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LSEMUN 2026

HOUSE OF COMMONS

**European Union (Withdrawal Agreement) Bill - The
Brexit Deal in 2019**

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Niobe Szabo

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Table of Contents

Directors' Welcome	3
Introduction to the Speakers	4
Introduction to the House of Commons	5
Topic Background	6
Event Timeline	6
Background of Brexit	8
Overview of the Agreement	9
Main Aspects of the Agreement	10
Previous Legislation	13
Main Positions	19
Bibliography	21



Directors' Welcome

Right Honourable MPs,

Welcome all to the 2026 LSEMUN House of Commons. We are so excited to be returning with a non-crisis House of Commons for a second year after last year's success. This year we are so pleased to present to you a historical topic within this committee, the Withdrawal Agreement between the UK and EU in January 2019. In addition to being a historical committee, we have made a whole host of changes and additions to the ROP as well as how this committee will run to make things just that little bit more exciting. So gear up and get ready to step into one of the most contentious periods of modern British political history with backstabbing, politicking, debates and deals all awaiting you.

Your Speakers,
Isabel, Brendan and Nio



Introduction to the Speakers

Speaker – Isabel Moon-Parry

Order! Order! My name is Isabel and I'm your Speaker of the House for this year's LSEMUN 2026 House of Commons. I'm so excited to return to LSEMUN, having chaired this very committee last year. I am a recent graduate in European Politics from King's College London who has someone stuck around MUN despite promising to retire last year. Outside of MUN, I spend my time (outside of applying for jobs) following my hometown football team of Liverpool, volunteering in a law centre and playing football.

Speaker – Brendan McLean

Hey everyone! I'm Brendan, and I'm one of the Deputy Speakers for the House of Commons at LSEMUN this year. I am a second-year War Studies and History student at King's College London. I've been doing Model UN for several years now and have attended far too many conferences, including participating in HoC twice, although this is my first time chairing it. Outside of MUN, I like procrastinating coursework, listening to music and slowly learning Russian.

Speaker – Nio Szabo

Hi everyone! I'm Nio, and I will be a Deputy Speaker for the House of Commons at LSEMUN this year. I'm a first-year International Relations student at King's College London, and after many years on the MUN circuit, I'm excited to finally chair such a special, specialised committee. Despite having remotely overseen a very similar committee at a conference last year, this will be my first time chairing an HoC committee as I step outside my comfort zone of GA. Outside of MUN, I love all sports involving water, reading thrillers, and baking delicious things while ignoring the recipe. I can't wait to hear the fruitful Brexit negotiations and look forward to meeting everyone at the conference!



Introduction to the House of Commons

The House of Commons is the lower house of the United Kingdom's Parliament and its directly elected body. It contrasts with the appointed upper house, the House of Lords. The Commons traces its origins back to the Parliament of England when Edward III oversaw the introduction of knights of the shire and burgesses becoming part of Parliament. By 1332 they sat within their own chamber known as the House of Commons and by 1341 had begun deliberating separately to the King and the nobles.

By the 17th century, King Charles I had risen to the throne and deep divisions between the Crown and Parliament came to the fore. The King believed that he had a 'divine right' to rule and that he did not require Parliament. This erupted in 1629, one year after Parliament presented the Petition of Right with demands that would prevent the King misusing law and taxation, when Charles dismissed Parliament and a period of Personal Rule began.

Parliament would be recalled in 1640 as Charles sought to finance a war in Scotland, however the MPs sought an end to the policies of Personal Rule before they would agree to any financial matters. The King would dismiss what would be known as the Short Parliament just three weeks later.

In January of 1642, King Charles I entered Parliament to arrest five MPs, finding that they had already fled. This incident would spark the English Civil War, resulting in a Parliamentary victory and an English Republic following the execution of Charles I.

Parliamentary power was further strengthened in the late 1600s when Parliament invited Dutch ruler, William of Orange, to take the throne from King James II. In 1707, the Acts of Union would be passed by the Scottish and English Parliaments giving birth to the British Parliament, the modern-day ancestor of the UK Parliament.

In the House of Commons, you are representing Members of Parliament for constituencies in the UK. There are 650 of these across the UK. Therefore in order to hold a majority, a party must have 326 seats. Some MPs will be known as **frontbenchers** as they sit on the frontbench of each respective side of the Chamber where Government Ministers, Cabinet Members, Shadow Cabinet Members and Party Leaders will generally sit. On the rows behind them, non-Cabinet and non-Shadow Cabinet members will sit, these are known as **backbenchers**.

In January 2019, the largest party in the House of Commons was the Conservative and Unionist Party. As the largest party they form the Government, however crucially they do not hold a majority and are therefore reliant on a **Confidence and**



Supply Agreement with the Democratic Unionist Party (DUP) from Northern Ireland. Under the Confidence and Supply Agreement, the DUP) agreed to support the government in all confidence motions, on the Queen’s Speech, the Budget, finance bills, money bills, supply and appropriations legislation and Estimation. Notably, the DUP also agreed to support the government on bills pertaining to the UK’s Exit from the EU and on matters of national security.

As of January 2019, the composition of the House is:

- Conservative and Unionist- 317
- Democratic Unionist Party- 10
- Labour and Co-operative- 256
- Scottish National Party- 35
- Liberal Democrats- 11
- Sinn Féin- 7
- Plaid Cymru- 4
- Green- 1
- Independent- 8



Topic Background

Event Timeline

- **1 January 1973**- The UK enters the European Community
- **5 June 1975**- The first ever UK wide referendum is held on the country's continued membership of the European Community with 67.23% voting to remain a member
- **8 October 1990**- The UK joins the European Exchange Rate Mechanism (ERM)
- **30 October 1990**- Margaret Thatcher delivers her famous "No. No. No" speech, rejecting further integration of the EC
- **1 November 1990**- Geoffrey Howe resigns from Thatcher's Cabinet in response to her position on the EC, leading to the fall of her Government
- **November 1991**- Alan Sked, a Professor at the LSE, forms the Anti-Federalist League, a precursor to UKIP, opposing the Maastricht Treaty
- **7 February 1992**- The UK signs the Maastricht Treaty, joining the EU
- **16 September 1992**- Black Wednesday occurs, with the UK leaving the ERM
- **3 September 1993**- The United Kingdom Independence Party (UKIP) is formed by Alan Sked
- **1 May 1997**- Financier, James Goldsmith's Referendum Party finishes with the fourth highest vote share in the 1997 General Election but fails to win a parliamentary seat
- **10 June 1999**- UKIP win their first seats in the European Parliament, Nigel Farage is amongst the winners
- **13 December 2007**- The UK signs the Lisbon Treaty
- **12 May 2010**- The Conservative-Liberal Democrat Coalition agreement comes into force following a hung parliament in General Election
- **24 October 2011**- 81 Conservative MPs rebel against the Government, voting in favour of a referendum on the UK's membership of the EU
- **23 January 2013**- Prime Minister David Cameron announces that he will call a referendum on the UK's membership of the EU if the Conservatives win the 2015 General Election
- **22 May 2014**- UKIP receive 26.6% of votes and 24 seats in the European Parliament Elections, becoming the largest party from the UK
- **7 May 2015**- The Conservative Party win the UK General Election as the majority party. UKIP receive the third highest vote share but win only 1 seat
- **28 May 2015**- The European Union Referendum Bill is introduced by Philip Hammond
- **25 June 2015**- David Cameron begins a renegotiation of the UK's membership of the EU at a meeting of the European Council
- **9 October 2015**- Vote Leave is formed
- **12 October 2015**- Britain Stronger In Europe is formed



- **19 February 2016**- Renegotiations between the UK and EU conclude with David Cameron and Donald Tusk signing a finalised deal to be implemented in the event of a Remain win
- **20 February 2016**- The Referendum on the UK's membership of the EU is scheduled for 23 June
- **21 February 2016**- Mayor of London, Boris Johnson, announces his intention to campaign to leave the EU
- **23 June 2016**- The UK votes to Leave the European Union
- **24 June 2016**- David Cameron resigns as Prime Minister
- **11 July 2016**- Theresa May is named the next Leader of the Conservative Party
- **13 July 2016**- Theresa May becomes Prime Minister
- **27 July 2016**- Michel Barnier is appointed as the EU's chief negotiator for the UK leaving the EU
- **29 March 2017**- The UK officially invokes Article 50 to leave the EU, beginning a two year negotiation period
- **18 April 2017**- Theresa May calls a snap General Election
- **8 June 2017**- The Conservative Party wins the UK General Election as the largest party but doesn't have a majority
- **9 June 2017**- The Conservative Party form a Government in a 'confidence and supply agreement' with the Democratic Unionist Party
- **15 April 2018**- People's Vote is formed, the group calls for a public vote on any final Brexit Deal
- **6 July 2018**- The Chequers plan is finalised
- **9 July 2018**- David Davis and Boris Johnson resign from Cabinet in protest of the Chequers plan
- **20 October 2018**- People's Vote March takes place in Central London with the campaign claiming 700,000 people taking part
- **23 November 2018**- The Brexit Party is formed by Nigel Farage in order to campaign for a no-deal Brexit
- **12 December 2018**- A vote of no-confidence in Theresa May is held by the Conservative Party. May wins by 200 to 117

Background of Brexit

The question of the UK's involvement in the European Union had been a hotly contested one for decades before the eventual referendum in 2016. It was an issue contested both between parties and within them. The UK had always been more of an outsider, with one foot in and one foot out of the EU. The UK has often broken from the precedent set by other EU member states with prominent policies including its withdrawal from the ERM following Black Wednesday, refusal to adopt the Euro and maintaining of the Pound.



Overview of the Agreement

Chequers Plan

The Chequers Plan was a White Paper set out in 2018 by Theresa May's Government, detailing what a Brexit deal might look like, from an altered economic partnership to continued security cooperation. Key areas of focus included: adopting a 'common rulebook' for the trade of goods, enabling the continuation of relatively free trade; a reduction in the flexibility of services operating between the UK and the EU; a new 'Facilitated Customs Arrangement' would be put in place, allowing the removal of customs checks. This would be paired with tariff policies for UK and EU goods to minimise disruption on trade with Northern Ireland; the end of Free Movement, being replaced with an agreement allowing for the continued travel, studying and work of British Nationals in the EU; continued law enforcement cooperation; continued cooperation on foreign policy; and mechanisms for dispute resolution (Owen, 2018).

Meaningful Vote

This requirement was introduced under the Theresa May government through the European Union (Withdrawal) Act 2018 as part of the Brexit process. Termed the 'Meaningful Vote', it established that the government could not ratify the Brexit Withdrawal Agreement unless it had first been approved by a resolution of the House of Commons, alongside consideration by the House of Lords and the passage of implementing legislation. This gave Parliament a decisive role in approving or rejecting the final deal (Thimont Jack, 2018).

Possible Agreements

No-deal Brexit: The UK will leave the EU without having implemented any agreements about the future relationship between the UK and the remaining member states. This outcome is expected to result in significant disruptions to trade as well as the general movement of goods, services, capital, and people. This could have very unfavourable consequences for both the British economy but also the general public with potentially higher prices, stricter travel requirements to and from remaining member states, and potentially even stock shortages.

The UK would also have to leave without a transition period and therefore there would be no gradual adjustment process but rather a sudden break without future assurances (BBC Newsround, 2019).



Norway-plus: Inspired by Norway, one potential outcome of the UK leaving the EU could result in a deal that allows the UK to join the European Economic Area helping to protect its customs arrangement with the EU (Brooks, 2018). This would also help maintain an open Irish border and override the backstop while some of the only changes to be made will be the exclusion of agriculture and fisheries. This is referred to by some in the EU as “Brexit in name only” highlighting just how similar it is to the pre-existing system (Lis, 2018). However, this outcome must receive unanimous consent from all member states in order to pass. Meanwhile, the resulting customs agreement has sparked debates about the requirement to allow for the free movement of people which fails to align with the anti-immigration stance of the conservatives.

Canada-plus: This outcome would seek to mimic the EU-Canada Comprehensive Economic and Trade Agreement (CETA) which entered force provisionally in 2017. The agreement sought to eliminate 99% of all tariff lines and ensure better and more secure access to Canadian markets for EU companies (CETA, n.d.). However, the process behind CETA took seven years to negotiate and another three years before it could be utilised. It can be argued that the UK should not and indeed cannot delay Brexit for ten years in the hope of a more beneficial deal or one that proves less painful for the country’s finances. Similarly, many fear it would force the UK to remain compliant with EU demands and standards to ensure equality and market safety (O’Carroll, 2019).

Main Aspects of the Agreement

Border Arrangements: As of January 2019, the proposals for border arrangements vary greatly [expand]. Whilst there are various approaches the government can negotiate, the worst-case scenario in the event of a no-deal Brexit was set out by Home Secretary Sajid Javid; this would see an immediate end to EU Free Movement. This would also usher in a Temporary European Leave to Remain for EEA + Swiss citizens wishing to stay between 3 months and 3 years, and the introduction of a skills-based immigration system (Gov.UK, 2019).

Citizens’ Rights: The Human Rights Act 1998 (HRA), arguably the most significant rights protection legislation for UK citizens since the Bill of Rights in 1689, was passed to introduce the European Convention on Human Rights. Much of the discourse surrounding Brexit debate has centred around the question of interconnectedness and the influence of EU legislation and institutions over the UK as a sovereign nation. This means that how rights will be handled following the UK’s departure for the EU remains a crucial question given that the rights protected by the HRA for example were embedded into UK law based on European shared values and root agreements (Gov.UK, 2019).



British Bill of Rights (2015 - proposal): The 2015 General Election saw David Cameron elected for a second term in office with promises of clearing up the “complete mess” of human rights and having criticised the European Court of Human Rights for giving human rights a “bad name” (BBC News, 2015). Alongside this rhetoric, the Conservative party manifesto for the election proposed a British Bill of Rights as an alternative to the HRA with the justification that this would help return value to the rights enjoyed by citizens. The manifesto also detailed areas the party wanted to highlight for improved rights such as increased protection for the free press by protecting journalists and whistleblowers (Conservative Party, 2015; p.42). However, in many areas the manifesto was criticised as indicating an intent to cut back on rights considered to fall outside the remit of basic rights enjoyed by British citizens. This included proposing the removal of the European Court of Human Rights as the highest court of appeal for human rights cases with an intention to end the appeals process at the UK Supreme Court for such matters (Conservative Party, 2015; p. 60).

Meanwhile, the 2015 Labour campaign manifesto went in the opposite direction promising to retain the country’s EU membership while proposing general reform (Labour Party, 2015; p. 11). The party also made a promise to stand up for individual rights stating it wanted to protect the HRC primarily through also focusing reform on the European Court of Human Rights (Labour Party, 2015; p. 67). Labour also emphasised its past progress on developing measures at an EU level to protect British workers indicating the party disagrees with the Conservative argument that rights have gone too far.

Legal Break: This issue arose out of the UK exiting the European Union under Theresa May’s government. Brexit, as it has come to be known, was about ending the legal jurisdiction of the EU over the UK. Since it gained membership in 1972, the UK had been privy to over 50,000 EU laws, covering many different areas of law such as commercial, criminal and corporate (Reuters, 2017).

Brexit required repealing the European Communities Act of 1972 and transferring EU law into the UK. The main legislation to do this was the European Union (Withdrawal) Act 2018. This legislation aimed to keep existing EU-derived law in force, so there would be no gaps in UK law, and it also allowed Parliament to amend EU-derived law going forward (Jack, 2017). There was some debate about how much EU law to retain; however, as ‘taking back control’ had been a central part of the Leave campaign, and many argued this should extend to EU Laws too, calling for them to be scrapped.

Northern Ireland Protocol and Irish Backstop: This issue was a central issue for negotiations between the UK and the European Union during Theresa May's government, as both parties sought to avoid a hard border between Northern Ireland and the Republic of Ireland. Under the Good Friday Agreement, both the UK and the



Republic of Ireland agreed to not have a hard border between the ROI and Northern Ireland (Campbell, 2019). This was facilitated by the free movement of the EU, but is now under threat as a result of Brexit.

The proposed "backstop" option would allow for UK customs to continue with the EU until a better option could be reached in the future. Under the proposed backstop option, Northern Ireland would have to stay aligned with the EU regulatory system. Although intended to provide an open border between Northern Ireland and Ireland, the backstop proposal has been viewed by many as a mechanism to keep Northern Ireland permanently under the EU's regulatory regime, prompting opposition in parliament (Parliament, 2018).

Agriculture: As of 2019, agriculture has become an increasingly important topic of discussion while preparing to leave the European Union, due largely to the United Kingdom's dependence on European Union policies and finances for farming purposes. Historically, agricultural policy in the United Kingdom has been driven largely by the Common Agricultural Policy (CAP) established by the EU; these regulations govern not only direct payments to farmers (subsidies), but also the rules concerning agricultural production, environmental standards and rural development.

As a result of Brexit, there is considerable uncertainty about how agriculture will be funded and regulated, and what level of access UK farmers will have to the EU market. In addition to these uncertainties, many experts express concerns that losing CAP subsidies and new trade barriers will negatively impact farm income levels and increase the prices people have to pay for food. Furthermore, the UK Government will have to establish a whole new agricultural policy within the United Kingdom to replace the CAP that has existed in the EU since its inception (House of Commons Library, 2018).

Divorce bill: A key issue in ongoing negotiations with the European Union focuses on the issue of the UK's responsibility to meet outstanding financial obligations as a member of that institution through the Withdrawal Agreement. As part of the agreement, the UK must continue to meet any obligations resulting from agreements made while it was a member, in addition to those included in its budget and the long-term liabilities for the Union.

"Divorce bill" payments include various EU expenditure commitments (i.e. what the EU will spend over time to fulfil its objectives, such as developing infrastructure) in addition to pension liabilities for the Union's employees and other liabilities. These liabilities are estimated to total £35 - £39 billion as of early 2019, with payments made over time; however, while the British Government agreed to this arrangement in principle, it has created a political debate as critics think it is too expensive and supporters feel it is necessary to ensure an orderly exit (OBR, 2018).



Transition period: During the course of their negotiations for exit from the European Union with Theresa May's government, the UK and EU agreed to a transition period (also known as an 'Implementation Period') which is likely to last for approximately two years and will guarantee continued economic and legal stability during this time. This is seen as an absolute necessity to avoid a sudden disruption of trade, travel and regulation while these terms are still negotiated for a longer-term UK-EU relationship following the UK's exit from the EU.

The transition period is expected to begin with the UK's exit from the EU and last for approximately 2 years until December 2020. During the transition period, the UK will aim to have exited the EU, yet continue to be governed by EU law and participate in the single market and customs union structures and areas. During the course of the transition period, although the UK will not have any influence on EU decision-making processes, it will continue to be subject to relevant EU laws/regulations post exit, as it was before it left the EU. The arrangement reached between the UK and EU allows for businesses, government entities and individuals to have time to prepare for transitioning to a new way of doing business. However, some people believe that this arrangement only delays and prolongs the ultimate independence of the United Kingdom and places the United Kingdom in the same position as before it left the EU, without any voice (EU Commission, 2019).

Previous Legislation

Immigration Act 1971 (UK Government, 1971)

This act was passed under the Conservative government of Sir Edward Heath as part of the UK's integration into the European Economic Community. The act set out the right to abode for British and Commonwealth Citizens as well as setting up a mechanism for the Secretary of State to revoke this right from individuals by order in support of the public good.

The Act also specifies that assisting EU citizens in immigrating to the UK is not considered an offence under Section 25(1). However, facilitating the breaching (or attempted breaching) of a deportation order which an EU citizen is subject to is considered an offence. The act itself was partially repealed and amended by both the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002. The Immigration and Asylum Act 1999 extended the existing list of criminal offences punishable under the 1971 Act and under Section 3A(1) allows the Secretary of State to order additional provisions regarding leave to enter the UK, subject to a debate in Parliament and the approval of both Houses (UK Government, 1999). Meanwhile the Nationality, Immigration and Asylum Act 2002 amended the original act to allow immigration officials to subject individuals to further examination when



they cancel a previous notice refusing leave to enter. This act also offered further clarification that carrying out arrests based on immigration legislation requires reliance on police power and immigration officials do not have the right to make arrests (UK Government, 2002).

European Communities Act 1972 (UK Government, 1972)

This Act set the legal foundations for the UK's accession into the European Communities, the European Economic Community, the European Coal and Steel Community and the European Atomic Energy Community. The Act received Royal Assent in October 1972 a year which had seen numerous miners' strikes and became the deadliest in the history of the Troubles in Northern Ireland. For this reason, the passing of the ECA can be seen as an attempt to bring political and economic stability to the UK by improving cooperation with other European states.

This Act allowed for "rights, powers, liabilities, obligations and restrictions" established by the treaties to be available and recognisable as valid UK law without the need for any further enactment process being required (European Communities Act, 1972). Therefore this act introduced EU law and incorporated it into the existing legal system as part of the UK's accession process. Under Section 2(4) Acts of Parliament are to be interpreted in line with the legal frameworks which were imported from the EU when this legislation passed.

The Act also established that obligations of payment towards the Community would be covered using the Consolidated Fund or where deemed necessary by the treasury from the National Loan Fund. Any funds received from the treaties and relevant obligations would be subsequently paid into the same fund accounts for government use.

The Act entrenched the superiority of the European Court of Justice binding UK courts to make decisions "in accordance with the principles laid down by and any relevant decision of the European Court". Overall this set up EU law to take precedent where contradictions emerged between existing UK and the newly implemented EU law. This was seen by some as a sacrificing of autonomy as the government agreed to embed the EU's legal system within the UK's own well-established system.

The European Union (Withdrawal) Act 2018 went on to repeal this Act.

European Economic Area Act 1993 (UK Government, 1993)

The primary aim of this Act was to amend the European Communities Act 1972 introducing the 1992 European Economic Area Agreement into UK domestic law. This agreement was responsible for establishing a single market which brought



together twelve members of the European Community (including the UK), and six members of the European Free Trade Association (EFTA). The agreement sought to maximise the free movement of goods, services, capital, and people (labour) amongst signatory states as much as realistically possible to support the “construction of a Europe based on peace, democracy and human rights” (EU Commission, n.d.).

The Act European Economic Area also gave the government the power to amend UK law to remove or reduce any differences between domestic law and the law to which the UK is subject under the Agreement.

However, restrictions were placed on how regulations could be introduced, particularly in relation to legislating for exceptions or modifications to the Agreement. The Act provides that any draft statutory instrument containing provisions relating to those two matters must be approved by both Houses of Parliament. Otherwise, they may be annulled by either House.

This Act is not to be confused with the Irish equivalent of this act which holds the same name but brought the EEA agreement into Irish domestic law. However, the combination of these two Acts reformed trade relations between the UK and Ireland and helped set up a structure that will need to be reworked in light of the Brexit vote and suggested border alterations.

European Union Referendum Act 2015 (UK Government, 2015)

The Queen’s Speech in 2015 announced that the newly elected Conservative government, under David Cameron, intended to hold a referendum in the UK and Gibraltar on the question of “whether the United Kingdom should remain a member of the European Union or leave the European Union” (UK Government, 2015).

This Act created provisions to allow the government to hold a referendum thus satisfying the requirements set out by the Political Parties, Elections and Referendums Act 2000. The Act set out the question as "Should the United Kingdom remain a member of the European Union or leave the European Union?" and the two possible answers which were to either "Remain a member of the European Union" or "Leave the European Union". The Welsh equivalent of the question was also set out in the legislation.

The Act set out who could vote in the referendum establishing the voting base beyond those eligible to vote in a UK General Election. This meant that those who were to be eligible to vote in local government elections, the European Parliamentary Elections in the UK, as well as Commonwealth and Irish citizens who



would be eligible to vote in European Parliamentary elections in Gibraltar, could actively participate in the referendum. During the committee stage of the debate important amendments were made including increasing campaign finance limits and altering Electoral Commission notification requirements (Uberoi, 2015). The Act also required the Secretary of State to publish a report including information about rights and obligations provided by European law, helping to improve transparency.

The subsequent referendum took place on the 23rd June 2016 and resulted in the public narrowly voting to leave the EU.

European Union (Notification of Withdrawal) Act 2017 (UK Government, 2017)

As one of the first pieces of post-Brexit legislation concerning the UK's withdrawal from the EU, this Act granted the UK authorisation to trigger Article 50 of the Treaty on European Union, making the UK the first country to use this option. Sponsored by the Department for Exiting the European Union, the bill was first introduced in the House of Commons by The Right Honourable Mr David Davis, MP for Haltemprice and Howden. The bill received Royal Assent in under two months as the government pushed to officially initiate the process of leaving the EU. The Act contains only two main clauses in section 1. The first part of section 1 gave the Prime Minister the power to notify the EU under Article 50(2) of the Treaty of European Union of the country's intentions. The second part of section 1 established this Act would take precedence over other existing legislation, such as the European Communities Act 1972. Thus, this Act legalised Brexit proceedings and reduced the power of the courts to challenge the triggering of Article 50 in the future through the use of specifically targeted legislation.

Article 50 of the Treaty on European Union

Article 50 is part of The Lisbon Treaty which came into force in December 2009 as part of EU reform following ratification in all 27 member states. The Treaty also extended the European Parliament's legislative powers into 40 new fields better aligning its powers with that of the European Council and also altered the process for electing the Head of the European Commission (European Parliament, 2026).

Once Article 50 is activated the initiating country can no longer participate in European Council discussions or have a say in decisions concerning it. Following activation negotiations take place in line with council guidelines considering the structure and nature of future relations between the EU and the departing country (UK Government, 2009). The country can later ask to rejoin the EU, but it will be subject to the same procedural process as all other nations seeking to join the Union.



European Union (Withdrawal) Act 2018 (UK Government, 2018)

European Union (Withdrawal) Act 2018 received Royal Assent on 26th June 2018 following much debate in both Houses. Section 1 of the Act sets out that European Communities Act 1972 is repealed on exit day. However “EU-derived domestic legislation” continues to have effect although this does not include enactments contained in the original ECA. Direct EU legislation valid in the UK before exit day became part of UK law on exit day. This helped to ensure continuity during the shift to a legal system only relying on UK domestic law and only applied to laws where an English language version of the legislation already existed.

The Act also preserved the supremacy of EU legislation that existed before exit day even if amendments were made after this time. At the same time EU case law would no longer be binding for the Supreme Court even if the relevant legislation has been preserved in domestic law going forwards. Meanwhile, the power held by the courts to refer cases to the European Court was removed from exit day onwards.

Provisions were made in Section 9 of the Act to support the implementation of the withdrawal agreement by empowering Ministers to legislate as appropriate. However, limitations were set to ensure the protection of rights, liberties, and ensure public support where necessary. For example, this Section directly protected the Human Rights Act 1998 by preventing the amendment, repealing, or revoking it, in the context of the legislative power of Ministers to implement the withdrawal agreement. Similarly, these provisions were restricted to the period of time between the passing of the bill and exit day.

The Act also laid out the requirements for Parliamentary approval of the outcome of EU negotiations and any potential deal struck between the UK government and the EU as an organisation.

A “framework for the future relationship” also became a required element to be part of any proposed agreement to Parliament. To enable the discussion of the Act. There were also strong provisions to ensure the inclusion of both Houses with Lords clearly set out for the House of Lords and stated that in the case that the House of Commons refuses to pass a resolution, a government minister has to make a statement as to how the government wishes to proceed. The Act also set out what steps the government should take if attempts at securing an agreement through Article 50(2) negotiations were still proving fruitless by 21st January 2019.

Overall, this was a comprehensive but relatively controversial act passed by the parliament. While many amendments were rejected, one of perhaps the most important elements of the Act was added through the amendments process with Lord Kerr, a crossbench peer ensuring that the ECA could only be repealed once the



government had presented some form of a negotiation strategy to Parliament. (Thimont Jack, 2017)

Nuclear Safeguards Act 2018 (UK Government, 2018)

This Act was passed by May's government to create an agreement of cooperation on the issue of nuclear safety between the UK and the EU as post Brexit the UK would no longer automatically fall under the remit of the European Atomic Energy Community (Euratom).

This meant that Euratom would no longer have direct control in ensuring that the UK did not divert any of the nuclear materials it has access to towards non-peaceful uses. The Nuclear Safeguards Act was passed to establish a strict domestic nuclear safety framework to replace the role of Euratom and put in place many of the same restrictions that the UK had previously agreed to. This was intended to reassure the international community and to continue to support UK sectors reliant on nuclear materials, such as the atomic energy sector.

The act created the UK Office for Nuclear Regulation (ONR) and included the establishment of new nuclear safeguards to supplement those already in place under the Energy Act 2013 (UK Government, 2018). New reporting and verification processes were also introduced aimed at demonstrating to international partners that the UK would maintain its commitment to nuclear non-proliferation.

However, the Act was criticised by some as a "Skeleton Bill" arguing that it lacked sufficient detail and could be exploited given its focus on delegating the creation of a domestic framework rather than embedding it directly into UK law at the time. The Secretary of State was given the ability to create regulations in consultation with the ONR to ensure "nuclear material, facilities or equipment are only available for use for civil activities" or to comply with international agreements.



Main Positions

Conservative Party

The Conservative Party has long been divided over the issue of Brexit and relations between the UK and European Union. These divisions have even brought down Conservative Leaders and Prime Ministers, with Margaret Thatcher's time in office coming to an end shortly after her "No. No. No." speech against further EU integration, something her colleagues were in favour of.

Amongst the current Conservative Party, the divide is even clearer than ever after the referendum. Prime Minister Theresa May was a vocal proponent of the Remain campaign, however she is now tasked with leading the Government towards leaving the EU. Amongst the current Cabinet, both Steve Barclay, the Secretary of State for Exiting the European Union, and Michael Gove, the Secretary of State for Environment, Food and Rural Affairs, were proponents of Leave. Michael Gove in particular was one of the leading Conservative campaigners for Vote Leave alongside Boris Johnson, who now sits on the backbenches.

Democratic Unionist Party (DUP)

The Democratic Unionist Party won 10 of the 18 seats up for election in 2017 in Northern Ireland, becoming the largest represented party in the country. With the Conservatives losing their majority, they turned to the DUP to provide them with support. Known as the Confidence and Supply Agreement, the DUP agreed to support the Government on all motions of confidence; on the Queen's speech; on the Budget; on finance bills; money bills, supply and appropriation legislation and Estimates (GOV.UK, 2020).

Notably, the DUP also agreed to support the Government on legislation pertaining to the UK's exit from the European Union due to the parties staunchly eurosceptic position. The DUP however have recently broken rank with the Government, calling the deal that Theresa May had negotiated "poor" (McCormack, 2018).

Labour Party

With 262 seats after the 2017 General Election, the Labour party appeared to be largely divided over the issue of Brexit at this time. The 2017 party manifesto reiterated the party's respect for the outcome of the Brexit vote focusing instead on promising the retention of close working relations, while ensuring equality and



security. The manifesto also noted that the party wanted to ensure a “jobs-first Brexit” while prioritising the energy market, including Euratom (Elgot, 2018).

Meanwhile, some members of Jeremy Corbyn’s inner circle have shown themselves to be unafraid of voicing eurosceptic views. And while MPs appeared to remain torn on what the best possible outcome may entail, the party wanted to achieve a softer Brexit, looking to create a permanent customs union and to align more with the single market (Labour Party, 2017). These measures show not only clear respect for the choice of the public, but also an intention to mitigate and reduce any potential changes brought on by Brexit.

Liberal Democrats

The Liberal Democrats won 12 seats in the 2017 General Election following which the party’s then leader, Tim Farron, resigned and was replaced by Vince Cable who had run for the position unopposed. The Liberal Democrats had the clearest stance in opposition to the Conservative government arguing that the UK should in fact remain a member of the EU to reflect shifting public opinion. In 2017 the Party had called for a second referendum, the so-called “People’s Vote” to be held by December 2018. The party’s plan included a schedule for a twelve-week campaign period beforehand which would have fit within the Article 50 framework without disrupting the withdrawal process that had already begun (Elgot, 2017). With a second referendum as the party’s primary policy, they refused to support the Brexit deals proposed by the other parties such as a potential no-deal outcome or even Labour’s soft Brexit alternative. The party kept its policy consistent continuing to advocate for the revoking of Article 50 and the reversing of Brexit which is the stance the party is adhering to at the beginning of this committee.

Brexit Party

The Brexit Party was officially launched by Nigel Farage in April of 2019, which is after the start date considered by this committee. However, the party was created seeking to address delays with the Brexit process in the wake of UKIP which had campaigned for Brexit also under the leadership of Farage. The party would go on to argue for a “clean-break” Brexit in the 2019 general election and pushing for a deal that would avoid forcing the UK to pay settlement fees to the EU while seeking a free trade agreement (BBC News, 2019).



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