

# Brexit Essentials

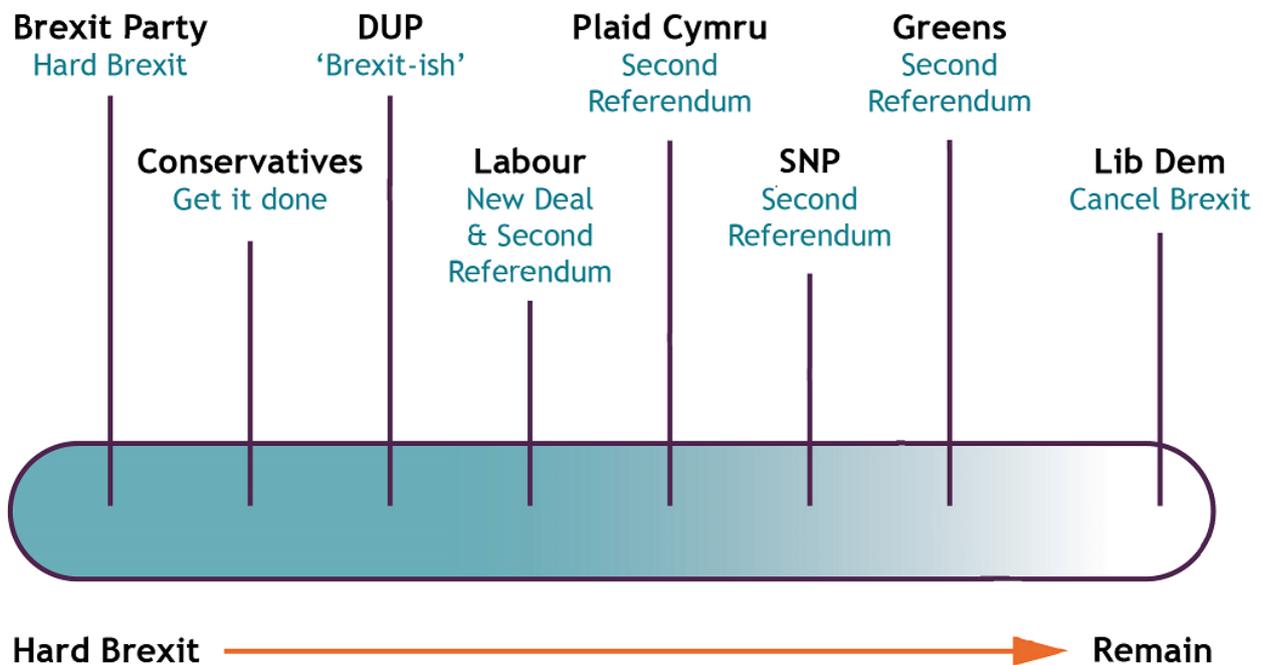
## Brexit according to the manifestos

2 December 2019

### The Manifestos

The outcome of the election could materially affect the timing (and likelihood) of Brexit day. The party manifestos reveal policies spanning the full range of Brexit outcomes, from an immediate hard exit (the Brexit Party) to staying in (the Liberal Democrats).

This briefing summarises what the main parties' policies might mean in terms of an ultimate conclusion to the Brexit process and the timeframe for achieving that. It also summarises (to the extent discernible) the headline views of each party on the shape of the UK's future relationship with the EU.



## The Spectrum of Brexit Outcomes

<p><u>Conservatives</u></p> 	<p><i>"Get Brexit done"</i></p> <p>Conservative party policy is to ensure the deal reached with the EU by Boris Johnson is approved and implemented immediately following the election, enabling the UK to leave the EU on 31 January 2020. The Johnson deal did not involve any substantive changes to Theresa May's Withdrawal Agreement, save to the Protocol on Ireland and Northern Ireland. The agreement on citizens' rights, orderly separation from the EU, the financial settlement and the parameters of the transitional period for example, remain as they were 6 months ago. Once the Withdrawal Agreement is ratified, the UK will enter a "transition period" ending on 31 December 2020. The Withdrawal Agreement contains a mechanism for the extension of that period by agreement, the manifesto confirms that no extension will be sought.</p>
<p><u>Labour</u></p> 	<p><i>"The final say on Brexit"</i></p> <p>Within three months of coming to power, a Labour government would secure a "sensible deal", and within six months, they would put that deal to a public vote alongside the option to remain. They believe the Conservative's deal is "deeply flawed" due to the harm it would do to workers' rights, environmental protections and to the manufacturing industry.</p>
<p><u>Liberal Democrats</u></p> 	<p><i>"Stop this mess"</i></p> <p>The Lib Dems take the strongest position on remaining in the EU without any qualifications - they believe that no Brexit deal would be as good as the deal the UK currently has as a member of the EU. If they are elected in a majority government they will simply revoke Article 50. Otherwise, they will continue to campaign for a People's Vote with the option to stay in the EU.</p>
<p>Minority parties</p>	<ul style="list-style-type: none"> <li>• <a href="#">The Brexit Party</a> are unsurprisingly campaigning heavily on a platform of an immediate hard Brexit.</li> <li>• <a href="#">The SNP</a> support a second EU referendum with Remain on the ballot paper. If it is the only alternative to a 'no deal' Brexit, they will support the revocation of Article 50.</li> <li>• <a href="#">Plaid Cymru</a> are campaigning to give the decision back to the people in a "Final Say" referendum, where they will campaign to remain in the EU.</li> <li>• <a href="#">The Greens</a> propose a second referendum, with Remain as an option on the ballot paper.</li> <li>• <a href="#">The DUP</a> do not support the Conservatives' Brexit deal, but are still supporting Leave.</li> </ul>

**Brexit (or not) – then what’s next?**

<p>Conservatives</p> 	<p>The Conservatives’ aim is to negotiate a trade agreement with the EU within the transitional period provided for in the Withdrawal Agreement. The basis on which parties will negotiate that trade agreement is set out in a Political Declaration, annexed to the Withdrawal Agreement. Boris Johnson’s October deal made changes to the Political Declaration as negotiated by Theresa May. In summary, the Political Declaration was revised to reflect the Johnson Government’s “Super-Canada” goals but in a relatively muted way. The references in the May iteration of the Political Declaration to the UK and EU remaining in close regulatory alignment in relation to goods have been removed, but the “level playing field” concept that requires a degree of regulatory alignment (or non-divergence) in certain areas has been retained in an amended form.</p> <p>If agreement is not reached by the end of 2020, the UK would, following the end of the transitional period, be in broadly the same position as if it had left the EU on exit day without a deal.</p>
<p>Labour</p> 	<p>Labour say that their new deal would include a permanent and comprehensive UK-wide customs union with the EU and alignment on (i) the Single Market; (ii) workers’ and consumer rights; and (iii) environmental protections. They would scrap the Brexit legislation currently proposed by the Conservatives and introduce new legislation that is in line with Labour’s priorities, such as support for farmers, fishing industry and the environment. EU nationals would be granted the automatic right to continue living and working in the UK.</p>
<p>Liberal Democrats</p> 	<p>The Liberal Democrats have calculated that staying in the European Union would secure a £50 billion “Remain Bonus”, due to the economy being two per cent larger by 2024-25. They would invest that bonus in schools, and on tackling in-work poverty and inequality. If the UK were to Remain, it would be “at the heart of the European Union”.</p>
<p>Minority parties</p>	<p>None of the minority parties have elaborated their views on the UK’s post-Brexit relationship with the EU in much detail:</p> <ul style="list-style-type: none"> <li>• <b>The Brexit Party</b> state there will be no extended “transition period”, but a “Clean-Break” that would allow them to start change immediately.</li> <li>• <b>The SNP</b> want a new referendum on an independent Scotland, Brexit or no Brexit.</li> <li>• <b>Plaid Cymru</b> are pushing for more devolution of powers to Wales, for everything from Universal Credit to broadcasting.</li> <li>• <b>The Greens</b> would like to reform the EU and rebalance it in favour of citizens and national “self-determination”.</li> <li>• <b>The DUP</b> insist that the UK must leave the EU as one country, with no border in the Irish Sea.</li> </ul>

## OUR BREXIT ADVISORY PRACTICE

Slaughter and May is equipped to help you across the full spectrum of legal issues triggered by Brexit.

Our team has advised and continues to advise clients in a range of sectors on issues arising out of the UK's departure from the EU. These include the effects of Brexit on M&A, financing transactions and other types of investment activity, its likely impact on the regulatory environment and on the cost of cross-border trade.

We are also able to assist with contingency planning, lobbying efforts and the formulation and implementation of restructuring options.

## KEY CONTACTS

For further information on the contents of this Briefing or in relation to Brexit, please contact [Jeff Twentyman](#), [Jan Putnis](#), [Kathrine Meloni](#) or your usual adviser at Slaughter and May or visit [www.slaughterandmay.com/brexit](http://www.slaughterandmay.com/brexit).