

# The Speaker's ruling

I have been asked to comment on the Speaker's ruling on Wednesday. I will do so when I have heard the Speaker's further consideration, which he promised to Jacob Rees Mogg and Iain Duncan Smith who raised important questions at the time. At issue is the question of whether a Business motion tabled by government should be amendable, and what putting a motion forthwith means as this is often referred to in Standing Orders.

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## Trading under WTO rules

There is a lot of confusion and deliberate misinformation about trading under the WTO. Here are some facts that might help.

1. All our current trade is under the WTO, as the EU is a member. The UK will become a full member with vote and voice as soon as we leave the EU, as we never surrendered our membership when we joined the EU.
2. There is no WTO schedule of tariffs that automatically comes in. Each member of the EU files its own tariff schedule and trades with anyone under that who wish to trade. The WTO requires a member to trade with any other member on the same terms, unless there is an approved Free Trade Agreement that exempts the countries from the common tariff of the Schedules. A country is always free unilaterally to cut or remove tariffs.
3. If a country's trading terms are disputed by another member there is a dispute resolution procedure. A dispute does not stop trading under the published terms whilst the dispute is being resolved.
4. The EU does not have Free Trade Agreements with the USA, China, Brazil etc so we trade successfully with them at the moment under WTO rules and under the tariff schedule set by the EU. Once out we can sign Free Trade deals with these countries removing these tariffs, or could cut some of the tariffs unilaterally any time we wanted to make imports cheaper.
5. The so called side deals the EU has with these countries are mainly unimportant or unrelated to trade. Some are multilateral agreements that the UK has signed anyway.
6. The one agreement we currently have through the EU that may be important, the General Procurement Agreement, gives us access to public procurement opportunities in signatory states, and gives them the same access to the UK. The WTO has now agreed the UK will be a member of that Agreement in our own right on departure from the EU.
7. The EU has free trade agreements with a number of mainly smaller countries. The top five, Switzerland, Canada, Korea, Norway and Turkey account for three quarters of the exports involved. Switzerland, for example, has agreed to continue all current preferences with the UK as well as with the rest of the EU on our exit. No country with an FTA with the EU has

indicated any wish to terminate the agreement with the UK once we leave. Transferring the current deal to both the remaining EU and to the UK is a relatively straightforward process.

8. The WTO does not require us to impose new checks at borders or delay imports into the UK. They recommend risk based checks. As the risks of EU product will not go up the day we leave the EU there is no requirement to impose new difficult checks.

9. If the UK and the EU agree to negotiate a free trade agreement once the UK has left the EU on March 29 this year, we could agree to impose no tariffs on each other and would get WTO consent to not impose them pending the negotiation of a full free trade agreement.

Peter Lilley has published a good pamphlet with Global Britain and Labour Leave setting out more detail called "30 Truths about leaving on WTO terms"

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## [Loan Charge Debate](#)

I attended the brief debate on the taxation of loans in the House on 8th January. I intervened in the debate to make the points that people had often taken professional advice about the legality of these schemes, and had notified the tax authorities of what they were doing.

Other speakers in the debate set out individual cases that demonstrated the Revenue was seeking to go back a long way and to impose very large retrospective charges on people when they had not tried to charge them extra tax at the time.

Given the number of MPs including myself who would have voted for the amendment to the Finance Bill calling for a review, the Government conceded and accepted the amendment. This is welcome and gives us another opportunity to put the case to the Revenue. The Treasury Minister accepting the Amendment did not however accept the underlying point at issue, and reaffirmed the Treasury view that some of these schemes were always illegal and that tax remains due. I recommend that support groups re-submit the case to the Treasury as part of the review they must now undertake.

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## [Brexit An uncivil war](#)

I watched this C4 film on Monday evening. It was a typical Remain influenced take on the referendum, and a missed opportunity to say something new about the campaigns.

The whole film was skewed to exploring the Leave campaign rather than the Remain campaign. I mainly watched it to see more of the background to Remain but was disappointed. The movie did not even include George Osborne in it, yet he was arguably the most influential Remain campaigner. Remain went mainly on Treasury matters and used endless amounts of UK Treasury and international finance materials. Peter Mandelson was only referred to in passing in the film though he too seemed to have a big role. There was no exploration of why the punishment budget did not work or how they came to run such irresponsibly false forecasts as they did for the short term period after a Leave vote.

There was no discussion of Project Fear or of why people did not believe the wildly wrong forecasts of a worse future. The Remain campaign was seen as the work of just one man, Craig Oliver. I don't know whether he will like his representation or whether the most revealing scenes of him and the campaign even happened.

We saw him inspecting the Remain headquarters at set up time and telling them if they did not meet his requirements he could run it out of Number 10. There was no discussion of whether this was appropriate or legal. We did not see them planning to send a leaflet at taxpayers expense just before the campaign proper began, seeking to use the power of government and the idea that this propaganda sheet was in some way the truth as a means of closing down debate.

We saw Mr Oliver shouting and swearing down the phone to the BBC, complaining that they were giving equal airtime to Leave when he was fielding "Nobel prize winners" for the news. This scene represented the Remain idea that the establishment had more right to a say and a vote than anyone else, and expressed the huge Remain frustration that the BBC and electorate were not being more deferential to the galaxy of establishment people they had lined up to endorse Remain. We saw no scenes of how all these people were approached and used. It would have been good to have seen how for example the President of the USA was persuaded to say "back of the queue" which became a famous moment.

We saw Mr Oliver completely lose his temper with a focus group when the members of it continued to resist the very clear establishment messages he had been sending out. In an unprofessional moment he broke into the room, took over the conversation and hectorated the people present to accept his view of the position. Some of them pushed back hard, showing how Leave voters simply did not believe the establishment dodgy forecasts and resented the hectoring tone Remain adopted throughout.

The message of the film if it had one at all was that clever ways of using digital technology to contact voters won it for Leave. There was no consideration of the possibility that a large number of UK voters voted to take back control because that is exactly what they want to do. The popular wish for a proper democracy and the wish to be independent again somehow escaped the attention of this movie. It was like many other media commentaries patronising about Leave voters.

It had plenty of inaccuracies. It had Sir William Cash on the Vote Leave

Board when he was a member and at the meeting featured. The representation of Sir Bernard Jenkin was very inaccurate.

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## **Vandalism in Wokingham town centre**

The local press has highlighted worrying vandalism over the holiday period in the centre of Wokingham. I am in touch with Councillors who have been working on this matter, who in turn are co-operating with the local police. I am willing to take up matters with government if that is needed, and thank the Councillors and police for their work so far to try to get on top of this problem.