



EXPLANATORY NOTES

Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act 2024

Chapter 6

TRADE (COMPREHENSIVE AND PROGRESSIVE AGREEMENT FOR TRANS-PACIFIC PARTNERSHIP) ACT 2024

EXPLANATORY NOTES

What these notes do

These Explanatory Notes relate to the Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act 2024 which received Royal Assent on 20 March 2024 (c. 6).

- These Explanatory Notes have been prepared by the Department for Business and Trade in order to assist the reader in understanding the Act. They do not form part of the Act and have not been endorsed by Parliament.
- These Explanatory Notes explain what each part of the Act will mean in practice; provide background information on the development of policy; and provide additional information on how the Act will affect existing legislation in this area.
- These Explanatory Notes might best be read alongside the Act. They are not, and are not intended to be, a comprehensive description of the Act.

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These Explanatory Notes relate to the Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act 2024 which received Royal Assent on 20 March 2024 (c. 6)

Overview of the Act

- 1 The Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act (the “Act”) provides measures to help ensure the UK will be compliant with its international obligations pursuant to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (“CPTPP”) when the UK accedes to that treaty. In particular, the measures in the Act make changes to domestic law in three areas:
 - a. technical barriers to trade;
 - b. government procurement; and
 - c. intellectual property.

Policy background

CPTPP implementation

- 2 The UK concluded negotiations to join the CPTPP on 31 March 2023 and signed the Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (the “Accession Protocol”) on 16 July 2023¹. Entry into force of the agreement will take place once the UK and the requisite number of CPTPP Parties have finished their domestic processes for entry into force of the Accession Protocol. The Accession Protocol outlines the terms and conditions upon which the UK will accede to the CPTPP. The CPTPP largely incorporates the provisions set out in the Trans-Pacific Partnership (done at Auckland on 4 February 2016), with a small number of provisions suspended upon entry into force of the CPTPP. References in these explanatory notes to Articles and Chapters of the CPTPP mean the relevant Articles and Chapters of the Trans-Pacific Partnership as incorporated into the CPTPP.
- 3 Certain parts of the CPTPP Chapters on Technical Barriers to Trade, Government Procurement, and Intellectual Property (Chapter numbers 8, 15, and 18 respectively) required the UK to create new primary legislation to provide for their implementation for the entry into force of the CPTPP for the UK. This legislative implementation of the obligations in the CPTPP is needed before entry into force of the Accession Protocol and the CPTPP for the UK to ensure that the UK is not in breach of them when they enter into force.

Technical barriers to trade

- 4 Conformity assessment procedures provide assurance that products meet relevant regulatory requirements. Examples of conformity assessment procedures are testing, certification and inspection. Some products require conformity assessment procedures to be carried out by third-party organisations called conformity assessment bodies (“CABs”). Some of the UK’s legislation requires these CABs to be based in the UK, Great Britain, or in a country with which the UK has a mutual recognition agreement.
- 5 When the CPTPP enters into force for the UK, the UK is required by Article 8.6 of the Trans-Pacific Partnership, as it is incorporated into the CPTPP, to ensure that CABs established in the territories of CPTPP Parties are treated no less favourably than CABs located domestically.

¹ <https://www.gov.uk/government/publications/accession-protocol-of-the-uk-to-the-cptpp>

To comply with this obligation, the UK must amend its legislation to allow CABs established in CPTPP Parties (for which the CPTPP is in force as between the UK and that Party) to apply for approval to carry out conformity assessment for the Great British market. The Act therefore confers a power on the Secretary of State to amend relevant legislation to enable this to occur.

Government procurement

- 6 The Government Procurement Chapter consists of (a) the text of the Chapter setting out the government procurement obligations and (b) the Schedules in an Annex to the Chapter, which set out the procurement market access coverage of each of the Parties. The text sets out rules for fair, transparent and non-discriminatory conditions of competition in government procurement. These rules do not automatically apply to all procurement activities of each Party. Rather, the Schedules determine which entities and procurements are covered by the scope of the Chapter and must follow the rules. Only government procurement activities by covered entities purchasing covered goods, services or construction services, of a value exceeding the specified thresholds, are within the scope of the CPTPP.
- 7 To implement the Chapter, the Act amends the UK's government procurement legislative framework in two ways. Firstly, to give effect to the UK's market access commitments to CPTPP suppliers. Secondly, and where applicable, the Act brings that framework into compliance with two technical rules of the Government Procurement Chapter. Those rules concern: (i) an exemption from the CPTPP rules for procurements organised and funded by international organisations, pursuant to Article 15.2.3(e)(ii) of the Chapter; and (ii) the information to be published following the award of a contract, pursuant to Article 15.16.3(d) of the Chapter. At Royal Assent of this Act, the UK's procurement legislative framework is set out in regulations. For England, Wales and Northern Ireland, those regulations will be replaced by the Procurement Act 2023 from substantive commencement of that Act, expected October 2024. For Scotland, the relevant regulations will endure. Accordingly, this Act amends both the regulations and the Procurement Act 2023.

Intellectual property

- 8 The Intellectual Property Chapter covers multiple forms of intellectual property ("IP"), including patents, geographical indications, copyright and related rights, trade secrets, trade marks and designs, as well as their enforcement. The text sets minimum standards of protection across these areas, creating a shared baseline of protection in CPTPP Parties' domestic regimes.
- 9 The Act makes changes in relation to geographical indications, and copyright and related rights.
- 10 Geographical indications ("GIs") protect the names of products which have a special relationship with their geographical origin. A UK example is Melton Mowbray Pork Pies. Article 18.32 of the Intellectual Property Chapter sets out that procedures must be in place to allow interested persons to object to an application for the protection of a GI, and to seek the cancellation of a protected GI, on specified grounds.
- 11 To comply with this obligation, the Act amends domestic law (assimilated law, known as retained EU law before 01 January 2024) so that, in relation to agricultural products and foodstuffs ("agri-foods") only, an application to register a GI can be opposed on the ground it is likely to cause confusion with a pre-existing trade mark or application for a trade mark. The

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Act also introduces the ability to cancel a registered agri-food GI on the grounds that, as at the time the GI was applied for, it was likely to cause confusion with a pre-existing trade mark or application for a trade mark, or because it was a generic term. These new grounds will also apply at other stages related to applications to register a GI.

- 12 The amendments made by the Act will apply to both agri-food protected designations of origin (“PDOs”) and agri-food protected geographical indications (“PGIs”). PDOs and PGIs are both categories of agri-food GIs in domestic law. References in these notes to GIs mean PGIs and PDOs.
- 13 In relation to copyright and related rights, each CPTPP Party is required to provide certain rights to performers and producers who meet the eligibility criteria for protection as specified in the CPTPP. Article 18.62.1 of the Intellectual Property Chapter sets out that CPTPP Parties are required to afford rights to:
 - a. performers and producers of phonograms that are nationals of another CPTPP Party; and
 - b. performances or phonograms first published or fixed in the territory of another CPTPP Party.
- 14 The eligibility criteria under the CPTPP by which performers can qualify for rights in their performances is wider than the criteria currently provided for in UK law. This means that some performers who should qualify for protection under the CPTPP when it enters into force for the UK would not get this. The Act therefore expands the eligibility criteria by which performers can qualify for rights in their performances in the UK.

Legal background

- 15 The relevant legal background is also explained in the policy background section of these notes. However, a summary of the relevant legal changes in each area of the Act can be found below.

Technical barriers to trade

- 16 The Act confers a power on the Secretary of State to amend relevant subordinate legislation in order to comply with the UK’s obligations under Article 8.6 of the Trans-Pacific Partnership, as it is incorporated into the CPTPP.

Government procurement

- 17 The procurement provisions of the Act amend the following legislation:
 - a. the Procurement Act 2023;
 - b. the Public Contracts Regulations 2015 (S.I. 2015/102);
 - c. the Concession Contracts Regulations 2016 (S.I. 2016/273);
 - d. the Utilities Contracts Regulations 2016 (S.I. 2016/274);
 - e. the Public Contracts (Scotland) Regulations 2015 (S.S.I. 2015/446);
 - f. the Utilities Contracts (Scotland) Regulations 2016 (S.S.I. 2016/49); and
 - g. the Concession Contracts (Scotland) Regulations 2016 (S.S.I. 2016/65).

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Intellectual property

- 18 The GI provisions of the Act amend the following legislation:
- a. assimilated Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs;
 - b. assimilated Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules; and
 - c. assimilated Commission Implementing Regulation (EU) No 668/2014 of 13 June 2014 laying down rules for the application of Regulation (EU) No 1151/2012 of the European Parliament and of the Council on quality schemes for agricultural products and foodstuffs.
- 19 The copyright provisions of the Act amend the following legislation:
- a. the Copyright, Designs and Patents Act 1988.

Territorial extent and application

- 20 Section 6 sets out the territorial extent of the Act. The extent of an Act can be different from its application. Application is about where an Act produces a practical effect rather than where it forms part of the law.
- 21 The Trade (CPTPP) Act extends and applies to the whole of the UK, subject to:
- a. Section 3(4)(a) and Part 1 of the Schedule extends to England and Wales and Northern Ireland only;
 - b. Section 3(4)(b) and Part 2 of the Schedule which extends to Scotland only;
 - c. Section 4 only applies to Great Britain; and
 - d. Secondary legislation made using the power in section 2 only applies to Great Britain.
- 22 See the table in Annex B for a summary of the position regarding territorial extent and application in the UK.

Commentary on provisions of Act

Section 1: Meaning of “the CPTPP”

- 23 Section 1 defines the meaning of “the CPTPP” and “the UK Accession Protocol” for the purposes of the Act.

Section 2: Treatment of conformity assessment bodies etc

- 24 Section 2(1) provides that the Secretary of State may, by regulations made by statutory instrument, amend subordinate legislation in order to implement the UK’s obligations under Article 8.6 of Trans-Pacific Partnership as it is incorporated into the CPTPP.
- 25 Article 8.6 of the Trans-Pacific Partnership as it is incorporated into the CPTPP will require the UK to ensure that conformity assessment bodies located in CPTPP Parties' territories are afforded treatment no less favourable than conformity assessment bodies located in the UK.
- 26 Section 2(2) provides that regulations made under this section of the Act may include consequential, supplementary, incidental, transitional or saving provision.
- 27 Section 2(3) provides that statutory instruments made under this section are subject to the made negative parliamentary procedure.
- 28 Section 2(4) defines what “subordinate legislation” and “Article 8.6 of the CPTPP” means in this section.

Section 3: Procurement

- 29 Section 3 amends the domestic legislative framework that regulates procurement, namely the Procurement Act 2023 and six sets of procurement regulations.
- 30 Section 3(2) amends Schedule 2 to the Procurement Act 2023. That Schedule concerns contracts that are substantively exempted from the procurement framework established under that Act. Paragraph 24 of that Schedule makes provision for contracts to be exempted when awarded under procedures adopted by international organisations. Subsection (2) replaces that paragraph to provide that an exempted contract includes a contract wholly or mainly funded by an international organisation of which the UK is a member and that is awarded under a procedure adopted by that organisation which is inconsistent in any material respect with the procedure for the award of the contract set out in the Procurement Act 2023.
- 31 Section 3(3) amends Schedule 9 to the Procurement Act 2023. That Schedule lists international agreements to which the UK is a signatory. In accordance with Part 7 of that Act, where a supplier is entitled to the benefit of an international agreement specified in that Schedule they are treated as a “treaty state supplier”. Accordingly, the supplier benefits from the duties owed by contracting authorities to treaty state suppliers under the Act as well as the remedies available to those suppliers. Subsection (3) inserts a reference to the CPTPP in the list of international agreements specified in Schedule 9 to that Act. That insertion extends the duties owed, and remedies available, to treaty state suppliers under that Act to CPTPP suppliers, effective once such supplier is entitled to the benefit of the CPTPP; that is, upon UK accession. The provision thereby implements the market access commitments of the UK to other CPTPP Parties.

- 32 Section 3(4) gives effect to the Schedule, which provides as follows:
- a. Part 1 makes amendments to the procurement regulations for England and Wales and Northern Ireland;
 - b. Part 2 makes amendments to the procurement regulations for Scotland; and
 - c. Part 3 makes transitional provisions for procurements commenced before the Schedule comes into force.

Section 4: Designations of origin and geographical indications

- 33 Section 4 amends the domestic legislative framework that regulates agri-food GIs, namely assimilated Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (Regulation 1151/2012), and two other assimilated Regulations.
- 34 Section 4(2) amends the definition of “application to register a trade mark” in Article 3 of assimilated Regulation (EU) No 1151/2012 to clarify the meaning of a trade mark that has been “applied for” or is “pending”.
- 35 Section 4(3) amends Article 6(4) of assimilated Regulation (EU) 1151/2012, so that a name is not to be registered as a GI if it is likely to cause confusion with an existing trade mark (whether registered in good faith or established by use) or a trade mark which is the subject of a pre-existing good faith pending application for registration. At present, an application for a GI must be rejected under Article 6(4) if, broadly, it would be liable to mislead the consumer in the light of a pre-existing trade mark. In combination with Articles 51 and 10(1)(b) of assimilated Regulation (EU) 1151/2012, this has the effect of allowing an application for an agri-food GI to be opposed on this ground. This amendment will also have effect in other parts of the agri-food GI application process where the ground in Article 6(4) is referred to.
- 36 Section 4(4) expands the grounds on which the Secretary of State may cancel the registration of an agri-food GI to include cases where, when the application for registration of the GI (under Article 49 of assimilated Regulation (EU) 1151/2012), or a later successful name change application, was submitted it was likely to cause confusion with a pre-existing trade mark or good faith pending application for a trade mark, or it was a generic term. This will involve carrying out an assessment based on the position when the relevant registration or name change was applied for.
- 37 Sections 4(5) to (9) make consequential amendments to two other assimilated Regulations, so that general provisions about opposition to a GI application and cancellation of a GI registration will apply in relation to the new and amended grounds.
- 38 Section 4(10) provides that the amendments in sections 4(3) and (8) will apply only in relation to applications to register a GI or to applications to amend the product specification for a GI which involves changing the name of the GI (a “name-change application”) that are submitted on or after the date on which the CPTPP enters into force for the UK.
- 39 Section 4(11) sets out when and how sections 4(4), (5), (7) and (9) (which relate to the new grounds of cancellation) will apply. The grounds of cancellation in new Article 54(1A)(a) (no registration of generic terms) will apply regardless of when the application for the GI was submitted. The ground of cancellation in new Article 54(1A)(b) (conflict with trade mark) will apply only where the application for the GI or the name-change application (as the case may be), was submitted on or after the day on which sections 4(4), (5), (7) and (9) come into force.
- 40 Section 4(12) defines terms used earlier in section 4.

Section 5: Performers' rights

- 41 Section 5 amends the Copyright, Designs and Patents Act 1988 (the "CDPA") to extend the eligibility criteria by which performers can qualify for rights in their performances in the UK.
- 42 Section 5(1) amends Part 2 of the CDPA by substituting section 181 and amending section 206, as set out in section 5(2) and 5(3) respectively.
- 43 Section 5(2) substitutes section 181 (qualifying performances) of the CDPA and sets out what a "qualifying performance" is for the purposes of qualifying for rights in performances under UK law. Section 181 as amended provides that a performance is a qualifying performance if it meets any of the four specified conditions (Conditions A to D) set out in new subsections 181(2) to 181(7). Conditions A and B replicate the bases for protection in pre-existing law. Conditions C and D go beyond the effect of pre-existing law and expand the bases on which a performance can qualify for rights in UK law. The following sub-paragraphs deal with section 181 as amended.
 - a. Subsection 181(2) sets out Condition A and provides that a performance is a qualifying performance if it is given by a qualifying individual. The meaning of a "qualifying individual" is set out in the CDPA under section 206(1).
 - b. Subsection 181(3) sets out Condition B and provides that a performance is a qualifying performance if it takes place in a qualifying country. The meaning of a "qualifying country" for the purpose of Part 2 of the CDPA is set out in section 206(1).
 - c. Subsection 181(4) sets out Condition C and provides that a performance is a qualifying performance if it is included in a sound recording, and either the producer of that sound recording meets certain criteria as set out in subsection 181(4)(a), or the sound recording is either first published in a qualifying country, or published in a qualifying country within 30 days of the original publication. Subsection 181(5) provides for when Condition C will be considered to have not been met. The term "producer" used in Condition C in subsection 181(4)(a) is defined in subsection 181(7).
 - d. Subsection 181(6) sets out Condition D which provides that a performance is a qualifying performance where the performance has not been included in a sound recording, the performance has been broadcast and the broadcast is made from a qualifying country, or the headquarters of the broadcasting organisation are situated in a qualifying country.
- 44 Section 5(3) amends section 206(4) of the CDPA to insert new paragraph (za) in subsection (4). It allows for the making of an Order in Council to make provision for specific restrictions to be applied in relation to rights afforded to performances as a result of qualifying for protection by virtue of meeting Condition C or Condition D in section 5(2).
- 45 Section 5(4) provides that the provisions in section 5(2) apply to performances which have taken place before, on or after the Act comes into force.
- 46 Sections 5(5) and 5(6) provide that any rights that arise as a result of these amendments are not to be regarded as infringed or affected by: any act done before the coming into force of the section; or any act done on or after the coming into force of the section, if the act done on or after the coming into force of the section was in pursuance of arrangements made before that date, except where those arrangements are an agreement that attempts to exclude or restrict a

right or to prevent a person from questioning such a right or to restrict the powers of the Copyright Tribunal in relation to such a right which Part 2 of the CDPA provides cannot be excluded or restricted or prevented by agreement.

- 47 Section 5(7) provides that the amendments made by section 5(3) enable an Order in Council made under new paragraph (za) of section 206(4) of the CDPA to apply to performances taking place before, on or after the date on which the Order in Council comes into force or the Act comes into force.
- 48 Section 5(8) provides definitions relevant to section 5.

Section 6: Extent

- 49 This section confirms the extent of the legislation.
- 50 Section 6(1) provides that the Act extends to England and Wales, Scotland, and Northern Ireland subject to the following exceptions set out in section 6(2) and 6(3):
- a. Section 3(4)(a) and Part 1 of the Schedule (amendments to procurement regulations for England and Wales and Northern Ireland) extend to England and Wales and Northern Ireland only; and
 - b. Section 3(4)(b) and Part 2 of the Schedule to the Act (amendments to procurement regulations for Scotland) extend to Scotland only.
- 51 The GI and Technical Barriers to Trade provisions in this Act extend to but will not apply in Northern Ireland. This is because, under the terms of the Windsor Framework, EU legislation relating to geographical indications and conformity assessment of goods, as listed in Annex 2 of the Windsor Framework, continues to apply in Northern Ireland. Article 15 of the Accession Protocol ensures that the UK can fulfil its obligations under the Windsor Framework.

Section 7: Commencement

- 52 Section 7 provides that the Act comes into force on the day on which the CPTPP enters into force for the UK, subject to the following exceptions set out in sections 7(2), 7(3) and 7(4):
- a. Section 7(2) provides that the following sections came into force on the day on which the Act received Royal Assent:
 - i. section 1 (meaning of “the CPTPP”);
 - ii. section 2 (treatment of conformity assessment bodies etc);
 - iii. section 5(3) and (7) (amendment to section 206(4) of the Copyright, Designs and Patents Act 1988), and section 5(1) in so far as it relates to section 5(3);
 - iv. section 6 (extent);
 - v. section 7 (commencement);
 - vi. section 8 (short title).
 - b. Section 7(3) provides that section 3(2) (and section 3(1) so far as it relates to that provision) comes into force at the same time as Schedule 2 to the Procurement Act 2023.

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- c. Section 7(4) provides that section 3(3) (and section 3(1) so far as it relates to that provision) comes into force at the same time as Schedule 9 to the Procurement Act 2023.

Section 8: Short title

- 53 Section 8 provides that the short title of the legislation is the Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act 2024.

Schedule 1: Amendments to procurement regulations

Part 1 – Amendments to procurement regulations for England and Wales and Northern Ireland

- 54 Part 1 makes similar amendments to each of the three sets of procurement regulations that apply for England and Wales and Northern Ireland to implement the CPTPP commitments from when the CPTPP enters into force. Paragraphs 1 to 4 amend the Public Contracts Regulations 2015; paragraphs 5 to 7 the Concession Contracts Regulations 2016; and paragraphs 8 to 11 the Utilities Contracts Regulations 2016.
- 55 Paragraphs 2, 6, and 9 amend similar provisions of each set of regulations concerning contracts awarded pursuant to international rules. The amendments make provision for the substantive procurement framework in the regulations not to apply to relevant contracts where the procurement rules under which the contract is being awarded do not restrict the participation of economic operators (that is, suppliers). A relevant contract in this case is one awarded in accordance with the rules of an international organisation or financing institution and is financed, fully or mostly, by the organisation or institution. Provision is made that if such rules do not restrict the participation of suppliers, then the only provision of each set of regulations that applies to that contract is the provision requiring equal treatment of suppliers.
- 56 Paragraphs 3 and 10 amend similar provisions of the Public Contracts Regulations 2015 and the Utilities Contracts Regulations 2016 concerning the information that contracting authorities must publish in a contract award notice. The amendments make provision for contracting authorities to publish the value of the successful tender, removing the option to publish either the value of the successful tender or a range of values (the highest and lowest tenders taken into account for the award of the contract).
- 57 Paragraphs 4, 7 and 11 amend similar schedules in each set of regulations to insert a reference to the CPTPP. Those schedules list international trade agreements to which the UK is bound. Pursuant to each set of regulations, where such agreement applies to a procurement (that is, is covered by it) suppliers of the signatories to that agreement are entitled to equal treatment as UK suppliers under the regulations and benefit from duties owed by contracting authorities. Accordingly, the rights and duties will be extended to CPTPP suppliers.

Part 2 - Amendments to procurement regulations for Scotland

- 58 Part 2 makes similar amendments to each of the three sets of procurement regulations that apply for Scotland. Paragraphs 12 to 15 amend the Public Contracts (Scotland) Regulations 2015; paragraphs 16 to 19 the Utilities Contracts (Scotland) Regulations 2016; and paragraphs 20 to 22 the Concession Contracts (Scotland) Regulations 2016.

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- 59 Paragraphs 13, 17 and 21 make similar provision in the Scottish regulations to those described in paragraph 55 above for the equivalent England and Wales and Northern Ireland regulations, regarding contracts awarded pursuant to international rules.
- 60 Paragraphs 14 and 18 make similar provision in the Public Contracts (Scotland) Regulations 2015 and the Utilities Contracts (Scotland) Regulations 2016 to those described in paragraph 56 above for the equivalent England and Wales and Northern Ireland regulations, regarding the information to be published in a contract award notice.
- 61 Paragraphs 15, 19 and 22 make similar provision in the Scottish regulations to those described in paragraph 57 above for the equivalent England and Wales and Northern Ireland regulations, reflecting the CPTPP in the relevant schedule of international trade agreements in those regulations.

Part 3 – Transitional provision

- 62 Part 3 makes transitional arrangements for those procurements commenced before the Schedule comes into force.

Commencement

- 63 Section 7 makes provision about when the provisions of this Act will come into force.

Related documents

64 The following documents are relevant to the Act and can be read at the stated locations:

- CPTPP Free Trade Agreement
 - The UK's accession to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) .GOV document collection (including links to the text of the CPTPP and the text of the Chapters of the Trans-Pacific Partnership signed at Auckland, 4 February 2016 that are incorporated in CPTPP and associated documents)–
<https://www.gov.uk/government/collections/the-uks-accession-to-the-comprehensive-and-progressive-agreement-for-trans-pacific-partnership-cptpp>
 - Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership–
<https://www.gov.uk/government/publications/protocol-on-the-accession-of-the-united-kingdom-of-great-britain-and-northern-ireland-to-the-comprehensive-and-progressive-agreement-for-trans-pacific>
 - Explanatory Memorandum on the Protocol on the Accession of the United Kingdom of Great Britain and Northern Ireland to the Comprehensive and Progressive Agreement for Trans-Pacific Partnership - <https://www.gov.uk/government/publications/protocol-on-the-accession-of-the-united-kingdom-of-great-britain-and-northern-ireland-to-the-comprehensive-and-progressive-agreement-for-trans-pacific>
 - Impact Assessment –
<https://www.gov.uk/government/publications/cptpp-impact-assessment>
 - CPTPP: benefits for the UK –
<https://www.gov.uk/government/publications/cptpp-benefits-for-the-uk>

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Annex A – Hansard References

65 The following table sets out the dates and Hansard references for each stage of the Act’s passage through Parliament.

Stage	Date	Hansard Reference
<i>House of Lords</i>		
First Reading	8 November 2023	House of Lords Vol. 834 Col. 22
Second Reading	21 November 2023	House of Lords Vol. 834 Col. 672
Grand Committee	7 December 2023	House of Lords Vol. 834 Col. 171GC
	14 December 2023	House of Lords Vol. 834 Col. 325GC
Report	16 January 2024	House of Lords Vol. 835 Col. 321
Third Reading	23 January 2024	House of Lords Vol. 835 Col. 677
<i>House of Commons</i>		
First Reading	24 January 2024	Votes and Proceedings, No 37
Second Reading	29 January 2024	House of Commons Vol. 744 Col. 654
Public Bill Committee	20 February 2024	First sitting: Col. 1
		Second sitting: Col. 33
Report and Third Reading	19 March 2024	House of Commons Vol. 747 Col. 837
Royal Assent	20 March 2024	House of Commons Vol. 747 Col. 943
		House of Lords Vol. 837 Col. 195

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Annex B - Territorial extent and application in the United Kingdom

66 The Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act extends to the whole of the UK except for section 3(4)(a) and Part 1 (amendments to procurement regulations for England and Wales and Northern Ireland) and section 3(4)(b) and Part 2 of the Schedule (amendments to procurement regulations for Scotland).

The information provided is the view of the UK Government.

Provision	England	Wales	Scotland	Northern Ireland
	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Extends and applies to Scotland?	Extends and applies to Northern Ireland?
Section 1	Yes	Yes	Yes	Yes
Section 2 – 2(1) to 2(4)	Yes	Yes	Yes	Yes it so extends but no it does not so apply
Section 3 – 3(1) to 3(3)	Yes	Yes	No	Yes
Section 3 – 4(a)	Yes	Yes	No	Yes
Section 3 - 4(b)	No	No	Yes	No
Section 3 - 4(c)	Yes	Yes	Yes	Yes
Section 4 – 4(1) to 4(12)	Yes	Yes	Yes	Yes it so extends but no it does not so apply
Section 5 – 5(1) to 5(8)	Yes	Yes	Yes	Yes
Section 6 – 6(1) to 6(3)	Yes	Yes	Yes	Yes
Section 7 – 7(1) to 7(4)	Yes	Yes	Yes	Yes
Section 8	Yes	Yes	Yes	Yes
Schedule, Part 1	Yes	Yes	No	Yes
Schedule, Part 2	No	No	Yes	No
Schedule, Part 3	Yes	Yes	Yes	Yes

These Explanatory Notes relate to the Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act 2024 which received Royal Assent on 20 March 2024 (c. 6)

Annex C – Glossary

Term	Definition
Act of Parliament	An Act of Parliament is a law that both Houses of Parliament and the King have agreed to. An Act may be enforced in all the areas of the UK where it is applicable.
Bill	A proposal for a new law or an amendment to an existing law that has been presented to Parliament for consideration. Once agreed and made into law, it becomes an Act.
Devolved administrations	The governments of the devolved nations of the UK. These are the Scottish Government, the Welsh Government and the Northern Ireland Executive.
Devolved competence	The areas in which the devolved legislatures are responsible for making laws (“legislative competence”) or the devolved administrations are responsible for governing or making secondary legislation (“executive competence”).
Devolved legislatures	The law making bodies of the devolved nations of the UK. These are the Scottish Parliament, the Senedd Cymru and the Northern Ireland Assembly.
Made negative procedure	<p>The made negative procedure is a type of parliamentary procedure that applies to statutory instruments. Its name describes the form of scrutiny that the statutory instrument receives from Parliament.</p> <p>A statutory instrument laid under the made negative procedure becomes law on the day the Minister signs it and automatically remains law unless a motion – or ‘prayer’ – to reject it is agreed by either House within 40 sitting days. Certain SIs on financial matters are only considered by the Commons.</p>

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Secondary legislation

Legal instruments (including regulations and orders) made under powers delegated to ministers or other office holders in Acts of Parliament. They have the force of law but can be disapplied by a court if they do not comply with the terms of their parent Act or the Human Rights Act. Also called subordinate or delegated legislation.

Statutory instrument

A form of secondary legislation to which the Statutory Instruments Act 1946 applies.

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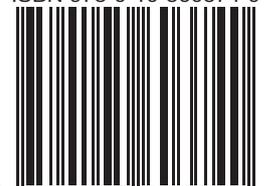
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