

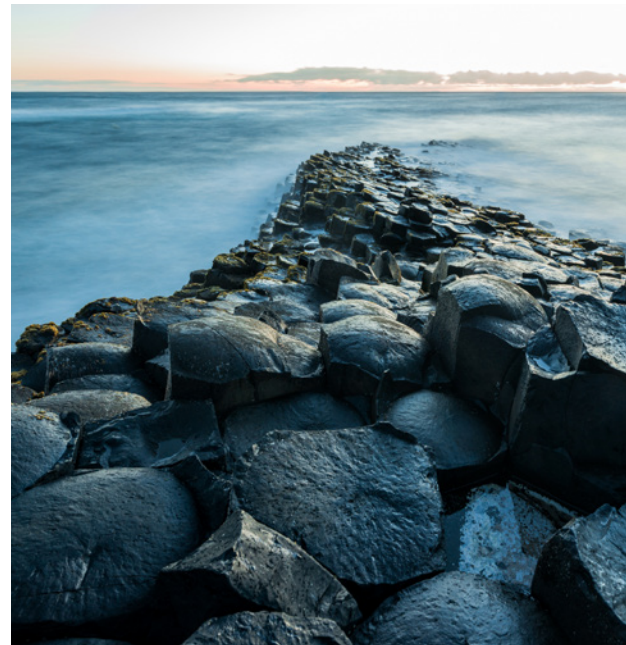


Department
for Exiting the
European Union

Northern Ireland

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EU (Withdrawal Agreement) Bill



OVERVIEW

The UK has agreed a new Brexit deal with the EU. The EU (Withdrawal Agreement) Bill will implement this new deal in UK law, and deliver Brexit by 31st January 2020.

*The **Bill** will: take back control of our laws by reaffirming the sovereignty of Parliament; end vast annual payments to Brussels; protect the Union by ensuring we leave as one United Kingdom; protect the rights of EU citizens, **EEA EFTA** and Swiss nationals living in the UK; and secure an **implementation period** to give businesses certainty.*

The **Protocol on Ireland/Northern Ireland**, which is contained in the **Withdrawal Agreement**, recognises and addresses the unique circumstances of Northern Ireland.

The EU (Withdrawal Agreement) Bill will give effect to the **Protocol on Ireland/Northern Ireland** in UK law. In particular, the **Bill** includes:

- Provisions relating to the protection of rights, safeguards and equality of opportunity contained in the Rights, Safeguards and Equality of Opportunity chapter of the **Belfast (Good Friday) Agreement**.
- Powers enabling Ministers and devolved authorities to make appropriate provision in regulations in order to implement the Protocol.
- A provision whereby EU law will continue to apply to Northern Ireland in the limited areas required under the Protocol.



PROTECTION OF BELFAST (GOOD FRIDAY) AGREEMENT RIGHTS AND EQUALITIES

The **Bill** implements the UK's commitment to ensure that there is no diminution of rights, safeguards and equality of opportunity contained in the Rights, Safeguards and Equality of Opportunity chapter of the **Belfast (Good Friday) Agreement** in Northern Ireland resulting from the UK's withdrawal from the EU.

This is an important commitment which recognises that the guarantee of equality and rights for all communities in Northern Ireland is a fundamental part of the **Belfast (Good Friday) Agreement**, which must be guaranteed whatever the UK's relationship with the EU.

To implement this commitment, the **Bill**:

- Places a restriction on the legislative competence and powers of the Northern Ireland Assembly and Northern Ireland Ministers and departments to ensure that they cannot do anything that is incompatible with the no diminution commitment.
- Gives new functions to two statutory bodies - the **Northern Ireland Human Rights Commission** (NIHRC) and **Equalities Commission for Northern Ireland** (ECNI) - enabling them to specifically monitor, advise and report on, and enforce the UK's adherence to the no diminution commitment.

COMMON TRAVEL AREA

The **Common Travel Area** reflects the deep-rooted, historical ties between the UK and Ireland, which existed before either the UK or Ireland were members of the EU. Under the **Withdrawal Agreement** both states can continue to make arrangements between themselves relating to the **Common Travel Area**.

The **Bill** does not legislate for the **Common Travel Area** as the **Withdrawal Agreement** does not require it to do so.

ALIGNMENT PROVISIONS

The **Northern Ireland Protocol** ensures that the whole of the United Kingdom will be a single customs territory outside of the EU customs union and replaces the ‘backstop’ with a system whereby Northern Ireland remains in step with specific EU rules on customs, goods, VAT, and the Single Electricity Market.

This system will remain in place only for as long as the people of Northern Ireland wish this system to continue. Rules for defining this ongoing democratic consent are set out in the Protocol. This system also achieves the common aim of avoiding a hard border on the island of Ireland.

The **Bill** provides for these arrangements in domestic law.

PROTECTIONS FOR NORTHERN IRELAND

The **Bill** contains additional provisions that give effect to commitments to people in Northern Ireland, to protecting the **Belfast (Good Friday) Agreement** and to maintaining the constitutional and economic integrity of the UK.

The **Bill** enables the UK Government and the **devolved administrations** to facilitate the access of qualifying Northern Ireland goods to the market in Great Britain. It also prevents UK Ministers from agreeing in the Joint Committee to alter the arrangements for North-South co-operation as provided for in the Belfast (Good Friday) Agreement.

KEY TERMS

BELFAST (GOOD FRIDAY) AGREEMENT

The Belfast (Good Friday) Agreement is a multi-party agreement by Northern Ireland's political parties and an international agreement between the UK and Irish Governments in 1998. It forms the basis on which Northern Ireland is governed, and was central to establishing lasting peace in NI. The Agreement sets out provisions relating to a number of areas including:

- The status and system of government of Northern Ireland within the United Kingdom, including the creation of a new assembly and power-sharing Executive, with protections for both communities (Strand 1)
- The relationship between Northern Ireland and Ireland (Strand 2)
- The relationship between Ireland and the United Kingdom (Strand 3)

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.

COMMON TRAVEL AREA

The Common Travel Area (CTA) is comprised of the UK, the Channel Islands and the Isle of Man, and Ireland. The CTA arose to facilitate the principle of free movement for British and Irish citizens between the UK, Ireland and the Islands, and the reciprocal enjoyment of rights and entitlements to public services of citizens when in the UK and Ireland.

DEVOLVED ADMINISTRATIONS

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

EQUALITY COMMISSION FOR NORTHERN IRELAND

The Equality Commission for Northern Ireland is a devolved equality body, established under the Belfast (Good Friday) Agreement. It is responsible for monitoring, advising, reporting on, and ensuring compliance with equality and anti-discrimination legislation in NI, and enforcing the public sector equality duties under section 75 of the Northern Ireland Act 1998. It is sponsored by the Northern Ireland Executive Office.

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.

JOINT INSTRUMENT

The Joint Instrument issued by the UK and EU in March 2019 is a legally binding text which outlines several key commitments in relation to the backstop, and the alternative arrangements to replace it.

NORTHERN IRELAND HUMAN RIGHTS COMMISSION

The Northern Ireland Human Rights Commission (NIHRC), established under the Belfast Agreement, is the national human rights institution for Northern Ireland (accredited with 'A status' under the UN Paris Principles) and is responsible, primarily, for keeping under review the adequacy and effectiveness in Northern Ireland of law and practice relating to the protection of human rights. The NIHRC is sponsored by the UKG Northern Ireland Office.

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.

SINGLE ELECTRICITY MARKET

The Single Electricity Market is the wholesale electricity market for the island of Ireland. It guarantees an all-island supply of electricity to over 2.5 million households.

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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