

EU Referendum: the mechanics of leaving

How does the UK go about leaving the European Union?

UK votes 'leave' on 23 June

The referendum doesn't formally trigger the leaving process – this is done by invoking Article 50.

Article 50 outlines the process a country must use to withdraw from the EU:

- A two year period of negotiations begins when the UK government formally notifies EU Council President Donald Tusk of the UK's intention to leave the EU (the timing of the notification is within the gift of the UK government) – Negotiators may want some time to prepare the ground with EU leaders and may wait at least 6 weeks, the legal period for legal challenge to the result, before triggering.
- During the 2 year period:
 - EU law still applies, including free movement and paying EU membership, until a deal is made or time runs out.
 - The UK cannot participate in discussions of the European Council regarding its withdrawal. The power balance during this period is deliberately weighted towards the remaining 27 EU countries.

Andrew Duff, a former Liberal Democrat MEP, who helped draw up Article 50 notes:

"The EU could not allow a seceding state to spin things out for too long. The clause puts most of the cards in the hands of those that stay in"

Is an agreement reached within the 2 year period?

YES

It must now be ratified by a qualified majority of the 27 other countries on the European Council and their national parliaments. The European Parliament must endorse the deal.

N.B. It is not yet clear whether UK Parliament will be asked to ratify the agreement

NO

The period of negotiation can be extended with a unanimous vote from the remaining 27 member states on the European Council.

If an extension is not agreed, the UK leaves the EU immediately. It will likely be in both the EU and the UK's interests to continue negotiating

Can the UK change its mind?

Should it wish to, though extremely unlikely, it might be possible for the UK to reverse its decision to leave as it is not explicitly prohibited.

Timescale

44 years of treaties and laws will need to be untangled and adjusted, this is unlikely to be done quickly.

There is speculation that it will take 10 years before market access, labour agreements and trade rules are agreed – it could be that nothing is agreed until it is all agreed, including labour movement and any cash contribution by the UK.

Much depends on the type of economic relationship the UK wishes to move to and how much detail must be agreed before we leave.

Has anyone left the EU before? Case study: Greenland

REFERENDUM
1982



POPULATION
56,000



REASON IT LEFT
FISHING POLICY



TIME TO LEAVE
3 YEARS



Background

Greenland voted to leave the EU in 1982, following the introduction of the Common Fisheries Policy.

With an economy primarily based on its fishing industry, they felt that the new policy would be detrimental to their interests.

Complications

- Greenland still falls under the Danish crown, so its people are EU citizens.
- The rules attached to selling to the single-market still apply to Greenland.
- Greenland now holds 'overseas country and territory status', allowing it to retain trade privileges. It is unlikely the UK would be treated similarly.

Verdict

Greenland was negotiating on one issue, which took 3 years. UK might be a higher priority, but there are many more issues at stake.

Points to consider: What situation will the UK find itself negotiating in?

- A vote to leave may spark a **leadership contest in the Conservative party**. The timing of this is important as the Prime Minister will set the agenda over the negotiation period.
- It is worth noting that the **majority of MPs are Pro-EU**. This may affect the debates in Parliament, treaty negotiations and relationship with the public.
- There is also the political context across Europe to consider. There are upcoming **national elections in France** (April 2017), **Germany** (September 2017) and **Poland** (2019). The EU is facing mass migration, conflict on its borders, medium term energy issues, stagnant domestic growth, uncertainty over the Eurozone and increasing euroscepticism. How this will affect the makeup of the Council and impact on negotiations is unknown.

Source: Treaty of Lisbon/Global Counsel/BBC/Financial Times/FullFact

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