



DEBATE PACK

CDP-0123 (2019) | 20 May 2019

Negotiations on the UK leaving the EU during the extension period

Westminster Hall

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The House of Commons Library prepares a briefing in hard copy and/or online for most non-legislative debates in the Chamber and Westminster Hall other than half-hour debates. Debate Packs are produced quickly after the announcement of parliamentary business. They are intended to provide a summary or overview of the issue being debated and identify relevant briefings and useful documents, including press and parliamentary material. More detailed briefing can be prepared for Members on request to the Library.

1. Background

How we got to the second Article 50 extension

On 10 April 2019 the European Council agreed to a second extension of Article 50 of the Treaty on European Union (TEU) until 31 October, with the possibility of the UK leaving earlier if the November 2018 Withdrawal Agreement is ratified (on the first day of the month after ratification). The [European Council \(EUCO\) Conclusions](#) on 10 April and the [Decision](#) on 11 April included a provision for UK withdrawal on 1 June if it does not hold European Parliament elections and has not ratified the Withdrawal Agreement, and referred to a review of progress at the European Council meeting on 20-21 June.

The Conclusions and the Decision formalising them included reference to the UK commitment to act in a constructive and responsible manner during the extension period in accordance with the duty of 'sincere cooperation' and noted that the UK would remain a Member State "with full rights and obligations", and also that it has the right to revoke its Article 50 notification at any time. Under the 'sincere cooperation' principle (set out in Article 4.3 TEU), the UK must ensure that it fulfils Treaty obligations, facilitates the achievement of the EU's objectives and refrains from any measure which could jeopardise them. In other words, during the extension period the UK is expected to behave 'nicely' in light of its impending departure and cooperate with EU processes as long as it remains a Member State.

The Conclusions also referred to the other 27 EU Member States (the EU27) holding meetings without the UK to discuss matters concerning the situation in the EU after Brexit. This would be in addition to any meetings held under Article 50 TEU to discuss the Brexit process.

The EU will not renegotiate the Withdrawal Agreement ...

The Withdrawal Agreement endorsed by the EU and UK Government in November 2018 is about the terms of the UK's withdrawal from the EU and does not aim to establish a permanent future relationship between the EU and UK. It provides in [Article 184](#) that the future relations agreement(s) will be negotiated during the transition/implementation period following UK withdrawal. It/they will be subject to ratification by the European Parliament and in many cases by the national parliaments of the EU27.

The EU has insisted since the end of 2018 that it will not renegotiate the Withdrawal Agreement.

... but is willing to reconsider the Political Declaration on future relations

Donald Tusk referred to concerns raised by some Member States “that the UK’s continued presence as a departing EU country would pose risks for the functioning of the EU27 at a time of key decisions on its future”.¹ To address these risks he said the UK would have to agree that there would be no re-opening of the Withdrawal Agreement and no start of the negotiations on the future, except for the Political Declaration.

The [European Council Conclusions](#) on 10 April state that should the UK’s position “evolve”, the EU is “prepared to reconsider” the Political Declaration on the framework for the future UK-EU relationship “in accordance with the positions and principles stated in its guidelines and statements, including as regards the territorial scope of the future relationship”.

What is the Political Declaration?

The [Political Declaration](#) is not part of the Withdrawal Agreement, but a non-legally binding document attached to it, which the Withdrawal Agreement has “taken into account” in accordance with Article 50(2) TEU. The Political Declaration is discussed in Commons Briefing paper 8454, [The Political Declaration on the Framework for Future EU-UK Relations](#), 30 November 2018.

The Political Declaration calls on the UK and EU to agree an “an ambitious, wide-ranging and balanced economic partnership”, which would be “comprehensive, encompassing a free trade area as well as wider sectoral cooperation where it is in the mutual interest of both Parties”. It leaves the details to be decided during future negotiations and keeps a range of options open.

The economic partnership would cover trade in goods, trade in services and investment, and a number of sectors including financial services, digital, transport, energy and fishing. There are also sections on movement of people and procurement. It has provisions on a future security partnership, including law enforcement and judicial cooperation in criminal matters, and aspects of foreign policy and defence. And it proposes that an overarching institutional structure will be underpinned by mechanisms for dialogue and arrangements for setting the direction of and implementing the future relationship. Dispute resolution would be based on the dispute resolution mechanism in the Withdrawal Agreement.

Progress is in the UK’s hands

The EU’s priorities at the moment include the European Parliament elections on 23-26 May, and longer term ambitions such as job creation, growth and investment, managing migration and mitigating security threats. The UK political situation and Brexit are not top of its

¹ [Invitation letter, 9 April 2019](#) from EUCO President Donald Tusk to the members of the European Council (Art. 50) ahead of their special meeting on 10 April 2019

agenda but neither does it want the UK to leave without an agreement. The EU is continuing with its no-deal preparedness plans.²

In his [remarks](#) after the April European Council, EUCO President Donald Tusk said the “flexible extension” granted to the UK would mean an additional six months during which “the course of action will be entirely in the UK’s hands”.

It can still ratify the Withdrawal Agreement, in which case the extension will be terminated. It can also reconsider the whole Brexit strategy. That might lead to changes in the Political Declaration, but not in the Withdrawal Agreement. Until the end of this period, the UK will also have the possibility to revoke Article 50 and cancel Brexit altogether.

Mr Tusk concluded that the “extension is as flexible as I expected, and a little bit shorter than I expected, but it’s still enough to find the best possible solution. Please do not waste this time”.

What has the Government being doing?

Talks between Government and Opposition

For around seven weeks the Government and Opposition have been engaged in talks with a view to reaching a compromise agreement on the shape of the UK’s future relationship with the EU. The Prime Minister’s aim is to break the current Brexit impasse, leading to Parliament agreeing to the negotiated Withdrawal Agreement and leaving the EU.

There has been some opposition to the talks from both parties. A group of senior Conservative Members, including thirteen former Cabinet Ministers, [warned](#) Theresa May against agreeing any cross-party Brexit deal that involved a customs union with the EU,³ which is [Labour policy](#), but which they said would risk losing the “loyal middle” of the Conservative Party. Reports suggest some progress has been made but there has been little concrete evidence of this.

Amid speculation that the talks might be brought to an end, reports on 14 May referred to a Government announcement that the discussions would continue, and that Government ministers had set out details of the compromises the Government was prepared to consider to secure an agreement and allow the UK to leave the EU with a deal as soon as possible.⁴

However, on 17 May there were reports that talks between the Conservatives and Labour to find a compromise had ended without agreement.⁵

² For information on EU preparations for a no-deal Brexit, see Commons Briefing Paper 8547, [EU preparations for a no-deal Brexit](#), 12 April 2019.

³ See *The Times*, [Brexit: ‘A customs union is both bad policy and bad politics’](#), 14 May 2019

⁴ See, e.g., *Reuters*, [May to launch new push on her Brexit deal next month](#), 14 May 2019; *Guardian*, [Brexit: May vows to put deal to MPs in early June](#), 15 May 2019.

⁵ See, e.g. *BBC News*, [Brexit: Talks between Tories and Labour set to close with no deal](#), 17 May 2019.

Another attempt to get parliamentary approval of the Withdrawal Agreement

The Government intends to introduce the *Withdrawal Agreement Bill* (WAB), which is necessary to implement the Withdrawal Agreement in UK law, in the week beginning 3 June, with the aim of achieving Royal Assent by the summer parliamentary recess.⁶ On 19 May the Prime Minister [announced in the Sunday Times](#) that the Bill would be “a new, bold offer to MPs across the House of Commons, with an improved package of measures”. She would not “be simply asking MPs to think again” but would “ask them to look at a new and improved deal with fresh pairs of eyes — and to give it their support”. It is thought that the new offer will include guarantees on workers’ rights, the environment and, according to [The Telegraph, 19 May](#), “It promises to incorporate Tory MP Sir Hugo Swire’s January proposal to give Parliament the final say on implementing the backstop as well as obliging the Government to seek alternative arrangements to the backstop by the end of 2020”.

If the Bill is voted down at second reading, Theresa May has said she will stand down as Prime Minister. In this event, the 1922 Committee executive and Mrs May would meet again to discuss the timetable for her departure.

Oliver Robbins in Brussels

The Prime Minister’s Europe Advisor, Oliver (Olly) Robbins, who heads the official-level Brexit negotiating team, has been in Brussels to discuss “possible changes to the political declaration”⁷ based on what has been agreed in the cross-party talks, and to ascertain how quickly the Political Declaration could be changed. Mr Robbins met Donald Tusk’s *chef de cabinet*, Piotr Serafin, and Council Secretary-General Jeppe Tranholm-Mikkelsen (14 May), and at the Commission the deputy Brexit negotiator, Sabine Weyand (15 May).

But no detailed information is available on Olly Robbins’ discussions. The Government is reported as saying his mission is largely to “keep channels open” rather than secure anything concrete.⁸ The *Telegraph* reported that he was “‘stress-testing’ new Brexit texts that have emerged from more than six weeks of talks in Westminster”.⁹ DexEU Secretary Stephen Barclay [told the Lords EU Committee](#) on 15 May only that Mr Robbins was talking to the EU about future security cooperation.

Brexit preparations

No deal preparations

The Government’s most recent [no-deal guidance](#) is dated 12 April, although DexEU Minister James Cleverly said in a [written answer](#) on 16 May: “As a responsible government we’ve been preparing to minimise any disruption in the event of no deal for over two years and will continue to prepare for all Brexit scenarios”.

⁶ Stephen Barclay, [evidence](#) to Lords EU Committee, 15 May 2019.

⁷ Lord Callanan, [HL Deb 14 May 2019](#)

⁸ *Politico*, London playbook, 15 May 2019

⁹ *Telegraph*, [Why Olly Robbins’s trip to Brussels will not fix Brexit](#), 14 May 2019

The UK Government's no-deal preparations and the possible consequences of a no-deal Brexit are discussed in Commons Briefing Paper (CBP) 8397, [What if there's no Brexit deal?](#) updated 8 February 2019.

The EU's no-deal preparations are discussed in CBP 8547, [EU preparations for a no-deal Brexit](#), 12 April 2019.

Brexit legislation

A 'no deal' Brexit requires legislation to ensure the UK has measures in place to replace EU legislation, which will no longer apply. Some of the primary legislation needed to facilitate this has been passed (e.g. the [Taxation \(Cross-border Trade\) Act 2018](#), the [Sanctions and Anti-Money Laundering Act 2018](#), the [Haulage Permits and Trailer Registration Act 2018](#), the [Nuclear Safeguards Act 2018](#) and the [Healthcare \(European Economic Area and Switzerland Arrangements\) Act 2019](#)).

Other Brexit Bills are going through Parliament (e.g. the [Trade Bill](#), [Agriculture Bill](#), [Immigration and Social Security Co-ordination \(EU Withdrawal\) Bill](#), [Fisheries Bill](#), [Financial Services \(Implementation of Legislation\) Bill](#)).

A few are draft Bills and are expected to be included in the next Queen's Speech (e.g. the [Environmental Principles and Governance Bill 2017-19](#) and the [Animal Welfare \(Sentencing and Recognition of Sentience\) Bill](#)).

The European Statutory Instruments Committee (ESIC) has made progress in dealing with EU exit SIs under the [EU Withdrawal Act 2018](#) and other Acts of Parliament. On 4 April Leader of the Commons Andrea Leadsom [said](#) the programme of Brexit Statutory Instruments was "almost complete" and that the Government expected to lay about 550 in total. According to Hansard Society figures:

528 Brexit-related SIs have been laid since the EU (Withdrawal) Act received Royal Assent on 26 June 2018. Of these:

- **362** have been laid using powers in the EU (Withdrawal) Act 2018 only;
- **103** have been laid using powers in other Acts of Parliament;
- **63** have been laid using a combination of powers in the EU (Withdrawal) Act 2018 and in other Acts of Parliament.¹⁰

Treaty continuity programme

The Government is continuing with its 'treaty continuity programme' in which it aims to implement 'replacement' treaties for current EU agreements with third parties, so that the UK can continue to trade, for example, with these states on a similar basis to now but in a bilateral context. The programme aims to prepare the UK for any exit scenario, with a view to the replacement treaties entering into force either at the end of the transition/implementation period or on a no-deal exit day.

¹⁰ Hansard Society, 'Westminster Lens: Brexit Statutory Instruments Dashboard', 8 April 2019. [FAQs](#).

Progress in this programme is discussed in:

- CBP 8370, [UK adoption of EU external agreements after Brexit](#), updated 5 March
- CBP 7792, [UK progress in rolling over EU trade agreements](#), updated 26 April 2019

Parliament's role in scrutiny of treaties and treaty making (now and in the future)

The parliamentary scrutiny of the replacement agreements and Parliament's possible role in future treaty-making is considered in CBP 8509, [Brexit: parliamentary scrutiny of UK replacement treaties, May 2009](#).

Prospects for changes to the Political Declaration

In its [Response to the 12 March 2019 vote on the Withdrawal Agreement and Political Declaration: next steps for Parliament](#), the Exiting the EU Committee concluded on 13 March:

13. Any extension to the Article 50 process will need to be sufficient for the purpose of identifying the way forward that the House of Commons can support; negotiating any subsequent changes to the Political Declaration to provide sufficient clarity about the future relationship between the UK and the EU for Parliament and the public, so that the House of Commons can approve the Withdrawal Agreement and Political Declaration;

The first extension did not result in "identifying the way forward" and there were no negotiations on changes to the Political Declaration. The Government now has more time to discuss and agree changes, but political obstacles remain and it is not clear what has been agreed in the cross-party talks. It is also not clear what the EU would accept in a reconsideration of the Political Declaration, although the signs are that it will be broad-minded. The April EUCO Conclusions imply that the basis for changes is still the [guidelines of 23 March 2018](#) on the Political Declaration.

The Political Declaration does not pre-empt the detailed negotiation of the future agreement(s), which will be carried out under a different EU Treaty base once the UK has left the EU. It currently envisages a "balanced, ambitious and wide-ranging free trade agreement". The European Parliament Brexit coordinator [Guy Verhofstadt](#) said on 27 March 2019 that the whole EP agreed:

... that we are open to having this agreement with Britain, and that we are open to change the political declaration in two senses. First of all, in that we can make it more binding for both parties than only a declaration. Secondly, in that we can put inside this political declaration a far more intense relationship between the EU and the UK than the relationship that is foreseen in the political declaration at this moment.

Possible options for the future UK-EU relationship

The detailed negotiations of the UK's future relationship with the EU will be during the transition/implementation period if the UK leaves under the terms of the Withdrawal Agreement, with a view to one or

more agreements entering into force immediately or as soon as possible after the end of transition.

If the UK leaves without the Agreement, it is not clear when any future relations negotiations with the EU would start or finish.

Future options for EU-UK relations are discussed in:

- Commons Briefing Paper 8483, [Brexit: Proposals for the future UK-EU relationship](#), 18 April 2019, and
- Library Insight, [What are the 'other' Brexit options?](#) 28 January 2019.

2. Press articles

The following is a selection of press and media articles relevant to this debate.

Please note: the Library is not responsible for either the views or accuracy of external content.

[Brexit: Matt Hancock urges MPs to vote for bill](#)

BBC News
20 May 2019

[Theresa May urged not to put Brexit plans to Commons vote - with fears of biggest defeat yet](#)

Evening Standard
Nicholas Cecil and Joe Murphy
20 May 2019

[Brexit: Jeremy Corbyn says free movement would be up for negotiation if Labour in charge of talks](#)

The Independent
Ashley Cowburn
19 May 2019

[Theresa May's 'bold offer' on Brexit is nothing to get excited about – but a second referendum is](#)

The Independent
Editorial
19 May 2019

[Britain must prepare to quit EU with No Deal in October, Brexit Secretary warns](#)

The Sun
Hugo Gye
19 May 2019

[Brexit latest: No progress in cross-party talks as May faces pressure to pull plug on compromise deal](#)

The Independent
Andrew Woodcock
13 May 2019

[PM's Brexit negotiator jets into Brussels to thrash out a temporary Customs Union compromise](#)

The Sun
Nick Gutteridge
15 May 2019

[Brexit: UK and EU agree delay to 31 October](#)

BBC News
11 April 2019

3. Press releases

PM statement at the European Council **Prime Minister's Office, 11 April 2019**

I have just met with Donald Tusk, the President of the European Council, where I agreed an extension to the Brexit process to the end of October at the latest.

I continue to believe we need to leave the EU, with a deal, as soon as possible.

And vitally, the EU have agreed that the extension can be terminated when the Withdrawal Agreement has been ratified — which was my key request of my fellow leaders.

For example, this means that, if we are able to pass a deal in the first three weeks of May, we will not have to take part in European Elections and will officially leave the EU on Saturday, 1st June.

During the course of the extension, the European Council is clear that the UK will continue to hold full membership rights, as well as its obligations.

As I said in the room tonight, there is only a single tier of EU membership, with no conditionality attached beyond existing treaty obligations.

Let me conclude by saying this.

I know that there is huge frustration from many people that I had to request this extension.

The UK should have left the EU by now and I sincerely regret the fact that I have not yet been able to persuade Parliament to approve a deal which would allow the UK to leave in a smooth and orderly way.

But the choices we now face are stark and the timetable is clear.

So we must now press on at pace with our efforts to reach a consensus on a deal that is in the national interest.

Tomorrow I will be making a statement to the House of Commons.

Further talks will also take place between the Government and the Opposition to seek a way forward.

I do not pretend the next few weeks will be easy or that there is a simple way to break the deadlock in Parliament.

But we have a duty as politicians to find a way to fulfil the democratic decision of the Referendum, deliver Brexit and move our country forward.

Nothing is more pressing or more vital.

PM's words on Brexit negotiations

Prime Minister's Office, 6 April 2019

Delivering Brexit has been my priority ever since I became Prime Minister and it remains so today. I want the UK to leave the EU in an orderly way as soon as possible and that means leaving in a way that does not disrupt people's lives.

My strong preference was to do that by winning a majority in Parliament for the agreement the UK reached with the EU last November. I did everything in my power to persuade the Conservative and DUP MPs who form the government's majority to back that deal – including securing legally-binding changes to address MPs' concerns with it.

But that deal was rejected three times by Parliament and there is no sign it can be passed in the near future. So I had to take a new approach.

Because Parliament has made clear it will stop the UK leaving without a deal, we now have a stark choice: leave the European Union with a deal or do not leave at all.

My answer to that is clear: we must deliver Brexit and to do so we must agree a deal. If we cannot secure a majority among Conservative and DUP MPs we have no choice but to reach out across the House of Commons.

The referendum was not fought along party lines and people I speak to on the doorstep tell me they expect their politicians to work together when the national interest demands it. The fact is that on Brexit there are areas where the two main parties agree: we both want to end free movement, we both want to leave with a good deal, and we both want to protect jobs.

That is the basis for a compromise that can win a majority in Parliament and winning that majority is the only way to deliver Brexit.

The longer this takes, the greater the risk of the UK never leaving at all. It would mean letting the Brexit the British people voted for slip through our fingers. I will not stand for that. It is essential we deliver what people voted for and to do that we need to get a deal over the line.

To achieve this I will go to Brussels this week to seek a short extension to Article 50. My intention is to reach an agreement with my fellow EU leaders that will mean if we can agree a deal here at home we can leave the EU in just six weeks.

We can then get on with building a new relationship with our nearest neighbours that will unlock the full potential of Brexit and deliver the brighter future that the British people voted for.

PM statement on Brexit

Prime Minister's Office, 2 April 2019

I have just come from chairing seven hours of Cabinet meetings focused on finding a route out of the current impasse – one that will deliver the Brexit the British people voted for, and allow us to move on and begin bringing our divided country back together.

I know there are some who are so fed up with delay and endless arguments that they would like to leave with No Deal next week.

I have always been clear that we could make a success of No Deal in the long-term.

But leaving with a deal is the best solution.

So we will need a further extension of Article 50 – one that is as short as possible and which ends when we pass a deal.

And we need to be clear what such an extension is for – to ensure we leave in a timely and orderly way.

This debate, this division, cannot drag on much longer.

It is putting Members of Parliament and everyone else under immense pressure – and it is doing damage to our politics.

Despite the best efforts of MPs, the process that the House of Commons has tried to lead has not come up with an answer.

So today I am taking action to break the logjam: I am offering to sit down with the Leader of the Opposition and to try to agree a plan - that we would both stick to - to ensure that we leave the European Union and that we do so with a deal.

Any plan would have to agree the current Withdrawal Agreement – it has already been negotiated with the 27 other members, and the EU has repeatedly said that it cannot and will not be reopened.

What we need to focus on is our Future Relationship with the EU.

The ideal outcome of this process would be to agree an approach on a Future Relationship that delivers on the result of the Referendum, that both the Leader of the Opposition and I could put to the House for approval, and which I could then take to next week's European Council.

However, if we cannot agree on a single unified approach, then we would instead agree a number of options for the Future Relationship that we could put to the House in a series of votes to determine which course to pursue.

Crucially, the Government stands ready to abide by the decision of the House.

But to make this process work, the Opposition would need to agree to this too.

The Government would then bring forward the Withdrawal Agreement Bill. We would want to agree a timetable for this Bill to ensure it is passed before 22nd May so that the United Kingdom need not take part in European Parliamentary Elections.

This is a difficult time for everyone.

Passions are running high on all sides of the argument.

But we can and must find the compromises that will deliver what the British people voted for.

This is a decisive moment in the story of these islands.

And it requires national unity to deliver the national interest.

4. PQs

[Brexit](#)

07 May 2019 | 247652

Asked by: Andrew Rosindell

To ask the Secretary of State for Exiting the European Union, whether it remains Government policy for the UK to leave the (a) Single Market and (b) Customs Union.

Answering member: Robin Walker | Department for Exiting the European Union

Yes.

We are not seeking membership of the Single Market, or Customs Union, after we leave the EU, but a bold and ambitious economic partnership. The Political Declaration sets out a clear vision for the UK's future relationship with the EU.

The negotiated Withdrawal Agreement and Political Declaration outline the EU and UK's shared commitment to a free trade area for goods with no tariffs, quotas or rules of origin requirements. The Prime Minister has been clear that we will have an independent trade policy.

[Borders: Northern Ireland](#)

25 Apr 2019 | HL15229

Asked by: Lord Empey

To ask Her Majesty's Government what alternatives to the Withdrawal Agreement Protocol on Ireland and Northern Ireland are currently being considered.

Answering member: Lord Callanan | Department for Exiting the European Union

As part of the deal negotiated, the UK and EU have agreed to consider a joint work stream to develop alternative arrangements to guarantee permanently the absence of a hard border in Northern Ireland. This includes a legally binding commitment that both sides will aim to replace the backstop with alternative arrangements by December 2020 - and that they do not need to replicate the backstop in any respect.

[Brexit](#)

10 Apr 2019 | HL15010

Asked by: Lord Pearson of Rannoch

To ask Her Majesty's Government, further to the Written Answer by Lord Callanan on 21 March (HL14601), whether they will now answer the questions originally asked, namely what assessment they have made of whether the proposed Brexit deal (1) fulfils, and (2) is consistent with the spirit of, Article 50(1) of the Treaty on European Union.

Answering member: Lord Callanan | Department for Exiting the European Union

This Government has negotiated a deal, which comprises the terms of our exit from the European Union and the framework for the future UK-EU relationship, in line with Article 50 TEU.

The Prime Minister notified the European Council (under Article 50(2) of the Treaty on European Union) of the United Kingdom's intention to withdraw from the EU, following the passing by Parliament of the European Union (Notification of Withdrawal) Act 2017, as per the UK's constitutional requirements.

Under the terms of the European Union (Withdrawal) Act 2018, the Withdrawal Agreement may be ratified only if it is approved by a resolution of the House of Commons, along with the framework for the future relationship. An Act must also be passed providing for the implementation of the Withdrawal Agreement.

Engagements

10 Apr 2019 | 658 c315

Asked by: David Duguid

Will my right hon. Friend confirm that it is still this Government's firm commitment to leave the common fisheries policy and to negotiate as an independent coastal state no later than December 2020?

Answered by: The Prime Minister

I thank my hon. Friend; he has been consistent in his campaigning on this issue, which I know is of great importance to his constituents. We remain committed to establishing fairer fishing policies that truly work for coastal communities. The deal that we have agreed with the European Union would see the UK leave the common fisheries policy, providing the UK with full control of its waters as an independent coastal state. We remain committed to coming out of the common fisheries policy.

Engagements

10 Apr 2019 | 658 c312

Asked by: Ian Blackford

Today, as we know, is the anniversary of the Good Friday agreement—a peace accord that not only ended violence in Northern Ireland but brought stability for all of us living throughout the United Kingdom. Brexit threatens to undermine that—to drag us out of the most successful peace project in history: the European Union. What a tragedy. It is now one week since talks began between the Tory Government and the Labour party. I want to ask the Prime Minister: at any point during these talks, has a second referendum been offered on the Government side of the negotiating table—yes or no, Prime Minister?

Answered by: The Prime Minister

My position on a second referendum and the Government's position has not changed. The House has rejected a second referendum two times. When we come to a deal, we will have to ensure that legislation goes through this House. Of course, it may be that there are those in this House who wish to press that issue as that legislation goes through, but my position on this has not changed.

[Brexit: Northern Ireland](#)

04 Apr 2019 | 910229

Asked by: Theresa Villiers

To ask the Secretary of State for Exiting the European Union, what progress the Government is making on negotiating alternatives to the Northern Ireland backstop in the draft EU Withdrawal Agreement.

Answering member: Robin Walker | Department for Exiting the European Union

The European Council has been clear that the Withdrawal Agreement cannot be reopened.

However, in the light of engagement with the working group of which colleagues were a part, the Prime Minister has secured a legally binding commitment that both sides will aim to replace the backstop with alternative arrangements by December 2020.

A specific negotiating track will be established to take that work forward at pace in the next phase. The Government will make available £20m of funding to support the development, testing or piloting of ideas that emerge, where the Government believes it would be helpful.

[Article 50 Extension](#)

04 Apr 2019 | 657 cc1233-4

Asked by: Kevin Brennan

10. What recent discussions the Government have had with the EU on the possibility of an extension to the Article 50 negotiations. [910219]

Answering member: Stephen Barclay | Department for Exiting the European Union

The Prime Minister agreed the terms of a short extension at the March European Council. Were the House to have approved the withdrawal agreement by 29 March, we would have had an extension until 22 May. Given that the hon. Gentleman and his colleagues voted against that, he will be aware that we do not have that right, and the current right will be terminated on 12 April.

Asked by: Kevin Brennan

We are moving inevitably towards a situation in which we need an extension in order to have a confirmatory referendum. If a trade union negotiated an exit from a deal, it would go back to its members and ask them to confirm that that was still what they wanted, and to confirm

the terms. Is that not a logical, sensible and inevitable outcome of this process?

Answering member: Stephen Barclay

I would have thought it was logical for the hon. Gentleman to follow his manifesto, which said that he would respect the referendum result. Going back to square one and asking the question again is not consistent with the manifesto on which the hon. Gentleman stood at the last election.

Asked by: Tom Brake

21. Let us see if I can get an answer from the Secretary of State. A recent poll highlighted that six out of 10 people favour a people's vote, and an extension is required for one to take place. I do not know how many times the Prime Minister has said there will not be a people's vote, but should the Government not face reality and accept that there will be one and that they might as well start planning for it now? [910234]

Answering member: Stephen Barclay

I do not know which selective poll the right hon. Gentleman is quoting from, but in our democracy we address these issues through the ballot box. In 2016 we had in essence the ultimate poll and 17.4 million people cast their vote to leave. The key message we get in our constituencies and very clearly from the business community—I do not need a poll for this—is that people do not want this process to drag on further. They want it to come to a resolution, and they want the House, instead of being against everything, to come to a decision. It is time we moved on and got this delivered.

Asked by: Matthew Pennycook

Last night, the House voted to prevent a disastrous no-deal Brexit and to exert greater control over the process of extending article 50. The Secretary of State's views on an extension are well known, but will he confirm that when the European Union (Withdrawal) (No. 5) Bill returns from the other place, he and the Government will comply with the spirit of it and dutifully seek a further extension of article 50 beyond 12 April?

Answering member: Stephen Barclay

I am very happy to confirm that, as set out in the "Ministerial Code", Ministers will abide by the law. If the law of the land dictates a certain course of action, Ministers will, under the code, follow the law. The hon. Gentleman gets slightly ahead of himself, because the Bill passed Third Reading with a majority of only one last night, and it was passed in such haste that many of my colleagues had as little as two minutes to speak on Second Reading. I pointed out to the House flaws in the Bill, which I am sure their lordships will wish to explore. We will need to see what consideration takes place in the other House before any further deliberations are necessary in this place.

Asked by: Matthew Pennycook

The House will have noted—I think with disappointment—the Secretary of State's attempts to undermine the clear will expressed last night. The Opposition have no doubt that the Lords will discharge their duties quickly and efficiently in the circumstances. Given the clear will of the House as expressed in the Bill's passage last night, I ask him to set out

his view at this stage about what the Government believe the role of this place will be in the event that the European Council proposes a date different from that set out in a motion approved by the House, or if the Council agreed to the proposed date but attached conditions.

Answering member: Stephen Barclay

That is an odd response, if I might say so. The hon. Gentleman started by saying he was disappointed by my answer, in which I said I will follow the law and the ministerial code—I thought the Opposition would have expected that. He then said that he had “no doubt” that the Lords will pass the Bill, which carried in the Commons by just one vote. That is pretty condescending to the other place. By having no doubt that their lordships will simply approve the Bill, he takes for granted the scrutiny process in the other place. Given the many constitutional experts there are in the other place, I would have thought that their lordships would want to scrutinise this Bill, which was passed in haste with its constitutional flaws.

[Brexit](#)

21 Mar 2019 | HL14601

Asked by: Lord Pearson of Rannoch

To ask Her Majesty's Government what assessment they have made of whether the proposed Brexit deal (1) fulfils, and (2) is consistent with the spirit of, Article 50(1) of the Treaty on European Union.

Answering member: Lord Callanan | Department for Exiting the European Union

Article 50 (1) of the TFEU states that any Member State may decide to withdraw from the EU in accordance with its own constitutional requirements. The decision to permit the Prime Minister to notify (under Article 50(2) of the Treaty on European Union) of the United Kingdom's intention to withdraw from the EU, was approved overwhelmingly by Parliament through the European Union (Notification of Withdrawal) Act 2017.

Under the terms of the European Union (Withdrawal) Act 2018, the withdrawal agreement may be ratified only if the negotiated withdrawal agreement and the framework for the future relationship have been approved by a resolution of the House of Commons.

[Brexit: Negotiations after 29 March 2019](#)

20 Mar 2019 | 796 cc1428-9

Asked by: Lord Beith

To ask Her Majesty's Government what meetings have been scheduled to take place after 29 March 2019 between Ministers and representatives of the European Union, and what matters are planned for discussion at such meetings.

Answering member: Baroness Goldie

My Lords, as set out in the political declaration, both the UK and the EU have committed to, and stand ready to begin, negotiations on the

future relationship immediately after exit. Those discussions cannot begin until the withdrawal agreement has been signed and the UK is a third country. We will schedule talks as soon as possible once that signing has taken place.

Asked by: Lord Beith

I thank the Minister for her factually accurate reply. Is the agreed collective position of the Cabinet that only a short extension of the Article 50 period—to 30 June—is required, and not a longer extension? If the Prime Minister’s proposed deal is not agreed by the Commons in that time, is the Cabinet’s agreed collective position that we should leave without a deal on 30 June?

Answering member: Baroness Goldie

The Prime Minister made the Government’s position very clear when she responded to questions in the other place this morning. She made clear that a short extension is workable on the basis of wanting to get a meaningful vote and get her deal through. She pointed out the considerable difficulties that attach to a long extension. I think these difficulties are obvious to everyone. That is why she has written to Donald Tusk requesting an extension of the Article 50 period to 30 June. She wishes to secure that to provide time for the meaningful vote to take place as soon as possible, as she indicated in her letter.

On the other issue, of the extension period being granted but it not being possible to get the meaningful vote and the deal through before the expiry of that period, it would be a matter for the Cabinet and the House of Commons to determine if that unfortunate—and frankly unwelcome—situation arises.

Asked by: Baroness Hayter of Kentish Town

My Lords, it has been 1,000 days since the referendum, there are nine days to go and we have now applied for an extension for another 93—you could not make it up. The length of the extension is perhaps less important than its purpose. Is it just time to batter the ERG into submission to agree her failed deal, or will it be used sensibly to engage with the Opposition to try to negotiate a different deal that is acceptable to the Commons and the country?

Answering member: Baroness Goldie

The noble Baroness is right: a lot has happened since the referendum in 2016. Nobody is more conscious of that than the public of this country. I do not know what the noble Baroness picks up, but I know what I pick up outside the Westminster environment. It is a marked degree of frustration and anger at the inability of politicians to deliver what has now been clearly expressed in two votes: the referendum and the general election, in which both major parties pledged to deliver the referendum result. It is a matter of great regret that Her Majesty’s Opposition have not been more constructive in securing delivery of that objective. The position is very clear: if the extension is granted—and the Prime Minister has made crystal clear why she seeks it—she will then want to hold the meaningful vote as soon as possible in the hope that the withdrawal agreement can be agreed. I think there is a yearning desire throughout the country to get this long, protracted and

challenging matter brought to the phase where the next part of the proceedings can commence.

Asked by: Lord Cormack

My Lords, while I wish the Prime Minister well, does my noble friend agree that, had the other place listened a little more carefully to the withdrawal Bill as it reached them from this House, we would not be in the position we are in today?

Answering member: Baroness Goldie

Wisdom is a great virtue, particularly with hindsight, but the challenges confronting the other place and the country at present were predictable from the time we commenced the process. Both Houses commenced that process, both Houses passed an Act of Parliament to trigger Article 50 and both Houses passed the European Union (Withdrawal) Act. The consequences of that were always clear and there is now a huge responsibility on politicians to resolve these issues and to endeavour to restore the public's faith.

Asked by: Baroness Ludford

My Lords, has the Minister seen the latest YouGov poll today, which shows that around six in 10 people are now in favour of remain, so leave is no longer the will of the people? We need a people's vote to confirm that. While enthusiasm on these Benches for the European elections is unbounded, does the noble Baroness accept that there are different legal views about the implications of a long extension? Therefore, will the Government be creative in exploring the other possibilities? I fear there has been some misrepresentation, particularly of the European Parliament's legal opinion, so will the Government explore the opportunities of a longer extension?

Answering member: Baroness Goldie

To answer the first part of the noble Baroness's question, about a second vote of some kind, I think the frustration of the public is such that voters would be entitled to say at this juncture, "Stop asking us what we think and get on with delivering what we said". There is a public sentiment out there that politicians must start to attune with. On the latter part of her question, there will always be, I imagine, different legal interpretations, but our understanding is that a longer extension, beyond 30 June, would require this country to take part in the European Parliament elections. Given the result of the referendum three years ago, that would be a profoundly undesirable consequence.

5. Other Parliamentary material

5.1 Debates

[Section 1 of the European Union \(Withdrawal\) Act 2019](#)

09 Apr 2019 | House of Commons | 658 cc288-257

Motion that this House agrees for the purposes of section 1 of the European Union (Withdrawal) Act 2019 to the Prime Minister seeking an extension of the period specified in Article 50(3) of the Treaty on European Union to a period ending on 30 June 2019. Agreed to on division (420 to 110).

[European Union \(Withdrawal\) \(No. 5\) Bill](#)

2-8 April 2019 | House of Commons and House of Lords

Links to debates covering all stages of the passage of the Bill.

[United Kingdom's Withdrawal from the European Union](#)

29 Mar 2019 | House of Commons | 657 cc776-8

Motion made and Question proposed, That this House notes the European Council Decision of 22 March 2019 taken in agreement with the United Kingdom extending the period under Article 50(3) of the Treaty on European Union, which provides for an extension to the Article 50 period to 22 May 2019 only if the House of Commons approves the Withdrawal Agreement by 29 March 2019; notes that if the House does not do so by that date the Article 50 period will only as a matter of law be extended to 12 April 2019 and that any extension beyond 22 May 2019 would require the UK to bring forward the necessary Day of Poll Order to hold elections to the European Parliament; notes that Article 184 of the Withdrawal Agreement refers to the Political Declaration between the UK and EU agreed on 25 November 2018, but that the EU has stated it remains open to negotiating changes to the Political Declaration; notes that the House is currently undertaking deliberations to identify whether there is a design for the future relationship that commands its support; notes that even should changes be sought to the Political Declaration, leaving the European Union with a deal still requires the Withdrawal Agreement; declares that it wishes to leave the EU with an agreement as soon as possible and does not wish to have a longer extension; therefore approves the Withdrawal Agreement, the Joint Instrument and the Unilateral Declaration laid before the House on 11 March 2019 so that the UK can leave the EU on 22 May 2019; notes that this approval does not by itself meet the requirements of section 13(1)(b) of the European Union (Withdrawal) Act 2018; and resolves that it is content to proceed to the next steps of this process, including fulfilling section 13 of this Act. Negatived on division (286 votes to 344).

5.2 Statements

European Council

11 Apr 2019 | 658 cc510-42

Mrs Theresa May (The Prime Minister): With permission, Mr Speaker, I would like to make a statement on yesterday's European Council.

But before I do, I am sure that the whole House will welcome the news this morning that the Metropolitan police have arrested Julian Assange for breach of bail, after nearly seven years in the Ecuadorian embassy. He has been also been arrested in relation to an extradition request from the United States authorities. This is now a legal matter before the courts. My right hon. Friend the Home Secretary will make a statement on this later, but I thank the Metropolitan police for carrying out their duties with great professionalism and welcome the co-operation of the Ecuadorian Government in bringing this matter to a resolution. Mr Speaker, this goes to show that in the United Kingdom, no one is above the law.

Turning to the Council, my priority is to deliver Brexit and to do so in an orderly way that does not disrupt people's lives, so I continue to believe we need to leave the European Union with a deal as soon as possible. And, of course, this House has voted repeatedly to avoid a no deal. Yet, despite the efforts of Members on all sides, we have not so far been able to vote for a deal, so ahead of the Council, I wrote to President Tusk to seek a short extension to the Article 50 period to 30 June. Critically, I also requested that any extension should be terminable so that whenever this House agrees a deal and ratifies the withdrawal agreement, we can get on and leave. I did this not merely to avoid a further delay beyond ratification of the withdrawal agreement, but specifically to retain our ability to leave the EU without having to hold European parliamentary elections on 23 May.

The discussions at the Council were difficult and, unsurprisingly, many of our European partners share the deep frustration that I know so many of us feel in this House over the current impasse. There was a range of views about the length of an extension, with a large number of member states preferring a longer extension to the end of this year or even into the next. In the end, what was agreed by the UK and the EU 27 was a compromise: an extension lasting until the end of October. The Council also agreed that we would update on our progress at the next meeting in June. Critically, and as I requested, the Council agreed that this extension can be terminated when the withdrawal agreement has been ratified. So, for example, if we were able to pass a deal by 22 May, we would not have to take part in European elections and, when the EU has also ratified, we would be able to leave at 11 pm on 31 May. In short, the date of our departure from the EU, and our participation in the European parliamentary elections, remains a decision for this House. As President Tusk said last night:

"During this time, the course of action will be entirely in the UK's hands."

In agreeing this extension, there was some discussion in the Council about whether stringent conditions should be imposed on the UK for its EU membership during this period, but I argued against this. I put the case that there is only a single tier of EU membership, with no conditionality attached beyond existing treaty obligations. The Council conclusions are clear that during the course of the extension the UK will continue to hold full membership rights. In turn, I assured my fellow leaders that the UK will continue to be bound by all our ongoing obligations as a member state, including the duty of sincere co-operation. The United Kingdom plays a responsible and constructive role on the world stage, and we always will. That is the kind of country we are.

The choices we face are stark and the timetable is clear. I believe we must now press on at pace with our efforts to reach a consensus on a deal that is in the national interest. I welcome the discussions that have taken place with the Opposition in recent days and the further talks that are resuming today. This is not the normal way of British politics and it is uncomfortable for many in both the Government and Opposition parties. Reaching an agreement will not be easy, because to be successful, it will require both sides to make compromises. But however challenging it may be politically, I profoundly believe that in this unique situation where the House is deadlocked, it is incumbent on both Front Benches to seek to work together to deliver what the British people voted for, and I think that the British people expect their politicians to do just that when the national interest demands it.

I hope that we can reach an agreement on a single unified approach that we can put to the House for approval, but if we cannot do so soon, we will seek to agree a small number of options for the future relationship that we will put to the House in a series of votes to determine which course to pursue. As I have made clear before, the Government stand ready to abide by the decision of the House, but to make this process work, the Opposition would need to agree to this, too.

With the House's consent, we could also bring forward the withdrawal agreement Bill, which is a necessary element of any deal, whichever course we take. The Bill will take time to pass through both Houses, so if we want to get on with leaving, we need to start this process soon. It could also provide a useful forum to resolve some of the outstanding issues in the future relationship.

Crucially, any agreement on the future relationship may involve a number of additions and clarifications to the political declaration. I am pleased that at this Council, all 27 member states responded to my update on the ongoing cross-party talks by agreeing that

“the European Council is prepared to reconsider the Political Declaration on the future relationship in accordance with the positions and principles stated in its guidelines and statements”.

The Council also reiterated that the withdrawal agreement itself could not be reopened.

I know the whole country is intensely frustrated that this process to leave the European Union has still not been completed. I never wanted to seek this extension and I deeply regret that we have not yet been able to secure agreement in this House for a deal that would allow us to leave in a smooth and orderly way. I know, too, that this whole debate is putting Members on both sides of the House under immense pressure and causing uncertainty across the country. We need to resolve this, so let us use the opportunity of the recess to reflect on the decisions that will have to be made swiftly on our return after Easter. And let us then resolve to find a way through this impasse so that we can leave the European Union with a deal as soon as possible, so that we can avoid having to hold those European Parliamentary elections and, above all, so that we can fulfil the democratic decision of the referendum, deliver Brexit and move our country forward. This is our national duty as elected Members of this House and nothing today is more pressing or more vital. I commend this statement to the House.

European Council

25 Mar 2019 | 657 cc23-56

The Prime Minister (Mrs Theresa May): With permission, Mr Speaker, I would like to make a statement on last week's European Council. Before the Council, I wrote to President Tusk to seek formal approval for the legally binding assurances on the Northern Ireland backstop and alternative arrangements agreed in Strasbourg on 11 March. I reported your statement, Mr Speaker, which made it clear that for a further meaningful vote to take place, the deal would have to be

"fundamentally different—not different in terms of wording, but different in terms of substance".—[Official Report, 18 March 2019; Vol. 656, c. 782.]

I explained that, as a result, some right hon. and hon. Members were seeking further changes to the withdrawal agreement, and I requested a short extension to the article 50 process, to 30 June. I regret having to do so—I wanted to deliver Brexit on 29 March—but I am conscious of my duties as Prime Minister to all parts of our United Kingdom and of the damage to that Union that leaving without a deal could do when one part of it is without devolved government and unable, therefore, to prepare properly.

The Council formally endorsed the legal instrument relating to the withdrawal agreement and the joint statement supplementing the political declaration. This should increase the confidence of the House that the backstop is unlikely ever to be used, and would only be temporary if it is. But the Council also reiterated, once again, its long-standing position that there could be no reopening of the withdrawal agreement. So however the House decides to proceed this week, everyone should be absolutely clear that changing the withdrawal agreement is simply not an option.

Turning to extending article 50, this has always required the unanimous agreement of the other 27 member states. As I have made clear before, it was never guaranteed that the EU would agree to an extension—or

the terms on which we requested it—and it did not. Instead, the Council agreed that if the House approves the withdrawal agreement this week, our departure will be extended to 11 pm on 22 May. This will allow time for Parliament to pass the withdrawal agreement Bill, which is legally necessary for the deal to be ratified. But if the House does not approve the withdrawal agreement this week, our departure will instead be extended only to 11 pm on 12 April. At this point, we would either leave with no deal, or we would

“indicate a way forward before this date for consideration by the European Council”.

If that involved a further extension, it would certainly mean participation in the European parliamentary elections.

The Council’s conclusions were subsequently turned into a legal decision, with which the UK agreed and which came into force last Friday. So although the Government have today laid a statutory instrument, which will be debated later this week, to reflect that decision in our own domestic legislation, the date for our departure from the EU has now changed in international law. Were the House not to pass the statutory instrument, it would cause legal confusion and damaging uncertainty, but it would not have any effect on the date of our exit.

I continue to believe that the right path forward is for the United Kingdom to leave the EU with a deal as soon as possible, which is now on 22 May, but it is with great regret that I have had to conclude that, as things stand, there is still not sufficient support in the House to bring back the deal for a third meaningful vote. I continue to have discussions with colleagues across the House to build support, so that we can bring the vote forward this week and guarantee Brexit. If we cannot, the Government have made a commitment that we would work across the House to find a majority on a way forward.

The amendment in the name of my right hon. Friend the Member for West Dorset (Sir Oliver Letwin) seeks to provide for that process by taking control of the Order Paper. I continue to believe that doing so would set an unwelcome precedent, which would overturn the balance between our democratic institutions, so the Government will oppose the amendment this evening. But in order to fulfil our commitments to the House, we would seek to provide Government time in order for the process to proceed. It would be for the House to put forward options for consideration and to determine the procedure by which it wished to do so.

I must confess that I am sceptical about such a process of indicative votes. When we have tried this kind of thing in the past, it has produced contradictory outcomes or no outcome at all. There is a further risk when it comes to Brexit, as the UK is only one half of the equation and the votes could lead to an outcome that is unnegotiable with the EU. No Government could give a blank cheque to commit to an outcome without knowing what it is, so I cannot commit the Government to delivering the outcome of any votes held by the House, but I do commit to engaging constructively with the process.

There are many different views on the way forward, but I want to explain the options as I understand them. The default outcome continues to be to leave with no deal, but the House has previously expressed its opposition to that path, and may very well do so again this week. The alternative is to pursue a different form of Brexit or a second referendum, but the bottom line remains that if the House does not approve the withdrawal agreement this week and is not prepared to countenance leaving without a deal, we will have to seek a longer extension. This would entail the UK having to hold European elections, and it would mean that we will not have been able to guarantee Brexit. These are now choices that the House will have the opportunity to express its view on.

This is the first chance I have had to address the House since my remarks last Wednesday evening—[Interruption.]

Mr Speaker: Order. The House must calm itself. The Prime Minister is addressing the House and must be heard. Colleagues know, from the record, that they will have a full opportunity to question the Prime Minister.

The Prime Minister: I expressed my frustration with our collective failure to take a decision, but I know that many Members across the House are frustrated too, and we all have difficult jobs to do. People on all sides of the debate hold passionate views, and I respect those differences. I thank all those colleagues who have supported the deal so far, and those who have taken the time to meet with me to discuss their concerns.

I hope we can all agree that we are now at the moment of decision, and in doing so we must confront the reality of the hard choices before us: unless this House agrees to it, no deal will not happen; no Brexit must not happen; and a slow Brexit that extends article 50 beyond 22 May, forces the British people to take part in European elections, and gives up control of any of our borders, laws, money or trade, is not a Brexit that will bring the British people together. I know that the deal I have put forward is a compromise—it seeks to deliver on the referendum and retain trust in our democracy, while also respecting the concerns of those who voted to remain—but if this House can back it, we could be out of the European Union in less than two months. There would no further extensions, no threat to Brexit and no risk of a no deal. That, I believe, is the way to deliver the Brexit that the British people voted for. I commend this statement to the House.

[Statement under Section 13\(4\) of the European Union \(Withdrawal\) Act 2018](#)
15 Mar 2019 | HCWS1421

The Prime Minister (Mrs Theresa May): This statement is being made for the purposes of Section 13(4) of the European Union (Withdrawal) Act 2018 and outlines how the Government intends to proceed in the light of the House's decision on Tuesday 12 March 2019 not to agree to

a resolution for the purposes of section 13(1)(b) of the European Union (Withdrawal) Act 2018.

The Government regrets the House's decision of Tuesday 12 March 2019 but still believes that the best way forward is for the UK to leave the EU in an orderly manner having agreed the Withdrawal Agreement and Political Declaration.

We note the House's resolutions of Wednesday 13 and Thursday 14 March 2019 not to leave the European Union without a deal and to seek an extension to the Article 50 process.

In accordance with the motion the House approved on Thursday 14 March 2019 the Government will now seek to agree an extension with the EU. The European Council has to approve any extension by unanimity, meaning it would require all the leaders of the other 27 EU Member States to agree the UK's request.

As the motion stated, if the House has passed a resolution approving the negotiated withdrawal agreement and the framework for the future relationship by Wednesday 20 March 2019, then the Government will seek to agree with the European Union a one-off extension of the period specified in Article 50(3) for a period ending on 30 June 2019 for the purpose of passing the necessary legislation to implement the Withdrawal Agreement into our domestic law and complete the ratification process. However, if the House has not reached such agreement by the 20 March 2019 then it is highly likely that the European Council at its meeting the following day would require a clear purpose for any extension, not least to determine its length, and that any extension beyond 30 June 2019 would require the United Kingdom to hold European Parliament elections in May 2019.

It is expected that the EU will use the March European Council on the 21 and 22 March 2019 to consider and reach a decision on a request from the UK to extend the Article 50 period.

As soon as possible following agreement at the EU level we will bring forward the necessary legislation to amend the definition of exit day in domestic legislation. This statutory instrument will be laid, before it is made, under section 20(4) of the EU (Withdrawal) Act 2018.

This legislation is subject to the draft affirmative procedure and so would need to be actively approved in each House. The legislation would give effect to any agreement with the EU on an extension, so would not be laid before Parliament until that agreement had been reached.

6. Further reading

Commons Library Briefings

[Brexit: Proposals for the future UK-EU relationship](#)

Commons Briefing Paper CBP-8483
18 April 2019

[Brexit delayed again: until 31 October 2019?](#)

Commons Briefing Paper CBP-8549
17 April 2019

[EU preparations for a no-deal Brexit](#)

Commons Briefing Paper CBP-8547
12 April 2019

[The UK's EU Withdrawal Agreement](#)

Commons Briefing Paper CBP-8453
11 April 2019

Committee inquiries

[The progress of the UK's negotiations on EU withdrawal inquiry](#)

Exiting the European Union Committee

Scope of the inquiry

The Committee is interested in examining the following topics:

- The priorities and positions of the UK Government and of its negotiating partners - the Commission, the EU-27 and the European Parliament;
- The structure and sequencing of the negotiations as they develop, including the extent to which they include provisions relating to the UK's future relationship with the EU including transitional arrangements;
- The Government's management of the negotiation process in respect of the objectives set out in the White Paper and its relations with the devolved administrations; and
- Whether DExEU and cross-Government structures have the capacity and ability to manage the negotiation process effectively

[The progress of the UK's negotiations on EU withdrawal: role of Parliament inquiry](#)

Exiting the European Union Committee

Scope of the inquiry

The Government will have a large amount of legislation, both primary and secondary, to pass before exit day in the event of a deal being reached or a no deal or before the end of the transition / implementation period if a deal is ratified to maintain legal certainty and a functioning statute book. DExEU Minister, Chris Heaton-Harris, listed at least 8 Bills and nearly 300 statutory instruments that needed to pass through Parliament in evidence to us in January.

In our [Tenth Report](#) we also recommended that Parliament have a central role in the scrutiny of negotiations on the future relationship, with opportunities for agreeing a mandate for the Government, maintaining oversight of the progress and conduct of negotiations, and a meaningful and timely role for the House in approving any agreements. The Government's no deal technical notices also envisage a range of sector specific side deals with the EU to mitigate disruption.

We note that other committees have announced or conducted inquiries into treaty scrutiny, including a recent report by the [International Trade Committee](#) calling for greater transparency and scrutiny and a role for parliamentary committees, the [Public Administration and Constitutional Affairs Committee's](#) inquiry into the Role of Parliament in the UK Constitution, and the [Lords Constitution Committee's](#) inquiry into Parliamentary Scrutiny of Treaties.

We will draw on that work in our evidence and in the conclusions we reach on Parliament's role in the event of both a deal and a no deal exit from the EU.

[UK Exit from the EU inquiry](#)

European Scrutiny Committee

Scope of the inquiry

The European Scrutiny Committee is examining the conduct of negotiations on the UK's exit from the European Union between the UK Government and EU.

Websites

[Brexit](#)

UK Government website with information about EU Exit including the article 50 process, negotiations, and announcements about policy changes as a result of EU Exit.

[Brexit negotiations](#)

European Commission website featuring Brexit negotiation documents, press releases and other material.

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