



Department
for Exiting the
European Union

Citizens' rights

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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 October 2019.

*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, **EEA EFTA** and Swiss citizens living in the UK; and secure an **implementation period** to give businesses certainty.*

The **Withdrawal Agreement** protects the rights of more than three million EU citizens living in the UK and around one million UK nationals living in the EU. It ensures that they can continue contributing to their communities and living their lives broadly as they do now.

Those protected by the **Withdrawal Agreement** will be able to continue to live, work, study and access public services and benefits in the countries in which they currently reside.



HOW WILL EU CITIZENS' RIGHTS BE PROTECTED AFTER EXIT DAY?

The EU (Withdrawal Agreement) Bill gives effect to the **Withdrawal Agreement** in domestic law. This will ensure that individuals can rely directly on these rights in the UK courts, and will implement the rights to equal treatment and non-discrimination for EU citizens living or working in the UK. Protection of UK nationals living or working in the EU will be provided for by Member States.

The Independent Monitoring Authority for the Citizens' Rights Agreements (IMA) will ensure that the citizens' rights part of the **Withdrawal Agreement** is fully implemented and the rights of EU citizens are protected.

The IMA will also monitor compliance with the **EEA EFTA Separation Agreement**. Further detail on the IMA can be found in the *Independent Monitoring Authority for the Citizens' Rights Agreements factsheet*.

The timeline below sets out how EU citizens' rights are currently upheld in the UK and how they will be protected both during and after the **implementation period**:

PRE-EXIT DAY

EU citizens have the right to reside in the UK through EU law



EXIT DAY

UK leaves the EU and **implementation period** begins



IMPLEMENTATION PERIOD (UNTIL 31 DECEMBER 2020)

During the time limited **implementation period** EU citizens will have the same rights in the UK as they did before the UK left the EU



GRACE PERIOD

EU citizens will be able to apply to the EU Settlement Scheme for six months after 31 December 2020

EU citizens will be able to rely on their rights under the **Withdrawal Agreement** during the grace period, or until their application is complete



POST-GRACE PERIOD

EU citizens will have secured their rights under the **Withdrawal Agreement** and can continue living their lives broadly as they do now

EU SETTLEMENT SCHEME

The **Withdrawal Agreement** provides EU citizens and their family members living in the UK at the end of the **implementation period** with the right to continue to stay in the UK.

EU citizens and their family members can already apply for residence status through the EU Settlement Scheme.

The EU Settlement Scheme has been set up via the **Immigration Rules** because they are already the mechanism for granting leave to enter or remain in the UK. The EU Settlement Scheme has been fully open since 30 March 2019 and is designed to give effect to the UK's commitments under the **Withdrawal Agreement**. Further information on the EU Settlement Scheme, including its operation in a no-deal scenario, can be found on gov.uk.

RETENTION OF EXISTING CRIMINALITY THRESHOLDS

The **Bill** will provide for the continuation of current EU public policy and public security thresholds for EU citizens in relation to conduct taking place until the end of the **implementation period**. The UK threshold of behaviour that is not 'conducive to the public good' will apply to conduct taking place after the end of the **implementation period**.

APPEALS

The **Bill** will allow appeals mechanisms to be set up for EU citizens. This means that EU citizens will have the right of appeal against various citizens' rights decisions, including refusals to grant pre-settled or settled status under the EU Settlement Scheme and decisions to refuse entry to **frontier workers**.

RIGHTS FOR FRONTIER WORKERS

The **Bill** will protect the rights of **frontier workers** from the end of the **implementation period**, by retaining their right to enter and work in the country of their employment (including self-employment). This will apply to EU citizens who are not living in the UK, but are currently working here.

Under the **Common Travel Area (CTA)**, UK and Irish citizens will have the right to move freely and work across the Irish border, and so will not need to rely on these **frontier worker** rights.

RECOGNITION OF PROFESSIONAL QUALIFICATIONS

The **Bill** will protect EU professionals living or working in the UK who have a qualification recognised, or are in the process of being recognised by the UK, before the end of the **implementation period**.

If an EU citizen has made an application for recognition of a qualification but has not received a final decision before the end of the **implementation period**, their application can still be processed and they will be able to rely upon the decisions made.

SOCIAL SECURITY COORDINATION

The **Bill** will ensure that citizens who have moved between the UK and the EU, or those who have interacted with the social security system of the UK and a Member State, before the end of the **implementation period** are not disadvantaged in their access to pensions, benefits and other forms of social security including healthcare cover. This includes protection for UK nationals who have interacted with social security systems in other Member States

Under the **Withdrawal Agreement** we will continue to follow the social security coordination regulations. Aligning with these rules is essential to the smooth functioning of the system and will ensure that individuals covered by the **Withdrawal Agreement** do not lose out. The **Bill** will allow us to make sure that our domestic legislation works alongside these EU rules.

DEVOLUTION

Some aspects of citizens' rights, such as some benefits and recognition of professional qualifications where the regulation of the profession is devolved, are devolved to Scotland, Wales and Northern Ireland. The EU (Withdrawal Agreement) Bill confers on the **devolved administrations** powers to make provision within **devolved competence** (as defined in the **Bill**) in relation to social security coordination, mutual recognition of professional qualifications and equal treatment.

CITIZENS' RIGHTS FOR EEA EFTA AND SWISS NATIONALS

The **Bill** also protects the rights of **EEA EFTA** and Swiss nationals. More information can be found in the *EEA EFTA Separation Agreement fact sheet* and *Swiss Citizens' Rights Agreement factsheet*.

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.

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.

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').

EEA EFTA

The EFTA states who are party to the EEA Agreement - Norway, Iceland and Liechtenstein.

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 COMMISSION

The Commission is the main executive body of the EU. It has general executive and management functions. It can negotiate international agreements on behalf of the EU and represents the EU in international organisations. The Commission oversees and enforces the application of Union law, in particular by initiating infraction proceedings where it considers that a Member State has not complied with its EU obligations.

FRONTIER WORKER

A person who lives in one state but works in another. For example, someone who lives in France yet spends four days per week working in the UK. They would not be resident in the UK and would not be protected by the right to reside.

IMMIGRATION RULES

Derived from the 1971 Immigration Act, this piece of secondary legislation is the mechanism for granting leave to enter or remain in the UK, for those who require it.

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.

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.

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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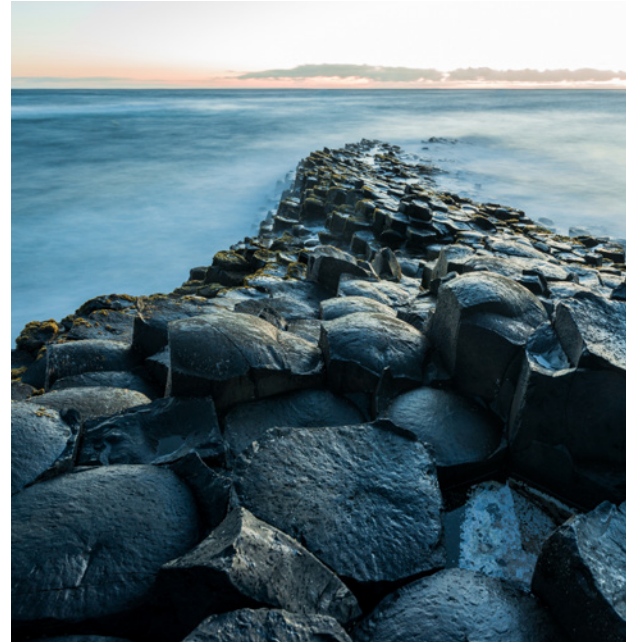


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EU (Withdrawal Agreement) Bill



OVERVIEW

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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. The following elements will be addressed through the **Bill**:

- 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**.
- A mechanism, subject to the consent of the people of NI, enabling Northern Ireland to align with the EU in a limited number of areas relating to the movement of goods and in order to protect pre-existing areas of North-South cooperation (such as the **Single Electricity Market**).



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 make sure that the elements of the **Belfast (Good Friday) Agreement** identified in the **Protocol on Ireland/Northern Ireland** are protected, 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 function 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.

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. It replaces the backstop provisions in the old **Withdrawal Agreement** negotiated by the former Prime Minister and rejected by Parliament with a system whereby Northern Ireland remains aligned with EU regulations on goods (including certain laws for VAT on goods).

No tariffs will need to be paid on goods moving from GB to NI, which are not at risk of moving to the EU. Thus the **Protocol** applies EU tariffs in Northern Ireland except for movements within the single customs territory of the United Kingdom. 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 **Protocol** allows Northern Ireland to remain aligned with specific EU rules in customs, goods, VAT, and the **Single Electricity Market**, provided that there is democratic consent for those arrangements. It also provides that Northern Ireland is in the United Kingdom's customs territory, outside the EU customs union, and may be included in the United Kingdom's future trade deals with third countries, while ensuring that there is no hard border between Northern Ireland and 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 the people of Northern Ireland, to protecting the **Belfast (Good Friday) Agreement** and to maintaining the constitutional and economic integrity of the UK.

The **Bill** also allows the UK Government and the **devolved administrations** to ensure that Northern Ireland goods can access the market in Great Britain. It also clarifies that the arrangements for North-South co-operation in the **Belfast (Good Friday) Agreement** remain unaffected by the **Bill**.

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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Implementation period

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EU (Withdrawal Agreement) Bill



OVERVIEW

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*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, **EEA EFTA** and Swiss citizens living in the UK; and secure an **implementation period** to give businesses certainty.*

As part of the **Withdrawal Agreement**, the UK and the EU agreed an **implementation period** in order to provide continuity and certainty. During this time, EU law will generally continue to apply in the UK as it does now. This will mean that UK businesses and individuals will be able to continue to access EU markets as they do now, and the same for EU businesses and individuals in the UK.



The Government intends to negotiate arrangements for the UK's future relationship with the EU during the **implementation period**. As a result there will only be one set of changes for businesses and individuals to respond to at the end of the **implementation period**. Both UK and EU citizens will enjoy largely the same rights as they did before exit day, and businesses will be able to continue to trade across EU markets as they do now during the **implementation period**.

To give effect to the **implementation period**, the EU (Withdrawal Agreement) Bill will need to update the EU (Withdrawal) Act 2018 to reflect the new deal reached with the EU. Before setting out these changes, below is an explanation of the relevant provisions of the EU (Withdrawal) Act 2018.

WHAT DOES THE EU (WITHDRAWAL) ACT 2018 DO?

The EU (Withdrawal) Act 2018 was designed to prepare our **statute book** for Brexit without pre-empting the outcome of our negotiations with the EU. It was drafted before the **Withdrawal Agreement** was finalised and therefore for a scenario in which EU law would cease to apply in the UK on exit day at 11pm.

On exit day, the EU (Withdrawal) Act 2018 repeals the **European Communities Act 1972 (ECA)**. The ECA has given effect to EU law in the UK for more than 40 years. The EU (Withdrawal) Act 2018 is due to convert EU law into domestic law on exit day, as well as saving domestic law relating to the EU. It also contains a power for the Government to correct saved EU and domestic law that is deficient, such as where it has references to regulatory bodies which will no longer have a role in the UK after we have left the EU.

WHAT HAPPENS DURING THE IMPLEMENTATION PERIOD?

During the **implementation period**, EU rules and regulations will need to continue to have effect in the UK and references on the **statute book** to EU institutions will need to remain, which will ensure continuity for businesses and citizens.

The **Bill** will therefore delay the conversion and saving of EU law into domestic law so that it occurs at the end of the **implementation period**.

The **Bill** will also extend the length of time that the power to correct saved EU and domestic law is available to the Government, for a period of two years after the **implementation period** ends. This will give Ministers enough time to correct any further problems that are identified.

WHAT CHANGES NEED TO BE MADE TO THE EU (WITHDRAWAL) ACT 2018?

The EU (Withdrawal Agreement) Bill will amend the EU (Withdrawal) Act 2018 to give effect to the **implementation period**. The **Bill** will ensure that the effect of the **ECA** will be saved for the duration of the **implementation period**, so that EU law can continue to have effect during this period as it did while the UK was a Member State of the EU in order to ensure continuity for businesses and citizens. This process is explained below.

‘REPEAL AND SAVE’ OF THE EUROPEAN COMMUNITIES ACT 1972

As the UK is leaving the EU, the mechanism that allows EU law to flow into UK law will be repealed. However, to give effect to the **implementation period**, this mechanism will be for a time-limited period. The flowchart below establishes how the **Bill** will provide for EU law to continue to apply to the UK during the **implementation period**:

As an EU Member State, EU law has precedence over UK domestic legislation



EU law is given effect in the UK through the **ECA**



As we leave the EU, we need to end the supremacy of EU law and remove the mechanism enabling the flow of new EU law into UK law



Therefore, the UK will repeal the **ECA** on exit day, via the EU (Withdrawal) Act 2018



The UK and EU have now agreed a time-limited **implementation period**, during which EU law will continue to apply to the UK, to provide continuity and greater certainty to businesses and citizens



The UK will still repeal the **ECA**. This is an important part of leaving the EU



The EU (Withdrawal Agreement) Bill will then amend the EU (Withdrawal) Act 2018 so that, even though it has been repealed, the effect of an amended **ECA**, repurposed for the **implementation period**, is saved for the duration of the **implementation period**



This approach will provide legal certainty to businesses and individuals during the **implementation period** by ensuring continuity of EU law in the UK during this time



The EU (Withdrawal Agreement) Bill will ensure that the **ECA** ceases to apply at the end of the **implementation period**

During the **implementation period**, EU law will continue to apply in the UK under the terms set out in the **Withdrawal Agreement**. Given the way the EU's legislative processes work, most EU law which will come into force during the **implementation period** will have been agreed while the UK is still a Member State. This means that the UK Parliament will already have scrutinised much of this new legislation.

To ensure that the UK's interests are still protected after Brexit, certain safeguards have been agreed by the EU and UK:

- Both parties are obliged to act in **good faith** through the application of the **Withdrawal Agreement**.
- A **Joint Committee** will be established that will be composed of representatives from both parties, and provide a means to ensure the smooth functioning of the **implementation period**, and for either side to raise any concerns which could arise during the **implementation period**

EU law will continue to apply in the UK during the **implementation period**, but the UK will no longer form part of the EU's political institutions or take part in its lawmaking activities. The **Bill** will also therefore contain a clause to ensure parliamentary scrutiny over legislation made, or which may be made, during the **implementation period** that will, in the opinion of the House of Common's European Scrutiny Committee, affect the UK's vital national interests.

IMPLEMENTATION PERIOD EXTENSION

The **Withdrawal Agreement** establishes that the **implementation period** may be extended by a single decision of the **Joint Committee**, for a time-limited period of up to one or two years. The UK and the EU can agree an extension to the **implementation period** any time before 1 July 2020.

The **Bill** will ensure that the Government cannot agree to an extension of the **implementation period** without parliamentary approval. The **Bill** will also provide a power to Ministers to change the date of IP completion day, should Parliament vote in favour of an extension.¹

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.

¹ There is a possibility that EU Summertime arrangements, as provided for by Directive 2000/84/EC, will be amended, which could have a consequential impact on the precise timing of IP Completion Day. The Bill also provides for Ministers to vary the date of IP completion day in consequence of such a change, without a prior vote of Parliament.

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.

EUROPEAN COMMISSION

The Commission is the main executive body of the EU. It has general executive and management functions. It can negotiate international agreements on behalf of the EU and represents the EU in international organisations. The Commission oversees and enforces the application of Union law, in particular by initiating infraction proceedings where it considers that a Member State has not complied with its EU obligations.

EUROPEAN COMMUNITIES ACT 1972

This Act enables EU law to be directly applicable in UK law where relevant. Further, it provides the government with the power to implement EU obligations in domestic law.

GOOD FAITH

The principle of good faith is well established in international law. Acting in good faith means that both parties should approach the Agreement with fairness, consistency and sincerity.

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 COMMITTEE

A committee composed of representatives from the UK and the EU that will oversee the application and implementation of the Withdrawal Agreement. Other Joint Committees will perform a similar function for the EEA EFTA and Swiss agreements.

STATUTE BOOK

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

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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The **Withdrawal Agreement** covers the UK's financial commitments to the EU and the EU's financial commitments to the UK when we leave the EU.

The aim of the settlement is to address mutual commitments that arose primarily as a consequence of the UK's participation in the **EU budget**, in addition to commitments related to the UK's broader membership of the EU.



The EU (Withdrawal Agreement) Bill allows the UK to fulfil its international commitments by providing the Government with the authority to make payments to the EU. The **Bill** also provides for a moment for Parliament to decide whether this authority should continue or whether a different mechanism (the annual Supply process) should apply.

Part 5 of the **Withdrawal Agreement** sets out the methodology for calculating the payments to and from the EU, rather than a final sum. It provides for the UK to contribute to the **EU budget** 2019-2020, covering the time-limited **implementation period**.

The Office for Budget Responsibility published their independent estimate for the financial settlement in March 2019 and forecast that the settlement would be worth £37.8 billion. However, this was predicated on the UK leaving the EU on 29 March 2019. As a result of the extension under Article 50, the UK continued to contribute to the EU Budget as a Member State after 29 March 2019. While this reduces the size of the settlement, it does not change the overall amount that the UK transfers to the EU.

SCRUTINY

The standing service provision in the **Bill** will cease to apply after 31 March 2021, unless Parliament approves the changing of this date. If this provision ceases to apply, another mechanism (the annual supply process) shall apply.

The UK will appoint auditors who will work on behalf of the Government to ensure that the UK only pays what it should.

There will be a specialised committee on the financial provisions co-chaired by the UK and the EU, bringing together experts from both parties. This Committee will meet at least once a year.

The Government currently lays an annual statement before Parliament on EU finances and will continue to update Parliament and taxpayers on payments under the settlement.

KEY TERMS

BILL

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EEA EFTA

The EFTA states who are party to the EEA Agreement - Norway, Iceland and Liechtenstein.

EU BUDGET

Lays out the EU's expenditure and revenue for the year to ensure the financing of EU programmes and actions in all EU policy areas. It also ensures that the EU receives the revenue necessary to finance expenditure.

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.

MULTIANNUAL FINANCIAL FRAMEWORK

This framework sets the limits for the annual general budgets of the EU: how much may be spent in total and how much for different areas of activity.

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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Norway, Iceland and Liechtenstein, known as the **EEA EFTA** states, have very close ties with the EU through their membership of the **European Economic Area (EEA)**. These close ties have led to a set of arrangements governing trade and the movement of people between the EU and **EEA EFTA** states.

These agreements will no longer apply to the UK at the end of the **implementation period** (31 December 2020), so we have reached an agreement with the **EEA EFTA** states on how to deal with the separation issues which will arise at this point. This agreement is called the **EEA EFTA Separation Agreement**.

The **EEA EFTA Separation Agreement** ensures that **EEA EFTA** nationals living in the UK and UK nationals living in **EEA EFTA** states can continue contributing to their communities and living their lives broadly as they do now. Those protected by the **EEA EFTA Separation Agreement** will be able to live, work, study and access public services and benefits in the countries in which they currently reside.



The Agreement also covers a subset of the **other separation issues** contained in the **UK-EU Withdrawal Agreement**. It largely mirrors the arrangements in the **Withdrawal Agreement**. The **other separation issues** contained in the **EEA EFTA Separation Agreement** are explained later in this factsheet.

HOW WILL EEA EFTA NATIONALS' RIGHTS BE PROTECTED AFTER EXIT DAY?

The EU (Withdrawal Agreement) Bill gives effect to the **EEA EFTA Separation Agreement** in domestic law, will ensure that individuals can rely directly on these rights in the UK courts, and will implement the rights to equal treatment and non-discrimination for **EEA EFTA** nationals living or working in the UK.

The **EEA EFTA Separation Agreement** provides similar rights to UK nationals living in the **EEA EFTA** states and these will need to be implemented by the **EEA EFTA** states.

The timeline below sets out how the rights of **EEA EFTA** nationals are currently upheld in the UK and how they will be protected both during and after the **implementation period**:

PRE-EXIT DAY

EEA EFTA nationals have the right to reside in the UK through EEA law



EXIT DAY

UK leaves the EU and **implementation period** begins



IMPLEMENTATION PERIOD (UNTIL 31 DECEMBER 2020)

During the time limited **implementation period** EEA EFTA nationals will have the same rights in the UK as they did before the UK left the EU



GRACE PERIOD

EEA EFTA nationals will be able to apply to the EU Settlement Scheme for six months after 31 December 2020

EEA EFTA nationals will be able to rely on their rights under the **EEA EFTA Separation Agreement** during the grace period, or until their application is complete



POST-GRACE PERIOD

EEA EFTA nationals will have secured their rights under the **EEA EFTA Separation Agreement** and can continue living their lives broadly as they do now

The Independent Monitoring Authority for the Citizens' Rights Agreements (IMA) will ensure that the citizens' rights part of the **EEA EFTA Separation Agreement** is fully implemented. The IMA will monitor the implementation of the rights of **EEA EFTA** nationals in the UK from the end of the **implementation period**.

The **EFTA Surveillance Authority** will perform the equivalent role of monitoring compliance in the **EEA EFTA** states for UK nationals living and working there. Further detail on the IMA can be found in the *Independent Monitoring Authority for the Citizens' Rights Agreements factsheet*.

EU SETTLEMENT SCHEME

The **EEA EFTA Separation Agreement** already provides **EEA EFTA** nationals, and their family members, living in the UK at the end of the **implementation period** with the right to continue to stay in the UK. **EEA EFTA** nationals and their family members can apply for residence status through the EU Settlement Scheme.

The EU Settlement Scheme has been set up via the **Immigration Rules** because they are already the mechanism for granting leave to enter or remain in the UK. The EU Settlement Scheme has been fully open since 30 March 2019 and is designed to give effect to the UK's commitments under the **EEA EFTA Separation Agreement**. Further information on the EU Settlement Scheme, including its operation in a no-deal scenario, can be found at [gov.uk](https://www.gov.uk).

RETENTION OF CRIMINALITY THRESHOLD

The **Bill** will provide for the continuation of current public policy and public security thresholds for **EEA EFTA** nationals in relation to conduct taking place before the end of the **implementation period**. The UK threshold of behaviour that is not 'conducive to the public good' will apply to conduct taking place after the end of the **implementation period**.

APPEALS

The **Bill** will allow appeals mechanisms to be set up for **EEA EFTA** nationals. This means that **EEA EFTA** nationals will have rights of appeal against various citizens' rights decisions including refusals to grant pre-settled or settled status under the EU Settlement Scheme and decisions to refuse entry to **frontier workers**.

RIGHTS FOR FRONTIER WORKERS

The **Bill** will protect the rights of **frontier workers** from the end of the **implementation period**, by retaining their right to enter and work in the country of their employment (including self-employment). This will apply to **EEA EFTA** nationals who are not living in the UK but are currently working here.

RECOGNITION OF PROFESSIONAL QUALIFICATIONS

The **Bill** will protect **EEA EFTA** professionals living or working in the UK who have a qualification that is recognised, or in the process of being recognised, by the UK before the end of the **implementation period**.

If an **EEA EFTA** national has made an application for recognition of a qualification, but has not received a final decision before the end of the **implementation period**, their application will be completed and they will be able to rely upon the decisions made.

SOCIAL SECURITY COORDINATION

The **Bill** will ensure that citizens who have moved between the UK and the **EEA EFTA** states, or those who have interacted with the social security system of the UK and an **EEA EFTA** state, before the end of the **implementation period** are not disadvantaged in their access to pensions, benefits, and other forms of social security including healthcare cover.

Under the **EEA EFTA Separation Agreement** we will continue to follow the **EEA** social security coordination regulations. Aligning with these rules is essential to the smooth functioning of the system and will ensure that individuals covered by the **EEA EFTA Separation Agreement** do not lose out. The **Bill** will allow us to make sure that our domestic legislation works alongside these rules.

DEVOLUTION

Some aspects of citizens' rights, such as some benefits and the recognition of some professional qualifications where the regulation of the profession is devolved, are devolved in Scotland, Wales and Northern Ireland. The EU (Withdrawal Agreement) Bill confers on the **devolved administrations** powers to make provision within **devolved competence** (as defined in the **Bill**) in relation to social security coordination, mutual recognition of professional qualifications and equal treatment.

OTHER SEPARATION ISSUES

The **Bill** implements **other separation issues** which set out what will happen to ongoing EU law processes at the end of the **implementation period** in a way that provides a smooth transition for individuals and businesses. These **other separation issues** are all related to areas currently governed by EU law.

A subset of these **other separation issues** are also relevant to the **EEA EFTA** states. This is because the **EEA EFTA** states participate in the single market through the **EEA Agreement** and a number of other EU-led initiatives. The arrangements on **other separation issues** with the **EEA EFTA** states largely mirror those that have been agreed with the EU. In the majority of cases, these arrangements could be superseded by future agreements between the UK and the **EEA EFTA** states.

The **other separation issues** covered by the **EEA EFTA Separation Agreement** are:

- Goods placed on the market, including ongoing customs procedures
- Intellectual property
- Ongoing police and judicial cooperation in criminal matters
- Data and information processed or obtained before the end of the **implementation period** or on the basis of the **Withdrawal Agreement**
- Ongoing public procurement and similar procedures
- Ongoing judicial procedures (representation before the **EFTA Court**)

Where a process in one of these areas has started, but is still ongoing at the end of the **implementation period**, the **EEA EFTA Separation Agreement** sets out the specific arrangements that should apply.

In many of these areas, this means that EU law will continue to apply directly for processes that began before the end of the **implementation period** to allow them to finally conclude. These arrangements mean that there is consistency and greater certainty for individuals and businesses as we leave the EU.

In addition to this, there may need to be some technical changes to the **statute book**. These matters will be dealt with by **secondary legislation**. The **Bill** allows the Government to make relevant changes to the **statute book** when necessary. These arrangements mean that there is consistency and greater certainty for individuals and businesses as we leave the EU. For example, it will be clear which rules apply to a good that is circulating on the market between the UK and EU at the end of the **implementation period**.

OTHER SEPERATION ISSUES AND DEVOLUTION

Some parts of the **other separation issues** are in areas of law devolved to Scotland, Wales and Northern Ireland. **Devolved administrations** will have the ability to make changes to their own legislation where required.

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.

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').

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.

EEA EFTA

The EFTA states who are party to the EEA Agreement - Norway, Iceland and Liechtenstein.

EFTA Court

The EFTA Court deals with matters relating to the EEA EFTA States in a similar way as the Court of Justice of the European Union does for EU Member States.

EFTA SURVEILLANCE AUTHORITY

Monitors compliance with the EEA Agreement in Norway, Iceland and Liechtenstein allowing them to participate in the EU's single market.

EUROPEAN ECONOMIC AREA (EEA)

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

EUROPEAN COMMISSION

The Commission is the main executive body of the EU. It has general executive and management functions. It can negotiate international agreements on behalf of the EU and represents the EU in international organisations. The Commission oversees and enforces the application of Union law, in particular by initiating infraction proceedings where it considers that a Member State has not complied with its EU obligations.

EUROPEAN FREE TRADE ASSOCIATION (EFTA)

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

FRONTIER WORKER

A person who lives in one state but works in another. For example, a Norwegian who lives in Norway yet spends four days per week working in the UK. They would not be resident in the UK and would not be protected by the right to reside.

IMMIGRATION RULES

Derived from the 1971 Immigration Act, this piece of secondary legislation is the mechanism for granting leave to enter or remain in the UK, for those who require it.

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 which will need to be 'wound-down' at the end of the implementation period to ensure a smooth exit from the EU.

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.

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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Swiss Citizens' Rights Agreement

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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 October 2019.

*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, **EEA EFTA** and Swiss citizens living in the UK; and secure an **implementation period** to give businesses certainty.*

The rights of Swiss nationals in the UK currently stem from the EU-Swiss **Free Movement of Persons Agreement (FMOPA)**. This will no longer apply to the UK from the end of the **implementation period** (31 December 2020), so we have reached an agreement with Switzerland to protect the rights of Swiss nationals living in the UK and UK nationals living in Switzerland from this point. This agreement is called the **Swiss Citizens' Rights Agreement**.

The **Swiss Citizens' Rights Agreement** ensures that Swiss nationals living in the UK and UK nationals living in Switzerland can continue contributing to their communities and living their lives broadly as they do now. Those protected by the **Swiss Citizens' Rights Agreement** will be able to continue to live, study and access public services and benefits in the countries in which they currently reside.



HOW WILL SWISS NATIONALS' RIGHTS BE PROTECTED AFTER EXIT DAY?

The EU (Withdrawal Agreement) Bill gives effect to the **Swiss Citizens' Rights Agreement** in domestic law. It will ensure that individuals can rely directly on these rights in the UK courts and will protect the rights to equal treatment and non-discrimination for Swiss nationals living or working in the UK. Protection of UK nationals living or working in Switzerland will be provided for by Switzerland.

The timeline below sets out how Swiss nationals' rights are currently upheld in the UK and how they will be protected both during and after the **implementation period**:

PRE-EXIT DAY

Swiss nationals have the right to reside in the UK through EU law



EXIT DAY

UK leaves the EU and **implementation period** begins



IMPLEMENTATION PERIOD (UNTIL 31 DECEMBER 2020)

During the time-limited **implementation period** Swiss nationals will have the same rights in the UK as they did before the UK left the EU. These rights will continue to be upheld by the **Free Movement of Persons Agreement**



GRACE PERIOD

Swiss nationals will be able to apply to the EU Settlement Scheme for six months after 31 December 2020

Swiss nationals will be able to rely on their rights under the **Swiss Citizens' Rights Agreement** during the grace period, or until their application is complete



POST-GRACE PERIOD

Swiss nationals will have secured their rights under the **Swiss Citizens' Rights Agreement** and can continue living their lives broadly as they do now

EU SETTLEMENT SCHEME

The **Swiss Citizens' Rights Agreement** provides Swiss nationals and their family members living in the UK at the end of the **implementation period** with the right to continue to stay in the UK. Swiss nationals and their family members can already apply for residence status through the EU Settlement Scheme.

The EU Settlement Scheme has been set up via the **Immigration Rules** because they are already the mechanism for granting leave to enter or remain in the UK. The EU Settlement Scheme has been fully opened since 30 March 2019 and is designed to give effect to the UK's commitments under the **Swiss Citizens' Rights Agreement**. Further information on the EU Settlement Scheme, including its operation in a no-deal scenario, can be found at [gov.uk](https://www.gov.uk).

RETENTION OF EXISTING CRIMINALITY THRESHOLD

The **Bill** will provide for the continuation of public policy and public security thresholds for Swiss nationals in relation to conduct taking place before the end of the **implementation period**. The UK threshold of behaviour that is not 'conducive to the public good' will apply to conduct taking place after the end of the **implementation period**.

APPEALS

The **Bill** will allow appeals mechanisms to be set up for Swiss nationals. This means that Swiss nationals will have rights of appeal against refusals to grant pre-settled or settled status under the EU Settlement Scheme, and decisions to refuse entry to **frontier workers**.

RIGHTS FOR FRONTIER WORKERS

The **Bill** will protect the rights of **frontier workers** from the end of the **implementation period**, by retaining their right to enter and work in the country of their employment (including self-employment). This will apply to Swiss nationals who are not living in the UK but are currently working here.

RECOGNITION OF PROFESSIONAL QUALIFICATIONS AND SERVICE PROVISION

The **Bill** will protect Swiss professionals who have a qualification recognised, or are in the process of being recognised by the UK before the end of a four-year grace period from the end of the **implementation period**.

The **Bill** ensures that Swiss nationals who have started a qualification before the end of the **implementation period** will also be able to start applying for a recognition decision in the UK during the four-year grace period, after the end of the **implementation period**.

Under the Agreement, the current EU-Swiss 90-days service provision arrangements will be continued for five years after the end of the **implementation period** for contracts which are concluded and implemented before the end of the **implementation period**.

SOCIAL SECURITY COORDINATION

The **Bill** will ensure that individuals who have moved between the UK and Switzerland, or those who have interacted with the social security system of the UK and Switzerland, before the end of the **implementation period** are not disadvantaged in their access to pensions, benefits, and other forms of social security, including healthcare cover.

Under the **Swiss Citizens' Rights Agreement** we will continue to follow the social security coordination regulations. Aligning with these rules is essential to the smooth functioning of the system and will ensure that individuals covered by the **Swiss Citizens' Rights Agreement** do not lose out. The **Bill** will allow us to make sure that our domestic legislation works alongside these rules.

DEVOLUTION

Some aspects of citizens' rights, such as some benefits and some recognition of professional qualifications where the regulation of the profession is devolved, are devolved in Scotland, Wales and Northern Ireland. The EU (Withdrawal Agreement) Bill confers on the **devolved administrations** powers to make provision within **devolved competence** (as defined in the **Bill**) in relation to social security coordination, mutual recognition of professional qualifications and equal treatment.

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.

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').

EUROPEAN ECONOMIC AREA (EEA)

The EEA includes EU countries and also Norway, Iceland and Liechtenstein. 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, Iceland and Liechtenstein.

FREE MOVEMENT OF PERSONS AGREEMENT (FMOPA)

The agreement between the EU and Switzerland which currently governs movement of people between the EU (including the UK) and Switzerland.

FRONTIER WORKER

A person who lives in one state but works in another. For example, a Swiss national who lives in Switzerland yet spends four days per week working in the UK. They would not be resident in the UK and would not be protected by the right to reside.

IMMIGRATION (EUROPEAN ECONOMIC AREA) REGULATIONS 2016

The main piece of secondary legislation that governs the rights of entry and residence in the UK in respect to EU citizens. May be shortened to 'EEA Regulations 2016'.

IMMIGRATION RULES

Derived from the 1971 Immigration Act, this piece of secondary legislation is the mechanism for granting leave to enter or remain in the UK, for those who require it.

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.

PROFESSIONAL QUALIFICATIONS DIRECTIVE

EU Directive 2005/36/EC enabling the free movement of professionals such as doctors, nurses, midwives, dental practitioners, pharmacists, architects and veterinary surgeons.

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

The agreement between the UK and Switzerland outlining UK and Swiss citizens' rights in one another's countries following the UK's exit from the EU.

THIRD COUNTRY NATIONALS

Persons who are not UK nationals, EU citizens, EEA EFTA nationals or Swiss nationals.

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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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 October 2019.

*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, **EEA EFTA** and Swiss citizens living in the UK; and secure an **implementation period** to give businesses certainty.*

The UK has a long and proud tradition of leading the way in workers' rights, where we have always set a high standard. As we leave the EU, we will maintain and increase these protections.

The EU (Withdrawal) Act 2018 will ensure that workers' rights that are derived from EU law will continue to have effect in UK law.

The EU (Withdrawal Agreement) Bill includes provisions on workers' rights intended to protect and strengthen rights where the UK Parliament believes it is in the UK's best interest.



To protect workers' rights currently provided for in EU law, the provisions in this **Bill** will enhance the role of Parliament in considering future amendments to UK and EU employment rights and health and safety standards for workers.

These provisions will place a duty on Ministers bringing forward bills that affect workers' rights to state whether the legislation is compatible with the Government's commitment not to reduce standards in these areas. This is called a 'statement of non-regression'.

They will also require the Government to monitor new EU legislation covering employment and workplace health and safety standards after the **implementation period**. It will report on these changes and the Government's intended course of action on a regular basis to Parliament.

The Government will be under a legal requirement to give Parliament time to debate this report and give its view on the new EU legislation and the Government's intended actions.

In making the statement of compatibility and producing the report, the Government will need to consult, including with representatives of workers and businesses. This legislation covers a wide range of EU rights and protections that workers are entitled to in the workplace. This includes, among many others, rights to certain types of leave and rest breaks, protection from discrimination, and health and safety protections.

KEY TERMS

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.

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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Other Separation Issues

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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 October 2019.

*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, **EEA EFTA** and Swiss citizens living in the UK; and secure an **implementation period** to give businesses certainty.*

The **other separation issues** are contained in Part Three of the **Withdrawal Agreement**. They set out what will happen to ongoing processes that operate under EU law, such as cases that are being considered by the European Court of Justice, at the end of the **implementation period**. They provide a smooth transition for individuals and businesses and need to be implemented in UK law through the EU (Withdrawal Agreement) Bill.

Our future economic and security relationship with the EU could include arrangements that supersede many of these **Withdrawal Agreement** provisions. These may then require new arrangements to be agreed and put in place to ensure a smooth transition from the **implementation period** to the future relationship.



The **other separation issues** all relate to areas currently governed by EU law. They cover:

- Goods placed on the market
- Ongoing customs procedures
- Ongoing VAT and Excise Duty matters
- Intellectual Property (including Geographical Indications)
- Ongoing police and judicial co-operation in criminal matters
- Ongoing judicial co-operation in civil and commercial matters
- Data and information processed or obtained before the end of the **implementation period** or on the basis of the **Withdrawal Agreement**
- Ongoing public procurement and similar procedures
- Euratom-related issues
- Union judicial and administrative procedures
- Administrative co-operation procedures between Member States and the UK
- Privileges and immunities
- Other issues relating to the functioning of the institutions, bodies, offices and agencies of the EU

Where a process in one of these areas has started, but is still ongoing at the end of the **implementation period**, the **Withdrawal Agreement** sets out the specific arrangements that should apply.

In many of these 13 areas, this means that EU law will continue to apply directly for processes that began before the end of the **implementation period** to allow them to finally conclude. These arrangements mean that there is consistency and greater certainty for individuals and businesses as we leave the EU.

In addition to this, there may need to be some technical changes to the **statute book**. These matters will be dealt with by **secondary legislation**. The **Bill** allows the Government to make relevant changes to the **statute book** when necessary. These arrangements mean that there is consistency and certainty for individuals and businesses as we leave the EU. For example, it will be clear which rules apply to a good that is circulating on the market between the UK and EU at the end of the **implementation period**, and how a court case that has begun before the European Court of Justice can conclude.

Where relevant, arrangements on the **other separation issues** have also been agreed with the **EEA EFTA** states as part of the **EEA EFTA Separation Agreement**.

DEVOLUTION

Some parts of the **other separation issues** are in areas within the **devolved competence** of Scotland, Wales and Northern Ireland. **Devolved administrations** will have the ability to make changes to their own legislation where required.

KEY TERMS

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').

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. See the EEA EFTA Separation Agreement factsheet for more detail.

EUROPEAN FREE TRADE ASSOCIATION (EFTA)

The EFTA states are Switzerland, Norway, Liechtenstein and Iceland. See the EEA EFTA Separation Agreement factsheet for more detail.

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.

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.

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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