

## Commercial

### Commercial newsletter – Brexit update

The date that the UK will leave the European Union has been extended yet again, this time to 31 January 2020. This extension has given sufficient time for a general election, which will take place on 12 December.

Boris Johnson had repeatedly maintained his position that the UK would leave on 31 October and had stated that he would not seek an extension. However, after he failed to pass a programme motion that would have allowed his new Withdrawal Agreement to be debated and then passed by Parliament at break-neck speed, the Benn Act required the UK government to seek an extension of Article 50.

After some delay for deliberations, the EU agreed to the request, pushing back the Brexit date by three months. Macron, the French president, was the last to agree, and there was talk of a short 'flection' being offered until the middle of November, to try and give Parliament longer to debate the Withdrawal Agreement Bill.

Even though the government had just failed to win the two thirds majority required to trigger an early election under the Fixed Term Parliaments Act, with the extension agreed and the immediate threat of a 'No Deal' Brexit off the table, the Labour party decided to support a Liberal Democrat and SNP-backed one-line bill seeking an election.

There was some debate as to whether the right to vote should be extended to 16 and 17-year-olds, UK citizens living in Europe, and EU citizens resident in the UK, but such amendments were not selected by the Speaker, on the basis that extending the franchise was not directly related to the subject of the bill, which was just seeking a general election.

The law requires that Parliament be dissolved 25 working days before the election and all business stops, to allow for the parties to campaign around the country. It is expected that Parliament will be so dissolved on 6 November.

The election will then take place on 12 December, and is expected to be fiercely fought, with Brexit as one of the main issues.

The Conservatives will be fighting against the Brexit Party for the Leave votes, and if the Tories win a majority, they will seek to pass Boris Johnson's Withdrawal Agreement before the current extension comes to an end in January. The Brexit Party's Nigel Farage is a critic of the Agreement, saying that it is not a 'proper' Brexit, so if he is successful in winning parliamentary seats and then comes to an arrangement with the Conservatives, it is likely that they will be seeking a harder exit from the EU. The Liberal Democrats, Greens and SNP are in favour of Remain and would revoke Article 50 if they had a majority. The Labour party are taking a more neutral stance, which would involve them attempting to renegotiate the deal and then having a second referendum.

Other important issues will include the NHS, other public services such as the Police, and the suitability of each party leader to be prime minister.

With almost 10% of the current crop of MPs saying that they will not be standing for re-election, there are sure to be significant changes to the makeup of the MPs who return to the House, not least being a new Speaker, as John Bercow will retire.

Should you require any assistance with any commercial matters, please contact our 3HR Commercial Law team which can advise accordingly.

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