



## Scheme of Delegation by the Board

The Board retains all decision-making powers except those which it has delegated to either a Member, Committee or an employee of the Trade Remedies Authority (TRA). The Board remains accountable for all its functions even those it has delegated. Any function which the Board has delegated can be re-assumed by the Board if it decides to do so.

### Trade Remedies Functions

Pursuant to section 6 and paragraph 28 of Schedule 4 of the Trade Act 2021 the Board delegates the following functions to the Chief Executive of the TRA:

- i. Functions conferred on the TRA by Schedule 4 (dumping and foreign subsidies causing injury to UK industry) of the Taxation (Cross-border Trade) Act 2018;
- ii. Functions conferred on the TRA by Schedule 5 (increased imports causing serious injury to UK industry) of the Taxation (Cross-border Trade) Act 2018;
- iii. Functions conferred on the TRA by Schedule 5A (increase in imports as a result of free trade agreements causing serious injury to UK industry) of the Taxation (Cross-border Trade) Act 2018;
- iv. Functions conferred on the TRA by section 7 of the Trade Act 2021 to provide the Secretary of State with such advice, support and assistance as the Secretary of State requires in connection with:
  - (a) the conduct of an international trade dispute;
  - (b) functions of the Secretary of State relating to trade; and
  - (c) functions of the TRA,and to provide such advice, support and assistance as the TRA considers appropriate in relation to:
  - (a) international trade, and
  - (b) trade remedies; and
- v. The power to do anything which appears to be necessary for the purpose of or in connection with the performance of these functions and is lawful.

The Chief Executive may delegate decisions (and the authority to make further delegations) to one or more employees and/or committees whose membership is comprised of employees. However, any new delegation must provide for:

- a. decisions to be made by those with an appropriate level of seniority and experience;
- b. a clear line of accountability to the Board;
- c. any person with authority to take a decision to be entitled instead to refer it to a person who is more senior; and
- d. appropriate procedures for decision making to be in place.

The nature and scope of delegations should be recorded centrally.

## **Other Functions**

The Board delegates the day-to-day management of the TRA to the Chief Executive. The Chief Executive may delegate the day-to-day administration of their responsibilities (and the authority to make further delegations) to one or more employees and/or committees whose membership is comprised of employees as appropriate.

For the avoidance of doubt, any committee or sub-committee established and delegated to by the Chief Executive in accordance with the above, is not intended to be a “TRA committee” for the purposes of the Trade Act 2021.

## **Power to enter into contracts etc. and use the seal**

Pursuant to section 6 and paragraph 28 of Schedule 4 of the Trade Act 2021, the Board delegates:

- i. The power in Schedule 4 paragraph 33 of the Trade Act 2021:
  - a. to enter into contracts (including leases) or any other arrangement, whether or not legally binding (including memoranda of understanding), to the Chief Executive and/or the Director of Corporate Services, subject to prior approval of the Board in the case of such contracts or arrangements with a value of £1,000,000 (including VAT) or more;
  - b. to enter into extensions or variations of contracts (including leases) or any other arrangement, whether or not legally binding (including memoranda of understanding), to the Chief Executive and/or the Director of Corporate Services provided that, in the case of such contracts or arrangements with a total value (including the extension or

variation) of £1,000,000 (including VAT) or more, such extension or variation is within any contingency previously agreed by the Board and entry into the extension or variation is notified to the Board promptly;

- ii. The power in Schedule 4 paragraph 32 of the Trade Act 2021 to apply the TRA's seal and authenticate it by signature to the Chief Executive and/or the General Counsel.

#### **Version control table**

<b>Version number</b>	<b>Date of update</b>	<b>Owner</b>	<b>Summary of changes</b>
1.0	1 June 2021	Board Secretary	First version.
2.0	15 December 2021	Board Secretary	To add authority for the Chief Executive to delegate to Committees and include reference to subsection 7(4) of the Trade Act 2021.
3.0	26 February 2025	Board Secretary	To add in: <ul style="list-style-type: none"><li>• Delegation of functions conferred on the TRA by Schedule 5A Taxation (Cross-border Trade) Act 2018.</li><li>• Additional powers to enter into contracts and other arrangements.</li></ul>