



Trade (Australia and New Zealand) Act 2023

2023 CHAPTER 9

Implementation of FTAs

1 Power to implement government procurement Chapters

- (1) An appropriate authority may by regulations make such provision as the authority considers appropriate—
 - (a) to implement the government procurement Chapters of the UK-Australia and UK-New Zealand FTAs (“the procurement Chapters”), or
 - (b) otherwise for the purposes of dealing with matters arising out of, or related to, those Chapters.
- (2) Regulations under [subsection \(1\)\(b\)](#) may (among other things) make provision in relation to cases falling outside the scope of a procurement Chapter so as to secure that provision made under [this section](#) is of general application.
- (3) For the purposes of [subsection \(2\)](#), a case falls outside the scope of a procurement Chapter if the Chapter does not impose an obligation on the United Kingdom in respect of that case.
- (4) In [subsection \(1\)\(a\)](#), “government procurement Chapters of the UK-Australia and UK-New Zealand FTAs” means—
 - (a) Chapter 16 of the UK-Australia FTA (together with the United Kingdom’s Schedule to Annex 16A to that agreement), and
 - (b) Chapter 16 of the UK-New Zealand FTA (together with the United Kingdom’s Schedule to Annex 16A to that agreement).
- (5) In [this section](#)—

“UK-Australia FTA” means the free trade agreement between the United Kingdom and Australia signed at London on 16 December 2021 and at Adelaide on 17 December 2021 (as that agreement is modified from time to time in accordance with any provision of it);

Changes to legislation: Trade (Australia and New Zealand) Act 2023 is up to date with all changes known to be in force on or before 28 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

“UK-New Zealand FTA” means the free trade agreement between the United Kingdom and New Zealand signed at London on 28 February 2022 (as that agreement is modified from time to time in accordance with any provision of it).

Commencement Information

I1 S. 1 in force at Royal Assent, see [s. 4\(2\)](#)

2 Further provision about power

- (1) Regulations under [section 1](#) may—
- make different provision for different purposes or areas;
 - make provision generally or only in relation to specified cases;
 - make incidental, supplementary or consequential provision;
 - make transitional, transitory or saving provision.
- (2) [Schedule 1](#) contains—
- restrictions on the exercise of the power in [section 1](#) by devolved authorities, and
 - exclusions from restrictions on the legislative competence of Senedd Cymru.
- (3) [Schedule 2](#) contains provision about the making of regulations under [section 1](#).

Commencement Information

I2 S. 2 in force at Royal Assent, see [s. 4\(2\)](#)

General and final provision

3 Interpretation

In this Act—

“appropriate authority” means—

- a Minister of the Crown, or
- a devolved authority;

“devolved authority” means—

- the Scottish Ministers,
- the Welsh Ministers, or
- a Northern Ireland department;

“government procurement Chapters of the UK-Australia and UK-New Zealand FTAs” has the meaning given by [section 1\(4\)](#);

“Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975;

“modify” includes amend or rectify (and related expressions are to be read accordingly);

“subordinate legislation” means any Order in Council, order, rules, regulations, scheme, warrant, byelaw or other instrument made under—

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- (a) an Act of Parliament,
- (b) an Act of the Scottish Parliament,
- (c) a Measure or Act of Senedd Cymru, or
- (d) Northern Ireland legislation.

Commencement Information

I3 S. 3 in force at Royal Assent, see [s. 4\(2\)](#)

4 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Trade (Australia and New Zealand) Act 2023.

Commencement Information

I4 S. 4 in force at Royal Assent, see [s. 4\(2\)](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act repealed by [2023 c. 54 Sch. 11 para. 3](#)