



## DEBATE PACK

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# European Affairs

## General Debate | Main Chamber Thursday 25 February 2016

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Subject specialist:  
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# 1. Summary

On 19 February 2016, after months of negotiations, David Cameron reached agreement with his EU counterparts on a legally binding Decision to address the UK's concerns about its future EU membership. The full set of texts adopted as part of the New Settlement for the United Kingdom within the European Union are set out in the European Council [Conclusions](#):

- a) Decision of the Heads of State or Government, meeting within the European Council, concerning a new settlement for the United Kingdom within the European Union;
- b) Statement containing a draft Council Decision on specific provisions relating to the effective management of the banking union and of the consequences of further integration of the euro area which will be adopted on the day the Decision referred to in point (a) takes effect;
- c) Declaration of the European Council on competitiveness;
- d) Declaration of the Commission on a subsidiarity implementation mechanism and a burden reduction implementation mechanism;
- e) Declaration of the European Commission on the indexation of child benefits exported to a Member State other than that where the worker resides;
- f) Declaration of the Commission on the safeguard mechanism referred to in paragraph 2(b) of Section D of the Decision of the Heads of State or Government;
- g) Declaration of the Commission on issues related to the abuse of the right of free movement of persons.

This Settlement will be the basis for the UK referendum on EU membership on 23 June 2016.

To summarise, the package allows the UK to apply an emergency brake on EU citizens using free movement laws to come to the UK; restricts access to in-work benefits for up to seven years; links payment of child benefit for children not resident in the UK to the economy of their resident State; ensures equal treatment for Eurozone and non-Eurozone States in measures providing for more Eurozone integration; applies a single rulebook to all credit institutions and other financial institutions to ensure a level-playing field in the internal market; recognises that the UK is not committed to further EU political integration ("ever closer

union"); promises to reduce the burden on business and provides a mechanism for national parliaments to object to Commission proposals ("red card").

The European Council also discussed measures to tackle the migration crisis, Syria and Libya.

## 2. News Articles

### [Brexit puts jobs at risk, say 200 business chiefs](#)

Francis Elliott and Philip Aldrick  
The Times  
23 February 2016

### [Business leaders set out their European stall](#)

Letter to the Editor from various business leaders  
The Times  
23 February 2016

### [PM's Business Advisers Split On EU Reform Deal](#)

Mark Kleinman  
Sky News  
22 February 2016

### [Boris Johnson backs EU exit: London mayor announces Brexit support](#)

Oliver Wright and Adam Withnall  
Independent  
22 February 2016

### [More Tories line up to support Brexit campaign](#)

George Parker  
Financial Times  
22 February 2016

### [EU referendum: Leaving EU 'big gamble' for UK security](#)

BBC News Online  
22 February 2016

### [The UK's EU referendum: All you need to know](#)

BBC News Online  
22 February 2016

### [There is only one way to get the change we want – vote to leave the EU](#)

Boris Johnson  
Daily Telegraph  
22 February 2016

**Let's go: Employment Minister Priti Patel says quitting Europe will make Britain stronger**

Priti Patel  
Mail on Sunday  
21 February 2016

**EU referendum: Up to 100 Tory backbenchers could back Brexit as 'in' campaign 'cock a hoop' about convincing Sajid Javid and Theresa May**

Andrew Gilligan, Steven Swinford, Ben Riley-Smith and Christopher Hope  
Sunday Telegraph  
21 February 2016

**'Gang of six' free to spread Eurosceptic message after Brexit deal**

George Parker  
Financial Times  
21 February 2016

**Military leaders to warn against a Brexit**

Steven Swinford and Ben Riley-Smith  
Sunday Telegraph  
21 February 2016

**Leaders react to news of UK's renegotiated EU membership**

The Guardian  
20 February 2016

**EU reform deal: What Cameron wanted and what he got**

BBC News Online  
20 February 2016

**Call that a deal, Dave? Critics savage Cameron's pact for 'special status' in the EU that gives away key demands on welfare, borders and child benefits**

James Slack, John Stevens, Jack Doyle and Imogen Calderwood  
Daily Mail  
20 February 2016

**Cameron's deal is the wrong one: but Britain must stay in Europe**

Jeremy Corbyn  
The Guardian  
20 February 2016

**[UK will never be able to fundamentally reform the EU, Nigel Farage warns](#)**

Jon Stone  
Independent  
19 February 2016

**[David Cameron faces growing rift at EU summit in Brussels](#)**

Alberto Nardelli, Nicholas Watt and Ian Traynor  
The Guardian  
18 February 2016

**[UK and the EU: Better off out or in?](#)**

BBC News Online  
17 February 2016

**[EU referendum: Tusk says EU has 'no choice' over reforms](#)**

BBC News Online  
17 February 2016

## 3. Press Releases

**[PM statement following Cabinet meeting on EU settlement: 20 February 2016](#)**

David Cameron  
20 February 2016

**[Letter by President Donald Tusk to the Members of the European Council on his proposal for a new settlement for the United Kingdom within the European Union](#)**

Donald Tusk  
2 February 2016

**[PM statement following European Council meeting: 19 February 2016](#)**

David Cameron  
19 January 2016

**[PM speech on EU reform: 2 February 2016](#)**

David Cameron  
2 February 2016

**[PM statement in Bavaria on EU reform, 7 January 2016](#)**

David Cameron  
7 January 2016

**[Letter by President Donald Tusk to the European Council on the issue of a UK in/out referendum](#)**

Donald Tusk  
7 December 2015

**[PM letter to President of the European Council Donald Tusk](#)**

David Cameron  
10 November 2015

**[Prime Minister's speech on Europe](#)**

David Cameron  
10 November 2015

**[Foreign Secretary travels to Brussels for EU reform talks](#)**

22 September 2015

**[EU speech at Bloomberg](#)**

David Cameron  
23 January 2013

## 4. PQs

### **UK Membership of EU 22 Feb 2016 | 26617**

**Asked by: Douglas Carswell**

To ask the Attorney General, what planning his Department has undertaken in the event of the UK voting to leave the EU.

**Answering member: Jeremy Wright | Department: Attorney General**

At the February European Council the Government negotiated a new settlement, giving the United Kingdom a special status in a reformed European Union. The Government's view is that the UK will be stronger, safer and better off remaining in a reformed EU.

### **UK Membership of EU 17 Feb 2016 | 26433**

**Asked by: Andrew Rosindell**

To ask the Secretary of State for Foreign and Commonwealth Affairs, if he will ensure that mechanisms are in place under the proposed draft deal with Europe to prevent the gradual transfer of powers to Brussels through EU directives and parliamentary resolutions.

**Answering member: David Lidington | Department: Foreign and Commonwealth Office**

The draft European Council texts presented to Parliament on 1 February are part of the ongoing renegotiation of the UK's EU membership. The draft text provided for a mechanism to ensure the EU's commitment to subsidiarity is fully implemented, but as the Prime Minister, my right hon. Friend the Member for Witney (Mr Cameron), said in the House on 3 February, there are details that are still to be pinned down and intense negotiations to try and agree a deal with 27 other countries.

More widely, the European Union Act 2011 ensures that if a change to the EU Treaties is proposed that would transfer a power from the UK to the EU, the consent of the British people in a referendum would be required before such a transfer could be agreed.

### **UK Membership of EU 16 Feb 2016 | 26370**

**Asked by: Andrew Rosindell**

To ask the Secretary of State for Foreign and Commonwealth Affairs, whether the proposed outcomes of the renegotiation of the UK's membership of the EU would require the approval of the European Parliament to be legally binding.



**Answering member: David Lidington | Department: Foreign and Commonwealth Office**

An agreement reached by the Heads of State or Government of the Member States, reflecting the outcomes of the renegotiation, would not require the approval of the European Parliament to be legally binding.

**UK Membership of EU: Referendums  
15 Feb 2016 | HL5742**

**Asked by: The Marquess of Lothian**

To ask Her Majesty's Government what contingency plans are in place, or in preparation, to address all possible outcomes of a referendum on the UK's continued membership of the EU.

**Answering member: Baroness Anelay of St Johns | Department: Foreign and Commonwealth Office**

The Government is fighting hard to fix the aspects of our EU membership that cause so much frustration in the UK, so we can get a better deal for our country and secure our future. We are confident that the right agreement can be reached. The civil service are working round the clock to support the renegotiation.

**UK Membership of EU: Referendums  
11 Feb 2016 | 26361**

**Asked by: Bernard Jenkin**

To ask the Minister for the Cabinet Office, whether his Department has established a group or unit to deal with the Government approach to the forthcoming EU referendum.

**Answering member: John Penrose | Department: Cabinet Office**

There is a long established secretariat in the Cabinet Office that deals with all European matters, including the renegotiation. This has been expanded in recent weeks to reflect the increased workload resulting from the renegotiation.

**EU Referendum  
04 Feb 2016 | 605 c1077**

**Ian Blackford (Ross, Skye and Lochaber) (SNP):** What recent assessment the Electoral Commission has made of the potential effect of the date of the EU referendum on mayoral, local, and devolved institutions' elections.

**Gary Streeter (South West Devon):** The Electoral Commission recently wrote to the Public Administration and Constitutional Affairs Committee, following that Committee's recent evidence session, on a number of issues, including the potential impact of the date of the

referendum if it were to be held in June. A copy of the letter is available on the Committee's website.

**Ian Blackford:** I thank the hon. Gentleman for that answer. As he will know, early-day motion 1042, in the name of my hon. Friend the Member for North East Fife (Stephen Gethins), has cross-party support in the House. It calls for the EU referendum not to be held in June.

Does the hon. Gentleman not agree that holding the referendum in June would seriously undermine the democratic process? Furthermore, yesterday the First Ministers of Scotland, Northern Ireland and Wales published a joint letter calling for the EU referendum not to be held in June. Does he not agree that the Government should respect the calls from the devolved Administrations and defer the referendum?

**Mr Streeter:** It is for the Government to decide how they respond to the letters from the heads of those Governments. The Electoral Commission has strongly advised the Government and the House about the date of the referendum. The Government listened; they are not holding the referendum in May. I am sure that, as soon as a specific date is announced, the Electoral Commission will give further advice.

**David Nuttall (Bury North) (Con):** Given the lengthy procedure for determining the lead organisation, will my hon. Friend make it clear that the Electoral Commission will ensure that it appoints a lead organisation in sufficient time—and not halfway through the campaign?

**Mr Streeter:** The Electoral Commission is extremely exercised about the issue of appointing the lead campaigns, and it will do that as soon as possible.

**Kevin Foster (Torbay) (Con):** Will my hon. Friend confirm whether the Electoral Commission has given any views about potential dates for the EU referendum in June?

**Mr Streeter:** My hon. Friend has his finger on the pulse. Let me read one sentence from the appropriate letter:

“As may be expected, the impact is greater the closer together the dates of poll and is particularly significant for the first two Thursdays in June (2 and 9 June in the case of 2016.) I would encourage that these dates are avoided if it is possible to do so.”

That is the advice that the Electoral Commission has given the Government.

**Home Office: UK Membership of EU**  
**21 Jan 2016 | 21946**

**Asked by: Tim Loughton**

To ask the Secretary of State for the Home Department, what contingency arrangements her Department has made for the eventuality of a majority leave vote in the upcoming EU referendum.

**Answering member: James Brokenshire | Department: Home Office**

The Government is fighting hard to fix the aspects of our EU membership that cause so much frustration in Britain - so we get a better deal for our country and secure our future. Departments are appropriately resourced to support the Government's priorities in Europe, including the renegotiation and referendum.

**EU Renegotiation  
14 Jan 2016 | 604 c974-6**

**Jeff Smith (Manchester, Withington) (Lab):** Whether he has had discussions with the Prime Minister on the legal form of the UK's renegotiation deal with the EU.

**Stephen Kinnock (Aberavon) (Lab):** Whether he has had discussions with the Prime Minister on the legal form of the UK's renegotiation deal with the EU.

**The Attorney General (Jeremy Wright):** I regularly meet ministerial colleagues, including the Prime Minister, to discuss issues of common interest, including EU law matters, but I am not able to talk about the legal content of those discussions, because, by convention, whether Law Officers have given advice is not disclosed outside Government.

**Jeff Smith:** The President of the EU Council has said that we should expect a concrete proposal in February. Given the timescale involved, can the Attorney General tell us what legal form the renegotiation of the deal will take?

**The Attorney General:** Of course, I cannot discuss the legal ramifications of an agreement that has not yet been reached. When the agreement is reached, the House will, of course, be able to see it and form its own judgment, including on its legal aspects, on which we will be able to say more. The hon. Gentleman will recognise, however, that the final say on the matter will come from the British public, who will have a referendum to determine their verdict—a referendum that a Labour Government would not have given them.

**Stephen Kinnock:** Article 50 of the Lisbon treaty states that, on announcing its intention to withdraw from the European Union, the withdrawing state will automatically be excluded from all meetings of the European Council and, if agreement is not reached within two years, the withdrawing state will be automatically excluded from the negotiated terms. Does the right hon. and learned Gentleman agree that a withdrawing state is therefore liable to suffer what would amount to a punishment beating to dissuade others from withdrawing, and that therefore there is no such thing as a soft Brexit?

**The Attorney General:** These matters will be discussed in the course of the referendum campaign. The hon. Gentleman is several stages ahead of where we are now. The first thing that needs to happen is a renegotiation. Conservative Members believe that the renegotiation is

necessary, and we wish the Prime Minister all success in achieving it. When he has, there will be a referendum to determine whether or not the British public believe it is a good enough deal. Both the renegotiation and the referendum were opposed by the hon. Gentleman's party. We believe that they are the right things to do.

**David Nuttall (Bury North) (Con):** The plan appears to be to have an agreement as a first stage, which would later be confirmed in a treaty change. As the voters in Denmark and Ireland have shown in the past, the outcome of national referendums cannot be taken for granted. How can the Government be certain that any proposed treaty change in the future would actually be approved by each of the other 27 EU states?

**The Attorney General:** My hon. Friend, too, will recognise that these matters will be debated fully in the course of the referendum campaign. I know he will play a full part in that campaign. Of course, in relation to both Ireland and Denmark, international agreements were reached and subsequently enacted. The Government and the public will of course wish to consider that, if that is the outcome of the renegotiation.

**Philip Hollobone (Kettering) (Con):** Were this country to vote to leave the European Union, would the Attorney General's advice to Her Majesty's Government be that the article 50 direction ought to be tabled straightaway so that the negotiations for our exit, which the British people would have so willed, could begin straightaway?

**The Attorney General:** My hon. Friend will recognise that we are some way away from that. I know he will also recognise that, as I said in my initial answer, I cannot discuss in the Chamber or elsewhere legal advice that I may or may not give to the Prime Minister. I hope my hon. Friend will therefore forgive me for not doing so now.

**Keir Starmer (Holborn and St Pancras) (Lab):** One of the risks of leaving the EU is that the UK will no longer be able to rely on crucial EU criminal justice measures to fight serious and organised crime and terrorism. Has the Attorney General given any advice on that risk, and if so, to which Departments?

**The Attorney General:** I am afraid that I am going to sound like a broken record. I think the hon. and learned Gentleman, like most Members of the House, understands full well that I cannot discuss in the Chamber the advice that I may or may not have given to the Government, and I am not going to do so.

**Richard Arkless (Dumfries and Galloway) (SNP):** In my view, the legal position surrounding the so-called renegotiation is confused at best. It appears to me that this confusion may be delaying potential withdrawal from the European convention on human rights. Do the Government intend to hold the EU referendum before addressing the UK's membership of the ECHR?

**The Attorney General:** I do not accept what the hon. Gentleman says about the position being confused. As I have already said, I cannot comment on the legal status of an agreement that has not yet been negotiated. In relation to the ECHR, he will know that my ministerial

colleagues in the Ministry of Justice are working very hard on the Government's proposals, and he will hear them in due course.

**UK Membership of EU**  
**13 Jan 2016 | 21191**

**Asked by: Andrew Rosindell**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what discussions he held with his Swiss counterpart on that country's relationship with the EU as part of his Department's preparations for the renegotiation of the UK's relationship with the EU.

**Answering member: David Lidington | Department: Foreign and Commonwealth Office**

The British Ambassador in Berne and other officials hold regular meetings with their Swiss counterparts to discuss a range of bilateral and multilateral issues, including Switzerland's relationship with the EU. Most recently, Swiss State Secretary Yves Rossier visited the UK in November and held meetings with Foreign Office and Treasury officials.

**UK Membership of EU**  
**13 Jan 2016 | 21158**

**Asked by: Andrew Rosindell**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what progress he has made in reducing red tape for British business during his Department's renegotiation of the UK relationship with the EU.

**Answering member: David Lidington | Department: Foreign and Commonwealth Office**

The Government is fighting hard to fix the aspects of our EU membership that cause so much frustration in Britain – so we get a better deal for our country and secure our future. That includes cutting red tape to make Europe more competitive, so we create jobs and make British families more financially secure. We have made progress; legislative proposals under the new Commission fell by 80 percent in 2015, and more regulations were repealed in 2015 than in the whole of the previous Commission. But the burden from existing regulation is still too high and so we are working to secure a target to cut the total burden on business.

**Ministry of Defence: European Union**  
**12 Jan 2016 | 21074**

**Asked by: Bernard Jenkin**

To ask the Secretary of State for Defence, how many staff in his Department are working on matters related to (a) European policy, (b) the future of Europe, (c) reform of the EU, (d) the renegotiation of the

UK's relationship with the EU, (e) the EU referendum and (f) the consequences of the EU referendum; how many full-time equivalent staff are working on such matters; what the (i) staff and (ii) other cost of such work is; what proportion of that work is undertaken by such staff on (A) communications, (B) strategy and (C) policy; whether his Department has established any specific unit or units to deal with those matters; to whom such (1) staff and (2) units report; whether his Department has issued guidelines to staff on those matters; and if he will make a statement.

**Answering member: Julian Brazier | Department: Ministry of Defence**

The Government is fighting hard to fix the aspects of our EU membership that cause so much frustration in the UK - so we get a better deal for the UK and secure our future. Departments are appropriately resourced to support the Government's priorities in Europe, including the renegotiation and referendum.

**UK Membership of EU  
11 Jan 2016 | 21277**

**Asked by: Philip Hollobone**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what steps he is taking to restore the full value of the UK's rebate from the EU as part of the process of renegotiating the UK's membership.

**Answering member: David Lidington | Department: Foreign and Commonwealth Office**

The Prime Minister, my right hon. Friend the Member for Witney (Mr Cameron), has been clear about the four objectives at the heart of our renegotiations: economic governance, competitiveness, sovereignty and migration/welfare. These were explained in the Prime Minister's letter of 10 November to President Tusk and, as the Prime Minister explained in his statement on 5 January, were discussed in detail during the December European Council meeting.

The financing system for the EU budget, which determines the UK's contributions to the EU from 2014 to 2020, including the rebate, was agreed in 2013 when the Government secured an historic real-terms cut to expenditure and protected the rebate. Parliament ratified that deal last year.

**UK Membership of EU  
15 Dec 2015 | 18969**

**Asked by: Andrew Rosindell**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what progress he has made in his renegotiation with the EU on achieving migration restrictions without requiring treaty change.

**Answering member: David Lidington | Department: Foreign and Commonwealth Office**

Tackling abuses of the right to free movement and reducing the draw that our welfare system can exert across Europe are key elements of the renegotiation agenda. The Prime Minister, my right hon. Friend the Member for Witney (Mr Cameron) has been clear in his discussions with other leaders that the reforms we are seeking must be legally binding and irreversible and that in some areas that will mean treaty change. We look forward to further substantive discussions on this issue at the December European Council.

**UK Membership of EU  
22 Oct 2015 | HL2578**

**Asked by: Lord Luce**

To ask Her Majesty's Government what steps they are taking to ensure that the public will be properly and impartially informed about the full range of consequences of withdrawal from membership of the European Union.

**Answering member: Baroness Anelay of St Johns | Department: Foreign and Commonwealth Office**

The Prime Minister, my right hon. Friend the Member for Witney (Mr Cameron), is focused on success: he believes he can and will succeed in reforming and renegotiating our relationship with the EU and campaigning to keep the UK in the EU on that basis. The public will expect Ministers to set out the results of the renegotiation, how the relationship with Europe has been changed and if, and how, those changes address their concerns. As the Chancellor of the Exchequer, my right hon. Friend the Member for Tatton (Mr Osborne), said in response to Oral Questions to the Treasury on 16 June 2015, Official Report Column 166: 'I am sure that the Treasury will publish assessments of the merits of membership and the risks of a lack of reform in the European Union, including the damage that that could do to Britain's interests.'

**EU Defence Policy  
12 Oct 2015 | 10396**

**Asked by: Douglas Carswell**

To ask the Secretary of State for Defence, what proposals his Department has for further defence integration between the armed forces of EU member states; and whether defence integration will be included in the Government's planned renegotiations of the terms of its membership of the EU.

**Answering member: Julian Brazier | Department: Ministry of Defence**

Her Majesty's Government is focused on delivering a successful renegotiation; we believe we can and will succeed in reforming and renegotiating our relationship with the EU and campaigning to keep the UK in the EU on that basis. Although we welcome closer co-operation

between the armed forces of EU and NATO member states, this needs to be based on improving defence capabilities across Europe, not creating new institutions. We will not support measures which would undermine member states' competence for their own military forces, or lead to competition and duplication with NATO

**UK Membership of EU**  
**18 Sep 2015 | 10133**

**Asked by: Douglas Carswell**

To ask the Secretary of State for Foreign and Commonwealth Affairs, what planning the Government has undertaken on the steps necessary for the UK to withdraw from the EU in the event that the outcome of the EU referendum is a vote to leave.

**Answering member: David Lidington | Department: Foreign and Commonwealth Office**

The Government is focused on delivering a successful renegotiation: it believes it can and will succeed in reforming and renegotiating our relationship with the EU and campaigning to keep the UK in the EU on that basis. The Prime Minister, my right hon. Friend the Member for Witney (Mr Cameron) is confident of achieving this but has said that if we do not achieve the necessary reforms, he rules nothing out.



## 5. Debates

### [EU Referendum: Timing](#)

HC Deb 9 February 2016, Vol 605 cc1444-94

### [Parliamentary Sovereignty and EU Renegotiations](#)

HC Deb 4 February 2016, Vol 605 cc1119-57

### [EU Membership \(UK Renegotiation\)](#)

HC Deb 5 January 2016, Vol 604 cc1-23WH

### [Renegotiation of EU Membership \(Devolved Administrations\)](#)

HC Deb 10 November 2015, Vol 602 cc66-84WH

## 6. Statements

### European Council

23 Feb 2016 | 606 cc21-67

**The Prime Minister (Mr David Cameron):** With permission, Mr Speaker, I would like to make a statement on the agreement reached in Brussels last week, but first let me say a word about the migration crisis which was also discussed at the European Council. We agreed we needed to press ahead with strengthening the EU's external borders to ensure that non-refugees are returned promptly, and to back the new mission to disrupt the criminal gangs working between Greece and Turkey, who are putting so many people's lives at risk. I made it clear that Britain will continue to contribute, and will step up our contribution, in all these areas.

Turning to Britain's place in Europe, I have spent the past nine months setting out the four areas where we need reform, and meeting all the other 27 EU Heads of State and Government to reach an agreement that delivers concrete reforms in all four areas. Let me take each in turn.

First, British jobs and British business depend on being able to trade with Europe on a level playing field, so we wanted: new protections for our economy; to safeguard the pound; to promote our industries, including our financial services industries; to protect British taxpayers from the costs of problems in the eurozone; and to ensure that we have a full say over the rules of the single market while remaining outside the eurozone. We got all those things. We have not just permanently protected the pound and our right to keep it, but ensured that we cannot be discriminated against. Responsibility for supervising the financial stability of the UK will always remain in the hands of the Bank of England. We have ensured that British taxpayers will never be made to bail out countries in the eurozone. We have made sure that the eurozone cannot act as a bloc to undermine the integrity of the free trade single market and we have guaranteed British business will never face any discrimination for being outside the eurozone. So, for example, our financial services firms—our No. 1 services export, employing over a million people—can never be forced to relocate inside the eurozone if they want to undertake complex trades in euros, just because they are based in the UK.

These protections are not just set out in a legally binding agreement. All 28 member states were also clear that the treaties would be changed to incorporate the protections for the UK as an economy inside the EU but outside the eurozone. We also agreed a new mechanism to enable non-eurozone countries to raise issues of concern, and we won the battle to ensure that this could be triggered by one country alone. Of course, none of these protections would be available if we were to leave the EU.

Secondly, we wanted commitments to make Europe more competitive, creating jobs and making British families more financially secure. Again, we got them. Europe will complete the single market in key areas that will really help Britain: in services, making it easier for thousands of UK

service-based companies, like IT firms, to trade in Europe; in capital, so UK start-ups can access more sources of finance for their businesses; and in energy, allowing new suppliers into our energy market, meaning lower energy bills for families across the country.

We have secured commitments to complete trade and investment agreements with the fastest growing and most dynamic economies around the world, including the USA, Japan and China, as well as our Commonwealth allies India, New Zealand and Australia. These deals could add billions of pounds and thousands of jobs to our economy every year. And, of course, they build on the deals we already have with 53 countries around the world through which Britain has benefited from the negotiating muscle that comes from being part of the world's largest trading bloc.

Country after country has said to me that of course they could sign trade deals with Britain, but they also said that their priority would be trade deals with the EU. By their nature, these EU deals would be bigger and better, and a deal with Britain would not even be possible until we had settled our position outside the EU. So, for those Members who care about signing new trade deals outside the EU, we would be looking at years and years of delay.

Last but by no means least, on competitiveness one of the biggest frustrations for British business is the red tape and bureaucracy, so we agreed there will now be targets to cut the total burden of EU regulation on business. This builds on the progress we have already made, with the Commission already cutting the number of new initiatives by 80%. It means that the cost of EU red tape will be going down, not up.

Of course, if we were to leave the EU but ultimately achieve a deal with full access to the single market, like Norway, we would still be subject to all of the EU's regulation when selling into Europe—but with no say over the rules. As the former Europe spokesman for the Norwegian Conservative party said:

“If you want to run Europe, you must be in Europe. If you want to be run by Europe, feel free to join Norway in the European Economic Area.”

Thirdly, we wanted to reduce the very high level of migration from within the EU by preventing the abuse of free movement and preventing our welfare system from acting as a magnet for people to come to our country. After the hard work of the Home Secretary, we have secured new powers against criminals from other countries, including powers to stop them coming here in the first place, and powers to deport them if they are already here. We agreed longer re-entry bans for fraudsters and people who collude in sham marriages, and an end to the frankly ridiculous situation where EU nationals can avoid British immigration rules when bringing their families from outside the EU.

This agreement broke new ground, with the European Council agreeing to reverse decisions from the European Court of Justice. We have also secured a breakthrough agreement for Britain to reduce the unnatural draw that our benefits system exerts across Europe. We have already made sure that EU migrants cannot claim the new unemployment benefit, universal credit, while looking for work. Those coming from the EU who have not found work within six months can now be required to leave. At this Council, we agreed that EU migrants working in Britain can be prevented from sending child benefit home at UK rates. This will apply first to new claimants, and then to existing claimants from the start of 2020.

We also established a new emergency brake so that EU migrants will have to wait four years until they have full access to our benefits. People said it was impossible to achieve real change in this area and that a four-year restriction on benefits was completely out of the question—yet that is what we have done. Once activated, the emergency brake will be in place for seven years. If it begins next year, it will still be operating in 2024 and there will be people who will not get full benefits until 2028. All along, we have said that people should not be able to come here and get access to our benefits system straight away—no more something for nothing, and that is what we have achieved.

I am sure that the discussion about welfare and immigration will be intense, but let me make this point. No country outside the EU has agreed full access to the single market without accepting paying into the EU and accepting free movement. In addition, our new safeguards lapse if we vote to leave the EU, so we might end up with free movement but without these new protections.

The fourth area in which we wanted to make significant changes was to protect our country from further European political integration and to increase powers for our national Parliament. Ever since we joined, Europe has been on the path to something called ever closer union. It means a political union. We have never liked it; we have never wanted it. Now Britain will be permanently and legally excluded from it. The text says that the treaties will be changed to make it clear that

“the Treaty references to ever closer union do not apply to the United Kingdom.”

So as a result of this negotiation, Britain can never be part of a European superstate.

The Council also agreed that ever closer union, which has been referred to in previous judgments of the European Court of Justice, does not offer a legal basis for extending the scope of any provisions of the treaties or EU secondary legislation. People used to talk about a multi-speed Europe; now we have a clear agreement that different countries are not only travelling at different speeds but ultimately heading to different destinations. I would argue that is fundamental change in the way this organisation works.

We have also strengthened the role of this House and all national Parliaments. We have already passed a referendum Act—the European Union Referendum Act 2015—to make sure that no powers can be handed to Brussels without the explicit consent of the British people in a referendum. Now, if Brussels comes up with legislation that we do not want, we can get together with other Parliaments and block it with a red card. We have a new mechanism finally to enforce the principle that, as far as possible, powers should sit here in Westminster, not in Brussels, so now, every year, the European Union must go through the powers that it exercises and work out which are no longer needed and should be returned to nation states.

In recent years, we have seen attempts to bypass our opt-out on justice and home affairs by bringing forward legislation under a different label. For example, attempts to interfere with the way the UK authorities handle fraud were made under the guise of EU budget legislation. The agreement at last week's Council ensures that that can never happen again.

The reforms that we have secured will be legally binding in international law, and will be deposited as a treaty at the United Nations. They cannot be unpicked without the agreement of Britain and every other EU country. As I have said, all 28 member states were also clear that the treaties would be changed to incorporate the protections for the UK as an economy outside the eurozone, and our permanent exclusion from ever closer union.

Our special status means that Britain can have the best of both worlds. We will be in the parts of Europe that work for us, influencing the decisions that affect us, in the driving seat of the world's biggest single market, and with the ability to take action to keep our people safe; but we will be out of the parts of Europe that do not work for us. We will be out of the euro, out of the eurozone bailouts, out of the passport-free, no-borders Schengen area, and permanently and legally protected from ever being part of an ever closer union.

Of course, there is still more to do. I am the first to say that there are still many ways in which this organisation needs to improve, and the task of reforming Europe does not end with last week's agreement. However, with the special status that this settlement gives us, I do believe the time has come to fulfil another vital commitment that the Government made, and hold a referendum. Today I am commencing the process set out under our European Union Referendum Act to propose that the British people decide our future in Europe through an in/out referendum on Thursday 23 June. The Foreign Secretary has laid in both Houses a report setting out the new settlement that the Government have negotiated. That fulfils the duty to publish information which is set out in section 6 of the European Union Referendum Act. As the Cabinet agreed on Saturday, the Government's position will be to recommend that Britain remain in a reformed European Union.

This is a vital decision for the future of our country, and I believe we should also be clear that it is a final decision. An idea has been put forward that if the country voted to leave, we could have a second

renegotiation and perhaps another referendum. I will not dwell on the irony that some people who want to vote to leave apparently want to use a "leave" vote to remain, but such an approach also ignores more profound points about democracy, diplomacy and legality. This is a straight democratic decision—staying in or leaving—and no Government can ignore that. Having a second renegotiation followed by a second referendum is not on the ballot paper. For a Prime Minister to ignore the express will of the British people to leave the EU would be not just wrong, but undemocratic.

On the diplomacy, the idea that other European countries would be ready to start a second negotiation is for the birds. Many are under pressure for what they have already agreed. Then there is the legality. I want to spell out this point carefully, because it is important. If the British people vote to leave, there is only one way to bring that about, namely to trigger article 50 of the treaties and begin the process of exit, and the British people would rightly expect that to start straight away. Let me be absolutely clear about how this works. It triggers a two-year time period to negotiate the arrangements for exit. At the end of this period, if no agreement is in place, then exit is automatic unless every one of the 27 other EU member states agrees to a delay.

And we should be clear that this process is not an invitation to re-join; it is a process for leaving. Sadly, I have known a number of couples who have begun divorce proceedings, but I do not know any who have begun divorce proceedings in order to renew their marriage vows.

I want to explain what happens with section 50. We should also be clear about what would happen if that deal to leave was not done within two years. Our current access to the single market would cease immediately after two years were up; our current trade agreements with 53 countries around the world would lapse. This cannot be described as anything other than risk, uncertainty and a leap in the dark that could hurt working people in our country for years to come. This is not some theoretical question; this is a real decision about people's lives. When it comes to people's jobs, it is simply not enough to say that it will be all right on the night and we will work it out, and I believe that in the weeks to come we need to properly face up to the economic consequences of a choice to leave.

I believe that Britain will be stronger, safer and better off by remaining in a reformed European Union: stronger because we can play a leading role in one of the world's largest organisations from within, helping to make the big decisions on trade and security that determine our future; safer because we can work with our European partners to fight cross-border crime and terrorism; and better off because British business will have full access to the free trade single market, bringing jobs, investment and lower prices.

There will be much debate about sovereignty, and rightly so. To me, what matters most is the power to get things done for our people, for our country and for our future. Leaving the EU may briefly make us feel more sovereign, but would it actually give us more power, more influence and a greater ability to get things done? If we leave the EU, will we have the power to stop our businesses being discriminated

against? No. Will we have the power to insist that European countries share with us their border information so we know what terrorists and criminals are doing in Europe? No, we won't. Will we have more influence over the decisions that affect the prosperity and security of British families? No we won't.

We are a great country, and whatever choice we make we will still be great. But I believe the choice is between being an even greater Britain inside a reformed EU and a great leap into the unknown. The challenges facing the west today are genuinely threatening: Putin's aggression in the east; Islamist extremism to the south. In my view, this is no time to divide the west. When faced with challenges to our way of life, our values and our freedoms, this is a time for strength in numbers.

And let me end by saying this: I am not standing for re-election; I have no other agenda than what is best for our country. I am standing here today telling you what I think. My responsibility as Prime Minister is to speak plainly about what I believe is right for our country, and that is what I will do every day for the next four months. And I commend this statement to the House.

[This statement was repeated and debated in the House of Lords:  
[European Council](#)]

### [UK-EU Renegotiation](#)

03 Feb 2016 | 605 cc925-61

**The Prime Minister (Mr David Cameron):** With permission, Mr Speaker, I would like to make a statement on progress with our renegotiation. The House has now had the chance to study the documents published by the European Council yesterday. I believe that this is an important milestone in the process of reform, renegotiation and referendum that we set out in our manifesto, and which this Government are delivering. We have now legislated for that referendum and we are holding that renegotiation.

Let me set out the problems that we are trying to fix and the progress we have made. First, we do not want to have our country bound up in an ever closer political union in Europe. We are a proud and independent nation, with proud, independent, democratic institutions that have served us well over the centuries. For us, Europe is about working together to advance our shared prosperity and security; it is not about being sucked into some kind of European superstate—not now, not ever.

The draft texts set out in full the special status accorded to the UK and clearly carves us out of further political integration. They actually go further to make it clear that EU countries do not even have to aim for a common destination. This is a formal recognition of the flexible Europe that Britain has long been arguing for.

In keeping Britain out of ever closer union, I also wanted to strengthen the role of this House and all national Parliaments, so we now have a proposal in the texts that if Brussels comes up with legislation that we do not want, we can get together with other Parliaments and block it with a red card.

We have also proposed a new mechanism to finally enforce the principle of subsidiarity—a principle dear to this House—which states that, as far as possible, powers should sit here in this Parliament, not in Brussels. So every year the European Union has got to go through the powers they exercise and work out which are no longer needed and should be returned to nation states.

Secondly, I said that we wanted to make Europe more competitive and deal with the rule-making and the bureaucracy that can cost jobs here in Britain and, indeed, across the European Union. We asked for commitments on all the areas central to European competitiveness. We want international trade deals signed, the single market completed and regulation stripped back. All of these things are covered in the draft texts. There is a new proposal for specific targets to reduce the burdens on business in key sectors. This will particularly help small and medium-sized businesses. There is a new mechanism to drive these targets through and cut the level of red tape year on year.

Thirdly, we are absolutely clear that Britain is going to keep the pound—in my view, forever. But we need to be just as clear that we can keep the pound in a European Union that will be fair to our currency. Put simply, the EU must not become a euro-only club; if it does, it would not be a club for us. So we called for a series of principles to protect the single market for Britain. We said there must be no discrimination against the pound, no disadvantage for businesses that use our currency, wherever they are located in the EU, and no option for Britain ever again to be forced to bail out eurozone countries. All of these principles are reflected in the draft text, which is legally binding. And again there is a mechanism. Britain has the ability to act to uphold these principles and protect our interests.

We should be clear: British jobs depend on being able to trade on a level playing field within the European single market, whether in financial services or cars or anything else. So this plan, if agreed, will provide the strongest possible protection for Britain from discrimination and unfair rules and practices. For instance, never again could the EU try its so-called location policy—that the settling of complex trades in euros must only take place in eurozone countries. These principles would outlaw that sort of proposal. Now, these are protections we could not have if Britain were outside the European Union.

Fourthly, we want to deal with the pressures of immigration, which have become too great. Of course, we need to do more to control migration from outside the European Union. We are doing that, and we will be announcing more measures on that front, but we need to control migration from within the EU too. The draft texts represent the strongest package we have ever had on tackling the abuse of free movement and closing down the back-door routes to Britain. It includes greater freedoms for Britain to act against fraud and prevent those who



pose a genuine and serious threat from coming to this country. It includes a new law to overturn a decision by the European Court which has allowed thousands of illegal migrants to marry other EU nationals and acquire the right to stay in our country. It has been a source of perpetual frustration that we cannot impose our own immigration rules on third-country nationals coming from the European Union, but now, after the hard work of the Home Secretary, we have a proposal to put that right.

There are also new proposals to reduce the pull factor that our benefits system exerts across Europe by allowing instant access to welfare from the day someone arrives. People said that Europe would not even recognise that we had this problem, but the text explicitly recognises that welfare systems can act as an unnatural draw to come to this country.

Our manifesto set out four objectives to solve this problem; I mentioned these at Prime Minister's questions. We had already delivered on two of them within months of the general election. Already, EU migrants will no longer be able to claim universal credit—the new unemployment benefit—while looking for work. And if those coming from the EU have not found work within six months, they can now be required to leave.

In these texts, we have secured proposals for the other two areas. If someone comes from another country in Europe, leaving their family at home, they will have their child benefit paid at the local rate, not at the generous British rate. And crucially, we have made progress on reducing the draw of our generous in-work benefits. People said that it would be impossible to end the idea of something for nothing and that a four-year restriction on benefits was completely out of the question, but that is now what is in the text—an emergency brake that will mean people coming to Britain from within the EU will have to wait four years until they have full access to our benefits. The European Commission has said very clearly that Britain qualifies already to use this mechanism, so, with the necessary legislation, we would be able to implement it shortly after the referendum.

Finally, let me be absolutely clear about the legal status of these changes that are now on offer. People said we would never get something that was legally binding—but this plan, if agreed, will be exactly that. These changes will be binding in international law, and will be deposited at the UN. They cannot be changed without the unanimous agreement of every EU country—and that includes Britain. So when I said I wanted change that is legally binding and irreversible, that is what I have got. And, in key areas, treaty change is envisaged in these documents.

I believe we are making real progress in all four areas—but the process is far from over. There are details that are still to be pinned down and intense negotiations to try and agree the deal with 27 other countries. It will require hard work, determination and patience to see it through. But I do believe that with these draft texts, and with all the work that we have done with our European partners, Britain is getting closer to the decision point. It is, of course, right that this House should debate these issues in detail. So in addition to this statement, and of course a

statement following the Council later this month, the Government will also make time for a full day's debate on the Floor of the House.

As we approach this choice, let me be clear about two things. First, I am not arguing, and I will never argue, that Britain could not survive outside the European Union. We are the fifth largest economy in the world and the biggest defence player in Europe, with one of the most of extensive and influential diplomatic networks on the planet. The question is not could Britain succeed outside the European Union; it is how will we be most successful? How will Britain be most prosperous? How will we create the most jobs? How will we have the most influence on the rules that shape the global economy and affect us? How we will be most secure? I have always said that the best answers to those questions can be found within a reformed European Union. But let me say again that if we cannot secure these changes, I rule nothing out.

Secondly, even if we secured these changes, you will never hear me say that this organisation is now fixed—far from it. There will be many things that remain to be reformed, and Britain would continue to lead the way. We would continue to make sure that Europe works for the countries of Europe, for the businesses of Europe, for the peoples of Europe and, crucially, for the British people who want to work, have security, get on, and make the most of their lives.

So if we stay, Britain will be in there keeping a lid on the budget, protecting our rebate, stripping away unnecessary regulation and seeing through the commitments we have secured in this renegotiation, ensuring that Britain truly can have the best of both worlds: in the parts of Europe that work for us, and out of those that do not; in the single market; free to travel around Europe; and part of an organisation where co-operation on security and trade can make Britain and its partners safer and more prosperous, but with guarantees that we will never be part of the euro, never be part of Schengen, never be part of a European army, never be forced to bail out the eurozone with our taxpayers' money, and never be part of a European superstate.

That is the prize on offer—a clear path that can lead to a fresh settlement for Britain in a reformed European Union: a settlement that will offer the best future for jobs, security and strength for our country; a settlement which, as our manifesto promised nearly a year ago, will offer families in our country security at every stage of their lives. That is what we are fighting for, and I commend this statement to the House.

[This statement was repeated and debated in the House of Lords the following day (4 February 2016): [European Union: United Kingdom Renegotiation](#)]

## 7. Urgent Question

### UK's Relationship with the EU

02 Feb 2016 | 605 cc779-97

**Jeremy Corbyn (Islington North) (Lab)** (*Urgent Question*): To ask the Prime Minister if he will make a statement on the proposal for discussion of the United Kingdom's relationship with the European Union, to be published later today by the President of the European Council, Donald Tusk.

**The Minister for Europe (Mr David Lidington)**: At about 11.35 this morning, the President of the European Council, Mr Donald Tusk, published a set of draft texts about the United Kingdom's renegotiation. He has now sent those to all European Union Governments for them to consider ahead of the February European Council. This is a complex and detailed set of documents, which right hon. and hon. Members will, understandably, wish to read and study in detail. With that in mind, and subject to your agreement, Mr Speaker, my right hon. Friend the Prime Minister will offer an oral statement tomorrow, following Prime Minister's questions, to allow Members of the House to question him, having first had a chance to digest the detail of the papers that have been issued within the last hour.

The Government have been clear that the European Union needs to be reformed if it is to meet the challenges of the 21st century. The British people have very reasonable concerns about the UK's membership of the European Union, and the Prime Minister is determined to address those. He believes that the reforms that Britain is seeking will benefit not just Britain, but the European Union as a whole. Therefore, our approach in Government has been one of reform, renegotiation and then a referendum. We are working together with other countries to discuss and agree reforms, many of which will benefit the entire European Union, before holding a referendum to ensure that the British people have the final and decisive say about our membership.

The House will recall that my right hon. Friend the Prime Minister made a statement after the December meeting of the European Council. At that meeting, leaders agreed to work together to find mutually satisfactory solutions in all the four areas at the European Council meeting on 18 and 19 February. My right hon. Friend's meetings in Brussels on 29 January, and his dinner with President Tusk on 31 January, were steps in that negotiation process.

We are in the middle of a live negotiation and are now entering a particularly crucial phase. The Government have been clear throughout that they cannot provide a running commentary on the renegotiations. However, I am able to say that much progress has been made in recent days, and it appears that a deal is within sight. The publication of the texts by President Tusk this morning is another step in that process, but I would stress to the House that there is still a lot of work to be done.

If the texts tabled today are agreed by all member states, they will deliver significant reforms in each of the four areas of greatest concern to the British people: economic governance, competitiveness, sovereignty and immigration. On sovereignty, the texts show significant advances towards securing a United Kingdom carve-out from ever closer union.

On the relations between euro “ins” and “outs”, the documents offer steps towards significant safeguards for countries outside the eurozone as euro members integrate further. On competitiveness, we are seeing a greater commitment by the entire Union to completing the single market for trade and cutting job-destroying regulations on business.

On free movement, there are important ideas in President Tusk’s drafts on reducing the pull factor of our welfare system and on action to address the abuse of freedom of movement of persons.

We believe that real progress has been made, but I would stress that there is more work still to be done and more detail to be nailed down before we are able to say that a satisfactory deal has been secured.

[This statement was repeated and debated in the House of Lords:  
[European Union](#)]

## 8. Early Day Motions

**DATE OF EU REFERENDUM**  
**EDM 1042 (session 2015-16)**  
**1 February 2016**  
**Stephen Gethins**

That this House notes with deep concern reports that the UK Government may hold a referendum on the UK's membership of the EU in June this year; welcomes the Electoral Commission's recommendation that best practice for referendums is that all legislation should be clear at least six months before it is required to be implemented or complied with by campaigners, the Chief Counting Officer, Counting Officers or Electoral Registration Officers; believes that a referendum in June would be disrespectful to the May elections that will be happening in Scotland, Wales, Northern Ireland, London and some local authorities; and further believes that a quick referendum would create a missed opportunity for a full, comprehensive debate on the UK's EU membership.

**INTERFERENCE BY FOREIGN GOVERNMENTS IN THE EU REFERENDUM**  
**EDM 1026 (session 2015-16)**  
**27 January 2016**  
**Kate Hoey**

That this House recognises the strength of feeling on many sides that will be expressed in the upcoming referendum on EU membership; asserts that the decision is one for the people of the UK, not for foreign governments; deprecates outside interference in our national debate; condemns fearmongering about the consequences of the British public's free vote; specifically rejects the statement of the Irish Taoiseach that if the people of the UK decide to leave the EU this could damage the Northern Ireland peace process; and calls for a respectful debate so that the public can make an informed decision on this very important matter.

## 9. Further reading

House of Commons Library publications

[\*\*EU referendum: impact of an EU exit in key UK policy areas\*\*](#)

Commons Briefing Paper CBP-7213  
12 February 2016

[\*\*EU referendum: UK proposals, legal impact of an exit and alternatives to membership\*\*](#)

Commons Briefing Paper CBP-7214  
12 February 2016

[\*\*EU referendum: UK's EU reform negotiations and the Tusk package\*\*](#)

Commons Briefing Paper CBP-7497  
9 February 2016

[\*\*Starting the EU referendum campaign: rules and regulations\*\*](#)

Commons Briefing Paper CBP-7486  
27 January 2016

[\*\*EU referendum: reform negotiations June to December 2015\*\*](#)

Commons Briefing Paper CBP-7311  
30 December 2015

[\*\*European Union Referendum Bill 2015-16: Progress of the Bill\*\*](#)

Commons Briefing Paper CBP-7249  
11 December 2015

[\*\*The UK and the EU: reform, renegotiation, withdrawal? A reading list\*\*](#)

Commons Briefing Paper CBP-7220  
24 November 2015

[\*\*"Ever Closer Union" in the EU Treaties and Court of Justice case law\*\*](#)

Commons Briefing Paper CBP-7230  
16 November 2015

[\*\*The 1974-75 UK Renegotiation of EEC Membership and Referendum\*\*](#)

Commons Briefing Paper CBP-7253  
13 July 2015

[\*\*EU Treaty change: the parliamentary process of bills\*\*](#)

Commons Briefing Paper SN03341  
15 June 2015

House of Lords Library publications

**[European Union Referendum Bill](#)**

Lords Library notes LLN-2015-0033  
8 October 2015

Acts of Parliament

**[European Union Referendum Act 2015](#)**

- **[Bill stages](#)** – *European Union Referendum Act 2015*: dates for all stages of the passage of the Bill, including links to the debates

European Scrutiny Committee (House of Commons)

**[UK Government's renegotiation of EU membership: parliamentary sovereignty and scrutiny inquiry](#)**

Comprehensive list of reports and evidence sessions of this inquiry

EU Select Committee (House of Lords)

**[Visions of EU reform inquiry](#)**

Publications and evidence sessions of this inquiry

**[Referendum on UK membership of the EU: reform process inquiry](#)**

Comprehensive list of reports and evidence sessions of this inquiry

HM Government

**[The best of both worlds: the United Kingdom's special status in a reformed European Union](#)**

HM Government  
22 February 2016

European Council conclusions

**[Conclusions of the European Council meeting \(18 and 19 February 2016\)](#)**

Setting out the full set of texts adopted as part of the New Settlement for the United Kingdom within the European Union

European Council  
19 February 2016

Electoral Commission

**Referendum on the UK's membership of the European Union**

Guidance for the referendum on the United Kingdom's membership of the European Union

**Referendum on membership of the European Union: assessment of the Electoral Commission on the proposed referendum question**

September 2015



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