Brexit Day, Jan 31st, 2020

Extension sought?

No

Yes

Which approach?

Legislative

Consensual

Talks among EU27 to agree common line for negotiations about extension

By late June, Govt pilots either two Bills (or one 2-clause Bill) through both Houses – one to repeal Section 15A of WA, thus permitting a one-off extension of up to two years, and one to amend Section 39 of the EU WA Act 2020, changing the Implementation Period (IP) Completion Day

Joint Committee agrees extension in principle

Talks to ascertain if EU27 and UK agree unanimously to change date in WA Article 126 (which sets IP day as Dec 31st). While Article 126 itself cannot be amended by the Joint Committee – see article 164(5)(d) – it can, like any international agreement, be amended by unanimous consent of the parties. In such a situation, a UK minister would not be acting ‘in the Joint Committee’ and so section 15A would not apply

Does legislation pass?

No

Yes

Do EU27 and UK agree?

No

Yes

Is a UK-EU deal agreed?

No

Yes

Implementation Period ends at 23:00 GMT, December 31st; UK trades with EU on WTO terms

Implementation Period ends at 23:00 GMT, December 31st; UK trades with EU on agreed terms

JC agrees extension (WA Article 132) by Tuesday 30th June, and terms are agreed including UK financial contribution to EU over extended transition period

Negotiations continue according to a revised transition timetable

Attempt to have a draft deal ready and translated by November 26th to present to European Parliament for ratification by year end