

# Leaving the EU and transition

I am pleased to see the government does intend to put the departure date into the Withdrawal Bill. It needs to be there to ensure continuity of law on the day we leave, which will be 29 March 2019 according to the Treaty procedure. I accept the addition of the proviso that were the UK to request to stay in for longer and were all 27 to agree Parliament would need to change the date. Parliament could do that anyway. That seems very unlikely.

The next issue is so called Transition, or Implementation. The Prime Minister has always been very clear. She has said we will need an Implementation period, assuming we have an Agreement to implement. She rightly says it would not make a lot of sense of exit on 29 March 2019 going over the WTO arrangements for trade and making other arrangements for issues not covered elsewhere, only to switch systems again a year or two later when the new Agreement with the EU comes into effect. She has also rightly said this Implementation period should not be longer than needed, and could be of variable time depending on the issues concerned and the complexity of completing the arrangements for the new Agreement.

Were there against her aim and wish to be no deal because the EU was unreasonable in its approach, there would be no need for an Implementation period. It would be best to pass straight to the new arrangements for out without a special partnership on 29 March 2019. The government assures us they are planning for just such a contingency, whilst stressing it is not what they want to happen.

During transition it would be best if the UK were not subject to the ECJ, the freedom of movement provisions and the restrictions on negotiating trade deals. Because we are assured we are leaving on 29 March 2019 none of these will apply unless the UK enacts them into UK law for a period in furtherance of an Agreement with the EU.

The opponents of the government include numerous opposition MPs and lobbyists who want to slow down or delay Brexit. They see Transition as effectively another two years in the EU, paying our contributions and accepting all old and new laws as if we were still full members, without any voice or vote over what the EU does. This they see as a period for further negotiations over what might happen next. Some of the government's opponents want to use the next year and the Transition to effectively mirror everything the EU currently requires of us into UK law and into an Agreement which is membership in all but name. This is clearly not the Prime Minister's view. She repeatedly argues we are leaving the EU, the customs union and the single market. We will take back control of our laws, our borders and our money. Leave voters knew exactly what they were voting for and expect no less.

The issue is now one of timing. Many Leave voters feel they have waited too long already. They can accept waiting until March 2019, but do not want another two years in the EU thereafter. As the government sits down to talk about Implementation it needs to stress three things. One, the issues that do

need settling even without a wider deal can be settled prior to March 2019. We have unilateral fixes, but agreements would be better. Two, the UK does need to be free to negotiate its own trade deals with others, to put in its own migration policy, and to get on with reforms of fishing, agriculture and the rest from March 2019. Three, nothing is agreed until everything is agreed. The UK cannot legislate for the draft Agreement so far without having agreement on the wider partnership. The public are not in favour of making large payments to the EU without good reason, or even at all in many cases. The government will need to show a good wide ranging Agreement to persuade people to accept a generous settlement.