

Draft Explanatory Memorandum on the Comprehensive Economic and Trade Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of India

Treaty Title: Comprehensive Economic and Trade Agreement between the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of India

Command Paper No

1. Introduction

- 1.1** This draft explanatory memorandum has been prepared by the Department for Business and Trade. Separately, an independently scrutinised impact assessment of the Treaty has also been presented to Parliament today.
- 1.2** This draft explanatory memorandum has not been prepared for the purpose of fulfilling the statutory obligations under Part 2 of the Constitutional Reform and Governance Act 2010 (CRAg); an explanatory memorandum will be provided subsequently for that purpose. The procedure under Part 2 of the CRAg will not be commenced until the obligations set out in the Agriculture Act 2020 and the Trade Act 2021 have been fulfilled.

2. Subject matter and purpose of the Treaty

- 2.1** The Treaty between the UK and India is a comprehensive agreement which establishes a deeper trading relationship between the UK and India. Though it is called a ‘Comprehensive Economic and Trade Agreement’, it is functionally the same as a ‘Free Trade Agreement’. The Comprehensive Economic and Trade Agreement between the UK and India will from now on be referred to as the Treaty in this document.
- 2.2** Trade agreements aim to reduce barriers to trade and investment between countries. Barriers can be taxes charged on goods as they cross borders (tariffs), or different rules and regulations that can add to trade costs or restrict market access (non-tariff measures). Barriers make it more difficult and costly to trade or invest overseas. Reducing these barriers can improve the flow of trade between countries and help businesses to access new markets.
- 2.3** The Treaty establishes a free trade area between the parties consistent with Article XXIV of the World Trade Organization General Agreement on Tariffs and Trade 1994 and Article V of the General Agreement on Trade in Services.
- 2.4** It covers both trade in goods – creating preferential tariff and quota arrangements and including chapters covering Rules of Origin, Customs and Trade Facilitation and Technical Barriers to Trade – and trade in

services – including Financial Services and Temporary Movement of Natural Persons chapters. It contains chapters often included in trade agreements such as Intellectual Property, Government Procurement, Telecommunications, Digital Trade and the Environment, as well as new or less common chapters, for instance Innovation, Development Cooperation, Labour and Gender Equality.

3. Background

- 3.1** As set out by the Prime Minister, the number one mission of this Government is to secure sustained economic growth. The Government also has a manifesto commitment to secure a free trade agreement with India. As a trade-intensive economy, the UK benefits from open export markets and access to competitive imports that support production at home. Boosting trade and securing opportunity for business is essential to delivering a strong domestic economy and supporting the security of working people.
- 3.2** The UK and India have a deep and broad relationship, underpinned by a strong ‘living bridge’ of at least 1.9 million people with Indian heritage living in the UK.¹ Even though the Indian market sits behind some of the world’s highest barriers to trade, it was the UK’s 11th largest trading partner, with total trade worth £43 billion, in 2024.²
- 3.3** By 2050, India will be home to over a quarter of a billion high income consumers and demand for imports is on course to top £2.8 trillion.³ All this growth presents significant opportunities for UK businesses. As India grows, so will the number of consumers looking to purchase high-quality UK goods and services.
- 3.4** The Treaty we have signed is a major economic win for the UK, boosting UK GDP by £4.8bn and bilateral trade with India by £25.5bn every year in the long run. This also means putting more money into working people’s pockets, boosting wages by £2.2bn annually, in the long run. This reflects workers benefitting from the gains from lower trade barriers, with wages in expanding sectors seeing greater gains. This translates to an average estimated increase in real wages of around £65 per person, per year in the long run, when applied to 2024 levels.

4. Content

¹ [Population of England and Wales – GOV.UK Ethnicity facts and figures](#): the ONS 2021 Census (covering England and Wales only) records 1.9 million identified with the Indian ethnic group

² Trade data sourced from Office for National Statistics data on UK total trade (seasonally adjusted data)

³ Projections are calculated using the methodology described in DBT’s [Global Trade Outlook, February 2023](#), with middle class being defined as earning over \$12,525 a year.

Framework of the Treaty

Entry into force, termination and amendment

- 4.1** The Treaty will enter into force 60 days after the date on which the Parties exchange written notifications indicating that they have completed their domestic requirements, or on such other date as the Parties may agree.
- 4.2** The Treaty may be terminated by either Party giving notice in writing. The termination takes effect six months after the date of the notification, or on such date as the Parties may agree.
- 4.3** The Treaty may be amended if the Parties agree in writing. Such amendments shall take effect 60 days after the date the Parties exchange written notifications confirming that they have completed their respective domestic requirements necessary for the entry into force of the amendments, unless the Parties agree otherwise. This amendment process would engage the parliamentary scrutiny process set out in the Constitutional Reform and Governance Act 2010.

Committees

- 4.4** The Treaty establishes a Joint Committee, which is responsible for supervising the implementation and operation of the Treaty. The Joint Committee can consider any proposal to amend or modify the Treaty and has the power to restructure, reorganise or dissolve a subcommittee/ working group. The Joint Committee also has the power to adopt, after completion of any necessary domestic requirements, modifications to Annexes or Appendices.
- 4.5** This Treaty establishes five sub-committees in the following areas:
 - 1.** Goods
 - 2.** Services
 - 3.** Sustainability
 - 4.** Sanitary and Phytosanitary (SPS)
 - 5.** Standards, Technical Regulations and Conformity assessments
- 4.6** In addition to the sub-committees, there are a further ten working groups:
 - 1.** Customs and Trade Facilitation
 - 2.** Rules of Origin
 - 3.** Temporary Movement of Natural Persons
 - 4.** Innovation
 - 5.** Trade and Gender
 - 6.** Procurement

7. Intellectual Property
8. Anti-Corruption
9. Professional Services

General Provisions and Exceptions

4.7 The Treaty contains a series of exceptions that allow for the UK and India to take various kinds of measures that would not otherwise conform with the commitments made in the Treaty, to serve the legitimate public policy objectives set out within the individual exceptions. These flexibilities protect domestic policy space and preserve the UK and India's rights to regulate in the public interest. The chapter incorporates the general exceptions found within the WTO's GATT and GATS, and a dedicated exception relating to national security. It also provides policy-making discretion in matters of taxation and macroeconomic management, and a provision recalling the exclusions and exceptions that are applicable to the National Health Service.

The Windsor Framework

4.8 The Initial Provisions and General Definitions chapter provides for the relationship between the Treaty and the Windsor Framework. The article sets out that nothing in the Treaty shall preclude the United Kingdom from adopting or maintaining measures further to the Windsor Framework, as long as those measures are not used as a means of arbitrary or unjustified discrimination against the other Party or as a disguised restriction on trade.

Review Clauses

- 4.9** The General Review clause sets out that the Parties will undertake a review of the Treaty within five years of the date of entry into force of the Treaty. The review will be undertaken with a view to furthering the objectives of the Treaty, and building on its existing terms. The Parties will then review the Treaty again every 5 years, with the same goals.
- 4.10** There are further mechanisms for review in the Treaty, including a chapter-specific review clause for the Digital Trade chapter.

Key parts of the Treaty and its impacts

Trade in Goods

Market Access

4.11 Through this Treaty, India will remove or reduce tariffs, or retain pre-existing zero tariffs, on 90% of tariff lines, which will cover 92% of existing goods imports from the UK.⁴ This amounts to India cutting tariffs worth roughly £400

⁴ Subject to meeting rules of origin requirements and once staging is complete. Figures in this section relate to existing Indian goods imports from the UK in 2022. These figures do not relate to potential future trade

million, which will more than double to around £900 million after 10 years. The Treaty also protects sensitive sectors such as sugar, milled rice, pork, chicken, and eggs by excluding them from tariff liberalisation.

- 4.12** As soon as the Treaty comes into force, 64% of tariff lines will be eligible for tariff-free imports into India, covering £1.9 billion of current UK exports to India. After staging over 10 years, the Treaty will mean 85% tariff lines and 66% of existing Indian imports from the UK will be eligible for tariff-free entry into India.
- 4.13** UK businesses and consumers will also have increased access to tariff-free imports from India, with tariffs being eliminated on 99% of Indian goods which could provide better choice, quality and affordability on a wide range of Indian products such as spices, apparel and textiles. In addition, estimated duties on UK imports from India would be reduced by around £220m if all available preferences are used, based on 2022 imports.
- 4.14** Indian imports from the UK of whiskies will see duties cut to 75% on day one and staged to 40% from year 10 onwards. Gin will benefit from the same tariff reductions.
- 4.15** UK car manufacturers will benefit from a quota that reduces tariffs from up to 110% to 10%, with staging. This starts with internal combustion engine (ICE) cars but transitions to electric vehicles (EVs) and hybrids to reflect how manufacturing in the UK is evolving. Similarly, Indian access to the UK market for EVs and hybrid is also staged and under a quota to support the UK auto industry's transition to EVs, while increasing consumer choice.
- 4.16** This Treaty provides improved market access for advanced manufacturing and medical technology companies within the wider life sciences sector, and for clean energy.
- 4.17** The Treaty also provides tariff-free access for UK agrifood, such as fresh and frozen salmon and cod, and lamb. Other UK food and drink exports such as chocolate, biscuits, infant formula, animal feed, protein concentrates and soft drinks will also see tariffs progressively removed.
- 4.18** This Treaty cuts tariffs for UK cosmetics and toiletries exporters, and perfumes and eau de cologne will see tariffs of 22% halved after staging.

Rules of Origin

- 4.19** The Treaty provides a single set of rules to determine whether a good is eligible for tariff reductions under the Treaty. This includes product-specific rules to determine when a good produced within the UK or India, using materials from other countries, will qualify as 'originating'.
 - 4.20** To ensure that only genuinely UK or Indian goods can access the reduced tariffs the Treaty sets out procedures that traders are required to follow to prove
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the origin of goods. These procedures differ for UK importers and Indian importers.

Trade Remedies

- 4.21** The Trade Remedies chapter provides a safety net for domestic industry against unfair trading practices such as the dumping of low-priced goods into the domestic market, imports of subsidised goods, or unforeseen surges in imports.
- 4.22** The Treaty affirms both countries' rights and obligations under the WTO, allowing Members to apply trade remedies proportionately and transparently. Alongside this, we have agreed additional provisions on the proportionate and transparent application of trade remedy measures.
- 4.23** The Treaty has a 'bilateral safeguard' mechanism. This allows the UK or India to temporarily increase tariffs or suspend tariff concessions if the tariff liberalisation agreed in the CETA leads to a surge of imports that causes or threatens to cause serious injury to domestic industry. This mechanism provides the opportunity for trade to be rebalanced should the UK or India apply a bilateral safeguard. This temporary measure allows the industry to adjust to the new market conditions of the CETA.

Customs and Trade Facilitation

- 4.24** This chapter ensures that customs procedures in both countries are non-discriminatory, transparent, and consistent. It reinforces the UK and India's cooperation to promote trade facilitation while maintaining effective customs control.
- 4.25** The UK and India have agreed to release goods as rapidly as possible after arrival at customs, endeavoring to do so within 48 hours if all requirements have been met and where no physical examination is necessary.
- 4.26** To reduce the administrative burden for traders, the UK and India will further simplify certain customs procedures for eligible traders. This includes allowing the payment of customs duties to be deferred until after the release of imported goods and offering traders the ability to pay customs.
- 4.27** To give traders clarity about customs processes, the UK and India have agreed that customs-related laws, regulations and procedures should be available online in English, to the extent possible and practicable. This includes details of enquiry points, operating hours for customs offices, provisions to disclose or correct an error in a customs transaction and any requirements for customs brokers.

Sanitary and Phytosanitary (SPS)

- 4.28** The SPS chapter ensures both the UK and India can protect their biosecurity, while putting in place enhanced commitments, structures and processes that avoid unnecessary trade barriers.
- 4.29** The Treaty includes provisions on the processes that UK and India may undertake in determining the equivalence of each other's SPS measures and the recognition of regional conditions. Future recognition of equivalence could help

facilitate access for goods into each country's market and make it easier for producers to export.

4.30 Provisions on regionalisation provide greater transparency, clarity, and timeliness when the UK and India put in place measures to control disease and pest outbreaks. This will help avoid unnecessary trade restrictions and facilitate the safe movement of goods between the UK and India where disease is present but safely managed.

4.31 The UK and India are recognising the connection between the improved health and the welfare of farmed animals and will cooperate on animal welfare, including on international animal welfare standards, and exchange information and expertise in the field of animal welfare. The chapter also recognises the importance of tackling antimicrobial resistance (AMR) and the global threat it poses, and both countries have made commitments to cooperate through exchanging information, experiences, expertise and data on AMR.

Technical Barriers to Trade (TBT)

4.32 The Technical Barriers to Trade chapter sets out commitments between the UK and Indian governments on how technical regulations setting out product characteristics should be developed. These commitments will help us make trade easier, fairer and more transparent.

4.33 This chapter helps us remove or reduce technical barriers to trade for goods, while upholding the safety and quality of products on the UK market. It will also help us identify and address further barriers in the future.

Trade in Services

Trade in Services

4.34 This chapter locks in market access for many services sectors. UK businesses will not face restrictions such as limits on the number of businesses able to supply a service, to the extent that sectors are committed. UK businesses will not need to set up a company in India or be a resident in India to supply their services, to the extent that sectors are committed.

4.35 This chapter ensures that UK businesses benefit from the same treatment granted to Indian businesses by the Indian government, to the extent that sectors are committed.

4.36 This chapter supports an open trading environment for the covered sectors by addressing procedures for authorisation to do business such as license applications. For example, the chapter ensures the information necessary to get a license is published, that any associated fees are reasonable, and that applicants will be updated on the outcome of their applications.

4.37 This chapter protects UK public services and does not compromise the UK's ability to regulate key public services, and the UK does not negotiate over its right to regulate public services.

Professional Business Services

4.38 The Treaty has a professional services annex where the UK and India will identify and encourage mutually interested UK and Indian relevant bodies to enter into negotiations on mutual recognition agreements or similar arrangements for recognition of professional qualifications. These agreements or arrangements can streamline processes for UK professionals seeking to have their professional qualifications recognised in India and vice versa, by reducing administration, time, and costs, and by providing certainty to businesses seeking to operate abroad.

4.39 This annex establishes a Professional Services Working Group which will create a dedicated forum for UK and Indian government officials to review and monitor the annex's implementation, appropriately liaise to support relevant bodies in pursuing the annex's objectives and exchange information on issues relating to professional services.

4.40 The annex does not affect the autonomy of UK relevant bodies to set, maintain and assess against the standards for their professions.

Financial Services

4.41 The Treaty secures UK companies' ability to deliver financial services to clients in India, supporting the long-term competitiveness and stability of the UK's financial services sector. On foreign direct investment, UK ownership or investment into Indian insurance or banking firms will be locked in at up to 74% UK owned or invested. This can support UK financial service exports, which were worth £230 million in 2024.⁵

4.42 This chapter also supports innovation in financial services in both countries, with commitments on the provision of new financial services. The Treaty commits the UK and India to cooperate on issues such as FinTech, RegTech and diversity in finance, alongside promoting financial stability, and improving market integration.

4.43 This Treaty includes non-discrimination rules that ensure that UK firms are treated fairly when providing services in India's market, subject to India's schedule of specific commitments. It includes comprehensive transparency commitments which ensure that India's rules and practices for the authorisation of UK financial services firms are fair and transparent, and that regulatory measures are administered in a reasonable, objective and impartial manner, subject to India's schedule of specific commitments.

Temporary Movement of Natural Persons

4.44 This chapter locks in rules which ensure UK professionals can travel to India (and, conversely, Indian professionals can travel to the UK) to attend confer-

⁵ ONS, [UK trade in services: service type by partner country, non-seasonally adjusted](#), April 2025

ences, transfer to an Indian branch of their organisation, and supply services covered by the agreement part of a contract. This will benefit professionals and businesses across a wide range of sectors including engineering and architectural services, accountancy services, and management consultancy.

- 4.45** The UK and India will ensure that visa application processes are transparent, and that governments do not create unnecessary obstacles for professionals to travel between the UK and India.
- 4.46** The chapter also extends the contractual service supplier route to some additional sectors not previously committed to India by the UK. In these listed sectors, Indian companies will be able to send their employees to the UK for up to a year to supply services on a contractual basis. This additional access includes a quota for Indian chefs de cuisine, yoga teachers, and classical musicians – collectively limited to 1,800 people a year and subject to qualification and experience requirements.
- 4.47** The chapter also locks in access for independent professionals – this means that self-employed Indian nationals can also enter the UK to deliver contracted services in the UK in the listed sectors for up to a year subject to qualifications and experience requirements. The sectors listed are in line with other UK trade agreements and include architectural and engineering services.
- 4.48** This chapter is in line with the government's broader immigration policy. There are no new visas or visa routes created as part of this deal and the standards to apply to work in the UK have not changed. The UK retains the right to alter the rules applying to visas, consistently with our commitments, as we see fit.

Telecommunications

- 4.49** This chapter contains a strong set of obligations which are based on pro-competitive principles including transparency and non-discrimination.
- 4.50** UK telecoms suppliers will have guaranteed access to the facilities and services in India on a transparent and non-discriminatory basis. The chapter also ensures access to telecommunications networks and services for UK suppliers in India and guarantees that critical scarce resources are administered in an open and objective manner. These critical resources include spectrum and radio frequencies that are essential for any wireless communication, such as allowing a phone to make calls or connect to the internet.
- 4.51** Reflecting on the strength and importance of UK-India telecommunications trade, the chapter also fosters cooperation on the opportunities and challenges in the telecommunications sector and working together in international fora to promote international standards.

Key details from other parts of the Treaty

Digital

- 4.52** This chapter reduces barriers to digital trade and promotes compatibility of digital trading systems, including through supporting the legal recognition of electronic contracts and electronic authentication.

- 4.53** Businesses will be protected from forced transfer of their source code.
- 4.54** The chapter protects consumers online. Unsolicited commercial messages will be minimised, for example by requiring consent or working towards making spam clearly identifiable, such as by including who they are sent on behalf of.
- 4.55** The chapter includes provisions on cross border data flows and data localisation, which allows the UK the opportunity to negotiate these rules with India when they agree similar commitments with other FTA partners. This commitment does not affect the UK's high standards of data protection, and any transfer of personal data will still be protected under the UK's data protection law.

Intellectual Property (IP)

- 4.56** This chapter will support our economies through effective and balanced protection and enforcement of IP rights. This chapter covers copyright and related rights, designs, trademarks, geographical indications (GIs), patents, and trade secrets, as well as the enforcement of IP rights, and ongoing cooperation in relation to IP matters.
- 4.57** This Treaty builds on our shared commitments in numerous international IP treaties and the WTO Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement, which is the international baseline of intellectual property protection.
- 4.58** This Treaty secures improvements to patent procedures in India to reduce the administrative burden, speed up processes, and lock in commitments that provide for transparency and legal certainty in the patent system.
- 4.59** India has committed to engage on aspects of copyright and related rights, addressing the interests of UK creators, rights holders, and consumers. This includes public performance rights and the artist's resale right which acknowledge the importance of these royalty rights. India will also conduct an internal review of their terms of protection in respect of works, performances, phonograms and broadcasts.
- 4.60** The UK will be able to apply for India's highest level of protection for all UK geographical indications (GIs) to be protected under the Treaty, extending this beyond wines and spirits, which are currently the only product categories that receive this higher standard in India.
- 4.61** Both countries have committed to making best endeavours to agree on the GIs that will be put forward for protection as soon as possible after the Treaty is signed.
- 4.62** The chapter does not commit the UK to IP system change, nor does it compromise the UK's IP system or its international positions on IP.

Government Procurement

- 4.63** This chapter guarantees access to the Indian government procurement market for UK businesses and ensures that government procurement processes in both countries is fair, open, and transparent.

- 4.64** For the first time, UK businesses will be able to compete for a broad variety of goods, services, and construction procurements, for the majority of central government entities in India, as well as for several of India's federal state-owned enterprises at lower thresholds than previously available. India spends an estimated 20% of its GDP on public procurement,⁶ and UK suppliers will have greater opportunities to bid for many of these contracts, on better terms and with greater access to the relevant information to support their bids.
- 4.65** India's federal government entities covered by the Treaty, publish, on average, approximately 40,000 tenders per year with a value of at least £38 billion.⁷ With this chapter, UK businesses will have guaranteed access to compete for a proportion of these contracts that meet the criteria specified within India's schedule.
- 4.66** UK companies will get exclusive treatment under the 'Make in India' policy, which currently provides preferential treatment for federal government procurement to businesses who manufacture or produce in India. UK companies will be treated as a class 2 supplier if at least 20% of their product or service is from the UK – granting them the same status that only Indian firms currently have (the Make in India preference will still apply for approved 'class 1' suppliers offering 50% or more of their goods or services from India).
- 4.67** The chapter also enables UK businesses to access information on published tender notices for procurements covered by the Treaty, free of charge, through India's single website portal.

Competition and Consumer Protection

- 4.68** This chapter includes commitments that competition laws are applied and enforced in a non-discriminatory manner by independent authorities.
- 4.69** It will also ensure both the UK and India maintain procedural rights for people and businesses under investigation by competition authorities, including the right to be treated fairly and to defend themselves.
- 4.70** The UK and India have also agreed to promote cooperation on the application and enforcement of competition and consumer protection policies and law.

State-Owned Enterprises (SOEs)

⁶ World Bank, [Global Public Procurement Database \(GPPD\)](#), 2021

⁷ This analysis utilises 3 full financial years of data from [India's e-procurement dashboard](#) which is not exhaustively used by all federal government agencies for all procurements. Therefore, several entities included within India's market access schedule cannot be included within the analysis. This analysis does not take into account restrictions on access as a result of Make in India, the chapter thresholds and tenders for goods or services not covered by the government procurement chapter

4.71 This chapter demonstrates the UK's commitment to working with trading partners to promote free and fair trade and tackle unfair practices.

4.72 The provisions include commitments that SOEs should operate in accordance with commercial practices and possess appropriate means to raise concerns. The Treaty also promotes cooperation between UK and Indian authorities on the corporate governance of SOEs and provide for appropriate means to raise concerns where they arise.

Subsidies

4.73 This chapter reaffirms and builds upon existing WTO subsidy rules. The Treaty provides for transparency in subsidies granted, and for appropriate means to raise concerns where they arise, complementing the tools available through the WTO.

Small and Medium Sized Enterprises

4.74 This Treaty promotes SME participation in trade with India through commitments from the UK and India on cooperation and information-sharing. It commits both countries to cooperation to reduce the trade barriers that SMEs may otherwise face, by increasing transparency and access to information.

4.75 The SME chapter includes commitments to set up contact points and facilitating the exchange of best practices that make it easier for SMEs to enter the market. The UK and India will also make trade information accessible online and easier to understand, so that SMEs can clearly understand and navigate the other country's systems and processes.

Innovation

4.76 This chapter will bolster support for innovation in the UK and India, including by fostering opportunities for innovation-intensive industries and encouraging trade in innovative products and services.

4.77 This chapter establishes an Innovation Working Group, which will allow the UK and India to enhance existing collaboration, research, and development. Discussions under this cooperative framework may cover a range of areas, including future regulatory approaches and supply chain resilience.

4.78 The working group will provide an opportunity for industry, academia and civil society to advise government on key challenges surrounding innovation and trade. The UK will work with India to achieve the early identification and mutually beneficial resolution of unintended barriers to trade, including by monitoring regulatory frameworks for new technologies, supporting businesses to maximize their global trading ambitions.

Labour

4.79 This Treaty demonstrates our commitment to upholding international labour standards. Both the UK and India commit to upholding international labour protections for workers. This includes protections on freedom of association and

protection from forced labour in line with the obligations of both parties to uphold these protections in their domestic legislation. This is by virtue of their membership of the International Labour Organization (ILO), the United Nations (UN) agency that sets international labour standards.

4.80 The Treaty encourages good business practice and corporate responsibility, advances our mutual ambition to tackle forced labour and gender discrimination in the workplace, and promotes decent working conditions. The Treaty also contains commitments for the effective enforcement of labour laws.

4.81 This chapter ensures fair competition for UK and Indian business through a commitment that neither country will selectively disapply their labour protections. The UK and India continue to retain flexibility to regulate for domestic interests.

Environment

4.82 This chapter supports the UK's climate and environment goals – including delivery of the Clean Energy Superpower Mission and the transition to net zero. It reaffirms our mutual commitments to global environmental agreements including the Paris Agreement and 1.5°C temperature goal, and encourages the transition to clean energy.

4.83 The chapter commits the UK and India to strive to ensure their respective environmental laws encourage high levels of environmental protection, and not to waive their environmental laws to encourage bilateral trade or investment.

4.84 There are provisions to endeavour to facilitate and promote trade in environmental goods and services, which could help the UK boost exports in key green sectors, such as clean energy industries, and drive economic growth at home.

4.85 Provisions support cooperation on a broad range of environmental issues, including reducing air pollution, protecting biodiversity, tackling deforestation, and addressing marine litter, among others. The FTA also establishes a subcommittee on sustainability.

4.86 The chapter also includes provisions that support cooperation and trade in key UK growth sectors such as clean energy, transport, recycling, and that promote a circular economy.

Trade and Development Cooperation

4.87 The chapter includes provisions on exchanging information and sharing best practices on trade and development policies and programmes, as well as a commitment for cooperation and joint advocacy in international fora related to trade and development.

4.88 This chapter includes a commitment on monitoring the effects of the agreement on developing countries, allowing risks to be identified and opportunities for development to be supported.

Trade and Gender Equality

4.89 This chapter enhances the opportunities for women to access the full benefits of the UK-India CETA. It also advances women's economic empowerment and promotes gender equality through trade.

4.90 This chapter creates the space for the UK and India to work together to support women business owners, entrepreneurs, and workers to fully access and benefit from the opportunities created by this Treaty.

Good Regulatory Practice

4.91 This chapter promotes economic growth for the UK by encouraging good governance and accountability within regulatory processes which will provide a stable and predictable regulatory regime for UK businesses.

4.92 The UK and India will ensure that their regulations are made accessible. Both countries make commitments to provide a reasonable opportunity for interested persons to comment on proposed major regulatory measures, and to encourage regulatory authorities to cooperate on current and future regulation.

Transparency

4.93 The provisions in this chapter commit the UK and India to a number of transparency principles that aim to make relevant information open and available to the users of the Treaty.

Anti-Corruption

4.94 Through this Treaty, the UK and India affirm their adherence to their key international commitments on bribery and corruption in the United Nations Convention against Corruption (UNCAC) and recognise the relevant principles adopted by the G20. The UK and India agree to work together to tackle these global issues within the trade and investment context.

4.95 The chapter includes obligations to maintain a range of measures to prevent and combat bribery and corruption, including the criminalisation of bribery and prohibiting fraudulent book-keeping. It also includes provisions covering the prohibition of facilitation payments, the criminalisation of embezzlement and money-laundering and whistle blowing protections.

4.96 Provisions cover cooperation between the UK and India on anti-corruption matters, as well as an ad hoc working group to continue the important dialogue on bribery and corruption in trade.

5 Implementation

Primary Legislation

5.1 To implement the TBT chapter, it will be necessary to make primary legislation to permit conformity assessment bodies based in India to apply for accreditation from the United Kingdom Accreditation Service and approval by the UK Government.

Secondary Legislation

- 5.2** The following potential secondary legislation requirements have been identified:
1. Goods: Granting preferential tariff treatment to Indian goods under section 9 of the Taxation (Cross-border Trade) Act 2018.
 2. Procurement: Specifying the Treaty under section 89 of the Procurement Act 2023, so that Indian businesses constitute “treaty state suppliers”.
 3. IP: Amending the Copyright and Performances (Application to Other Countries) Order 2016 to ensure that India receive the rights provided for under Article 13.63 (Performers) of the Treaty.
- 5.3** Temporary Movement of Natural Persons: Amending the Immigration Rules Appendix Global Business Mobility routes under section 3 of the Immigration Act 1971.

Immigration Rules

- 5.4** Amendments to the Immigration Rules Appendix Global Business Mobility routes will be made under Section 3 of the Immigration Act 1971.

6. Territorial Application

- 6.1** The Treaty will apply to the United Kingdom of Great Britain and Northern Ireland.
- 6.2** The territorial application of the following Chapters of the Treaty extends to the Crown Dependencies:
1. Trade in Goods;
 2. Rules of Origin;
 3. Customs and Trade Facilitation;
 4. Sanitary and Phytosanitary Measures; and
 5. Technical Barriers to Trade.
- 6.3** The Treaty includes a mechanism which will allow for further extension to the Crown Dependencies and Overseas Territories. Side letters setting out the intention to extend further provisions of the Treaty to the Crown Dependencies have been agreed with India, and DBT will work with the Crown Dependencies in this regard following entry into force of the Treaty, as well as any Overseas Territory that wishes this Treaty to be extended to it in future.

7. Financial

- 7.1** Public funding will be required to meet the obligations for managing this Treaty and attending periodic Joint Committee meetings, and meetings of other subsidiary bodies, which would include travel costs.

8. Human Rights

- 8.1** There are no significant human rights implications. Additionally, implementation will not require legislative changes with significant human rights implications.

9. Reservations and Declarations

- 9.1** No reservations or declarations have been made in relation to the Treaty.

10. Consultation

Devolved Governments (DGs)

- 10.1** International relations, including the regulation of international trade, are reserved matters. However, the implementation of international obligations in devolved areas is the responsibility of each individual devolved legislature.
- 10.2** DBT has created engagement structures at all levels to ensure a constructive approach to working with the DGs. These have included the quarterly Ministerial Forum for Trade, regular bilateral ministerial meetings, the six-weekly Senior Officials Group, Chief Negotiator calls running parallel to negotiation rounds, six-weekly chapter-specific policy roundtables and weekly working level engagement.
- 10.3** The DGs were consulted regularly throughout negotiations and during the final stages of negotiations the DGs were updated on a weekly basis. The Minister for Trade Policy also discussed the negotiation with DG Ministers, both bilaterally and at the Ministerial Forum for Trade.
- 10.4** The Treaty text was shared with the DGs throughout negotiations and a final version of the whole treaty was shared before signature.

Crown Dependencies (CDs) and Overseas Territories (OTs)

- 10.5** The UK is committed to seeking to represent the interests of the Crown Dependencies (CDs) and Overseas Territories (OTs) in all international free trade agreements, acknowledging that they have varied and specific interests which differ from agreement to agreement.
- 10.6** DBT has shared relevant written information and text with the CDs and OTs, where relevant, and held policy specific discussions through a contact group established to support engagement on all issues related to international trade.
- 10.7** We consult regularly with the CDs and the OTs at official and ministerial level and have highlighted to India our role in representing their interests throughout all stages of the negotiation.

Other stakeholders

- 10.8** Our India negotiation strategy was informed by a comprehensive consultation process. From 24 May 2021 to 11:45 on 31 August 2021, the

Department for International Trade (as it was then) held a ‘Call for Input’ on what businesses thought about the UK’s (then) current trading arrangements with India, and where businesses thought these could be changed or improved upon, through a total of 94 questions. On this basis, The Department for International Trade published its approach to negotiating a free trade agreement with India on 13 January 2022, which included a response to this consultation.

- 10.9** DBT has engaged extensively with a range of stakeholders and experts through technical and strategic discussions to inform our negotiations and ensure we were representing the views of sectors across the UK economy. DBT has also continually worked with stakeholders to understand concerns and ensure that our negotiations benefit businesses and consumers across the UK.
- 10.10** Regular updates were provided post-round and on an ad-hoc basis to business stakeholders, who were also consulted in detail by DBT negotiation teams, where appropriate.

11. Ministerial Responsibility

- 11.1** The Secretary of State for the Department for Business and Trade has overall responsibility for the trading relationship with India and for this treaty.
- 11.2** The Secretary of State for Foreign, Commonwealth and Development Affairs has overall responsibility for UK policy relating to the UK’s relations with India.

Sign-off

Minister’s Name

Minister’s Role