

Brexit: Debate under Section 13(6)(b) of the European Union (Withdrawal) Act 2018

Debate on 25 March 2019

This briefing identifies relevant reports and useful documents which may be of assistance to Members in preparing for the following debate:

The Lord Privy Seal (Baroness Evans of Bowes Park) to move that this House, in accordance with the provisions of section 13(6)(b) of the European Union (Withdrawal) Act 2018, takes note of the written statement titled “Statement under section 13(4) of the European Union (Withdrawal) Act 2018” made on 15 March 2019.

Under section 13 of the European Union (Withdrawal) Act, if the Government loses a ‘meaningful vote’ on its Brexit deal in the House of Commons, it is obliged within 21 days to make a written statement about how it proposes to proceed, and to table a debate in both Houses within seven sitting days of making the statement. Following its defeat in the ‘meaningful vote’ of 12 March 2019, the Government made the required written statement on 15 March 2019, meaning it must be debated by 25 March 2019 in the Commons and by 26 March 2019 in the Lords (the dates differ because of the different sitting patterns of the two Houses). A debate under section 13(6) is on the Commons order paper for 25 March 2019. The motion in the Commons is amendable, whereas the take-note motion in the Lords is not amendable.

In preparation for the Lords debate on 25 March 2019, the House of Lords Library published a briefing on 21 March 2019, [Brexit: Further Recent Developments](#). At the time it was written, the wording of the debate motion had not yet been published and the European Council meeting, at which leaders of the EU27 member states considered the UK’s request to extend the article 50 period, had not yet taken place. The Library is now publishing this new briefing to supplement its original briefing with material published after the European Council meeting.

Copies of the materials are available for collection from the Library.

Key Information

- European Council, [‘European Council \(Art 50\) Conclusions’](#), 21 March 2019

Conclusions from the summit at which leaders of the EU27 member states agreed to an extension of the article 50 period until 22 May 2019, provided the withdrawal agreement is approved by the House of Commons next week. If the withdrawal agreement is not approved by the House of Commons next week, the European Council agreed to an extension until 12 April 2019, and stated its expectation that the UK would indicate a way forward before this date for consideration by the European Council.

- European Council, '[Remarks by President Donald Tusk after the European Council Meeting \(Art 50\)](#)', 21 March 2019

Statement made by President Tusk at his press conference after the European Council meeting.

- Prime Minister's Office, '[PM Statement at the EU Council](#)', 21 March 2019

Statement made by the Prime Minister at her press conference after the European Council meeting.

- Department for Exiting the European Union, '[Letter from the UK's Permanent Representative to the EU to the President of the European Council Concerning Article 50 Extension](#)', 22 March 2019

Letter from Tim Barrow, the UK's Permanent Representative to the EU, to Donald Tusk, confirming the agreement of the Government of the United Kingdom to the decision of the European Council extending the period under article 50(3) of the Treaty on European Union.

- European Council, '[European Council Decision Taken in Agreement with the United Kingdom, Extending the Period Under Article 50\(3\)](#)', 22 March 2019

Draft version of a European Council Decision extending the article 50 period to 22 May 2019 if the House of Commons approves the withdrawal agreement by 29 March 2019 at the latest, and to 12 April 2019 if the withdrawal agreement is not approved by the House of Commons by 29 March 2019 at the latest. Once a European Council Decision is adopted, it is a binding legal act. This draft version was published by the Department for Exiting the European Union alongside the letter from Tim Barrow.

- House of Lords Library, '[Brexit: Further Recent Developments](#)', 21 March 2019

Briefing covering the requirements of section 13 of the European Union (Withdrawal) Act 2018 for approving a Brexit deal and the House of Lords' role in this; the statement made by the Speaker of the House of Commons on 18 March 2019 and the impact of this on the prospects for holding a third 'meaningful vote'; and background to the UK's request for an extension to the article 50 period, including the House of Lords' role in making any changes to the date of 'exit day' in domestic law.

- House of Lords, '[Written Statement: Statement under Section 13\(4\) of the European Union \(Withdrawal\) Act 2018](#)', 15 March 2019, HLWSI389

Written statement made to fulfil the Government's statutory obligations after losing the second 'meaningful vote' in the Commons on 12 March 2019, setting out intended next steps. The statement notes the Government's intention to bring forward a statutory instrument to change the date of 'exit day' in domestic law as soon as possible following agreement at the EU level on extending the article 50 period.

Further Information

- House of Commons Library, [Extending Article 50: Could Brexit Be Delayed?](#), 21 March 2019
- House of Commons Library, [‘Extending the Article 50 Period: FAQs’](#), 21 March 2019
- House of Commons Library, [‘What is Exit Day? Dispelling Misconceptions about the Extension of Article 50’](#), 19 March 2019
- House of Commons Library, [Could the Withdrawal Agreement be Terminated Under International Law?](#), 19 March 2019
- House of Commons Library, [The Strasbourg Package](#), 13 March 2019

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