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THE PRIME MINISTER

Personal Minute

TO ALL MINISTERIAL COLLEAGUES

EU REFERENDUM

In my Statement to Parliament on Tuesday, I announced that there will be a clear government position after the conclusion of the EU negotiation and I also explained that, from that point, there will be a special arrangement to permit individual Ministers to take a different personal position from the official position of the Government. Having consulted the Cabinet Secretary, this letter sets out in more detail what this means in practice.

First, this arrangement will come into effect following a Cabinet discussion, after the negotiations have concluded with our EU partners. Until that point – when it will become clear whether a deal can be negotiated that delivers the objectives I have set out – all Ministers should continue to support the position set out in our Manifesto and say or do nothing that will undermine the Government’s negotiating position. The Government’s policy, explained in our Manifesto and discussed at Cabinet, is to negotiate a new settlement for Britain in the EU and then ask the British people in a referendum whether they want to stay in the EU on this reformed basis or not. As I have said many times, if the renegotiation is successful, the Government’s position will be in favour of Britain remaining in a reformed EU. If the renegotiation is unsuccessful, then we rule nothing out. This referendum must take place by the end of 2017. I am grateful to all colleagues for the support provided to date.

Second, this wholly exceptional arrangement will apply only to the question of whether we should remain in the EU or leave. All other EU or EU-related business, including negotiations in or with all EU institutions and other Member States, and debates and votes in Parliament here on EU business will continue to be subject to the normal rules of collective responsibility and party discipline. This also of course applies to policy discussions within government. The existing machinery of government for making policy on EU business will continue to function in the normal way. In Parliament, the rules state that Ministers speak from the Front Bench, and when they do so they support government policy.

While this will remain the case, we will need to be flexible and apply common sense. For example, if, as I hope, the negotiation is successful and the Government is able to recommend that we should remain in a reformed EU, and this special arrangement comes into place, Ministers who choose to depart from the Government's recommendation because of long-standing and sincerely held views will not be expected directly to contradict such a position while otherwise defending government policy in Parliament.

Third, since there will be a clear government position on the outcome of the negotiation and hence on whether the UK should remain in or leave the EU, it will be the duty of the Civil Service to support that position in the normal way. This is, of course, subject to the rules set out in Section 125 of the Political Parties, Elections and Referendums Act 2000 that come into effect for the final 28 days of the referendum campaign. It will not be appropriate or permissible for the Civil Service or individual civil servants to support Ministers who oppose the Government's official position by providing briefings or speech material on this matter. The Cabinet Secretary will be providing separate guidance to civil servants on this issue.

Until the last 28 days of the campaign, and consistent with the Special Advisers' Code, Ministers who oppose the Government's official position will be able to draw on personal help and advice from their Special Advisers, provided this does not draw on official or departmental resources. It should also be done in line with Special Advisers' wishes and in their own time. Ministers who depart from the Government's position will also of course be able to work with external campaign teams. Any Special Adviser who wishes to provide advice as set out above should notify my Principal Private Secretary in advance. Separate guidance will be provided in due course on the purdah rules to be applied to Special Advisers in the final 28 days of the campaign.

Finally, it will be very important during this period for Ministers on both sides of the debate to treat each other with appropriate respect and courtesy. We all recognise that the UK's membership of the EU is an issue on which some colleagues have long-standing, deeply-held positions of conviction – hence my decision to set aside, on a highly exceptional basis, the normal rules of collective responsibility. But throughout this period, and in its aftermath, we will continue to have responsibility for governing the country and serving the public who elected us. This can only be done effectively if we remain, despite differences on this one issue, a united, harmonious, mutually respectful team.

I am confident that these arrangements provide the right framework for a fair and balanced debate during the forthcoming referendum campaign.

David Cameron

11 January 2016