



Department  
for Exiting the  
European Union

# Overview

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## EU (Withdrawal Agreement) Bill



## OVERVIEW

The EU (Withdrawal Agreement) Bill will implement in domestic law the **Withdrawal Agreement** agreed between the UK and the EU, enabling the UK to meet our international commitments. The **Bill** will also legislate for the **EEA EFTA Separation Agreement** and the **Swiss Citizens' Rights Agreement** which, alongside the **Withdrawal Agreement**, are collectively known as the '**Agreements**'.

The purpose of the **Bill** is to implement the **Agreements** and therefore to:

- Protect the rights of EU citizens and **EEA EFTA** and Swiss nationals, living and working in the UK
- Create a time-limited **implementation period** which gives businesses and people time to plan for one set of changes
- Provide continuity and certainty at the end of the **implementation period** by setting out what will happen to ongoing EU law processes at the end of this period
- Provide for the arrangements set out in the **Protocol on Ireland/Northern Ireland** in domestic legislation
- Create a financial authority so that the UK can meet its international legal obligations under the negotiated financial settlement, while continuing to receive payments from the EU. There are limitations to this financial authority, giving Parliament a role in determining how these obligations are met.



The **Bill** also contains additional measures that are not directly related to the implementation of the **Withdrawal Agreement**, but which are nevertheless a core part of the Government's vision for Brexit. These include:

- Providing a power to facilitate the unfettered access of goods from Northern Ireland to the market in Great Britain.
- Providing mechanisms for Parliamentary scrutiny over EU legislation made, or which may be made, until 31 December 2020.
- Above all, recognising the sovereignty of Parliament.

The **Withdrawal Agreement** will affect the whole of the UK. The **Devolved administrations** will be able to make **secondary legislation**, where appropriate, using powers given to them by the **Bill** within areas of **devolved competence**.

In implementing the **Withdrawal Agreement**, there are three key documents which, despite having very similar names, have distinct purposes:

### EU (Withdrawal) Act 2018



Prepares the **statute book** for when EU law ceases to apply in the UK (so that UK laws can function) without prejudice to negotiations

### Withdrawal Agreement



International agreement between the EU and the UK, making the arrangements for leaving the EU and the immediate period after - citizens rights, **implementation period**, etc

### EU (Withdrawal Agreement) Bill



The focus of these factsheets, the **Bill** recently introduced to Parliament. Its purpose is to implement the **Withdrawal Agreement** into domestic law

## STATUS OF WITHDRAWAL AGREEMENT

The **Bill** will enable the UK to ratify the **Withdrawal Agreement**. The **Withdrawal Agreement** must be ratified in order to leave the EU with a deal.

The **Bill** will allow the **Agreements** to apply directly in UK law. This means that individuals and businesses should have confidence that they can rely on the terms of those **Agreements** as a matter of domestic law.

The Bill will also recognise the sovereignty of the UK Parliament, notwithstanding the application of the **Withdrawal Agreement** in UK law.

## TIMING

The **Bill** must receive **Royal Assent** before the UK leaves the EU on exit day in order for the UK to ratify the **Withdrawal Agreement**.

As explained in the *implementation period factsheet*, during this time businesses and individuals will benefit from the certainty of the continued application of EU law while we conclude the terms of the future relationship.

## **KEY TERMS**

### **ACT OF PARLIAMENT**

An Act of Parliament is a law that both Houses of Parliament have agreed to and which has received Royal Assent. It is enforced in all the areas of the UK where it is applicable.

### **AGREEMENTS**

The term used when referring to the EU Withdrawal Agreement, EEA EFTA Separation Agreement and the Swiss Citizens' Rights Agreement.

### **BILL**

A proposal for a new law or an amendment to an existing law that has been presented to Parliament for consideration. Once agreed and made into law, it becomes an Act.

### **DEVOLVED ADMINISTRATIONS**

These are the Scottish Government, the Welsh Government and the Northern Ireland Executive.

### **DEVOLVED COMPETENCE**

The areas in which the devolved legislatures are responsible for making laws ('legislative competence') or the devolved administrations are responsible for governing or making secondary legislation ('executive competence').

### **DEVOLVED LEGISLATURES**

The law making bodies of the devolved nations of the UK. These are the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.

### **EEA EFTA SEPARATION AGREEMENT**

An international treaty between the UK and **EEA EFTA** countries (Norway, Iceland and Liechtenstein) that sets out the respective rights and obligations of all parties following the UK's withdrawal from the EEA.

### **EUROPEAN ECONOMIC AREA (EEA)**

The EEA includes EU countries and also Iceland, Liechtenstein and Norway. It allows them to be part of the EU's single market.

## **EUROPEAN FREE TRADE ASSOCIATION (EFTA)**

EFTA is a regional trade organisation consisting of Switzerland, Norway, Liechtenstein and Iceland.

## **IMPLEMENTATION PERIOD**

Time-limited period following the point at which the UK leaves the EU. During this period, EU law will continue to apply in the UK subject to the terms set out in the Withdrawal Agreement.

## **OTHER SEPARATION ISSUES**

This refers to 13 ongoing processes, such as ongoing judicial proceedings, which will continue under EU law, as a transitional measure after the end of the implementation period to ensure a smooth exit from the EU.

## **PROTOCOL ON IRELAND/NORTHERN IRELAND**

The Protocol on Ireland/Northern Ireland is the part of the Withdrawal Agreement which contains the arrangements following the UK's exit from the EU that relate to Northern Ireland and addresses the unique circumstances that exist in Northern Ireland as the only part of the UK to have a land border with the European Union.

## **ROYAL ASSENT**

When the Queen formally agrees to make a bill an Act of Parliament.

## **SECONDARY LEGISLATION**

Legal instruments (including regulations and orders) made under powers delegated to ministers or other office holders in Acts of Parliament. They have the force of law but can be disapplied by a court if they do not comply with the terms of their parent Act. Also called subordinate or delegated legislation.

## **STATUTE BOOK**

The body of legislation that has been enacted by Parliament or one of the devolved legislatures and has effect in the UK.

## **SWISS CITIZENS' RIGHTS AGREEMENT**

An international treaty between the UK and Switzerland that protects the rights of Swiss citizens in the UK and UK nationals in Switzerland.

## **WITHDRAWAL AGREEMENT**

The international agreement between the UK and the EU that sets out the respective rights and obligations of both parties following the UK's withdrawal from the EU.

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