



**Chris Heaton-Harris**  
Member of Parliament for Daventry  
House of Commons, London SW1A  
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Tel: 020 7219 7048

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*Dear Constituent,*

Thank you for contacting me about the Trade Bill and new clause 17.

I recognise the strength of feeling about the provisions seeking to protect the NHS in new clause 17 which was debated in the House of Commons last year and the more recent amendment 11 which was tabled in the House of Lords. However, for what I believe are sensible and practical reasons, I did not support the amendments.

It is important to bear in mind that the Trade Bill is a continuity Bill. The powers within the Bill could not be used to implement new free trade agreements with countries such as the US. Instead, the Bill only allows for trade agreements that we have been party to through our EU membership to be transitioned into UK law.

I also want to be clear that no future trade agreement will be allowed to undermine the guiding principle of the NHS: that it is universal and free at the point of need. I welcome the Government's clear and absolute commitment that the NHS will be protected in any future trade agreement. Indeed, the price the NHS pays for drugs will not be on the table and nor will the services the NHS provides. This was a commitment in the manifesto on which I stood.

I also want to stress that Investor-State Dispute Settlement (ISDS) does not, and cannot, force the privatisation of public services or oblige the Government to open the NHS to further competition. There is also yet to be a successful ISDS claim against the UK and nor has the threat of potential disputes affected the Government's legislative programme.

Rigorous checks and balances on the Government's power to negotiate and ratify new agreements also already exist, including through the Constitutional Reform and Governance Act 2010. Trade agreements cannot by themselves make changes to our domestic law. Any legislative changes required because of trade agreements are subject to the separate scrutiny and approval of Parliament in the usual ways.

I hope this response has provided a measure of reassurance and thank you again for taking the time to contact me.

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Yours faithfully,

**CHRIS HEATON-HARRIS MP**  
**MEMBER OF PARLIAMENT FOR DAVENTRY**