relating to disclosure under section 2).

5th May 2021

Elizabeth Truss
Secretary of State for International Trade
Department for International Trade

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring into force provisions of the Trade Act 2021 (c. 10) (“the Act”), the Bill for which received Royal Assent on 29th April 2021. These are the first commencement regulations under the Act. Regulation 2 brings sections 1, 2, 4, 5 and 6(3) of, and Schedules 1 to 3 and 5 to, the Act into force on 6th May 2021. Regulation 3 brings sections 6(1) and (2) and 7 of, and Schedule 4 to, the Act into force on 1st June 2021. Regulation 4 brings sections 3 and 12 to 15 of the Act into force on 30th June 2021. Accordingly, and at the same time, regulation 5 brings to an end the transitory information sharing provisions contained in sections 1 to 3 of the Trade (Disclosure of Information) Act 2020 (“the 2020 Act”), the Secretary of State being of the opinion that sections 13 to 15 of the Act (which was passed in the same Session as the 2020 Act) have the same effect as, or similar effect to, those provisions of the 2020 Act.

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