BREXIT What could happen next?









Orderly withdrawal

23:00 hours (GMT) on Friday, 29 March 2019

- Now seen as unlikely according to many commentators, but the history of the EU has often involved late and unexpected deals (eg. Grexit).
- The 27 remaining EU member states have agreed to the draft withdrawal agreement and draft political declaration. The only remaining step is to have UK approve it. On 15 January 2019, the UK Parliament rejected the November 2018 draft.
- To secure approval at the UK level, the EU might have to give additional comfort to the UK that the Irish backstop is not permanent.

Extension of the withdrawal process

Article 50 withdrawal process extended beyond Friday, 29 March 2019

- Article 50 of the Treaty on European Union sets out a withdrawal process lasting two years from the date on which a Member State serves its notice to leave.
- This period of two years may be extended when the "Member State concerned" and all the remaining EU Member States agree unanimously to extend the two year period.
- If the UK and the EU cannot agree an 'orderly withdrawal' then an extension would be less disruptive and allow alternative arrangements to be agreed or a second referendum to be held.

Disorderly withdrawal

23:00 hours (GMT) on Friday, 29 March 2019 without any agreement between the UK and the EU

- If the UK does not agree to the draft withdrawal agreement and draft political declaration, this will lead to a so-called "disorderly withdrawal".
- It is likely that the EU may unilaterally offer some assurances or temporary arrangements to the UK to limit some of the more serious effects.
- There could still be further agreements and arrangements concluded between the UK and the EU after the UK leaves the EU.

UK withdraws its withdrawal notice

UK withdraws the Article 50 Notice

- The Court of Justice of the European Union decided on 10 December 2018 in the Wightman case, that a Member State which has served a withdrawal notice may revoke that notice.
- If a notice is revoked then the entire withdrawal process ends and is not simply paused.
- This is probably unlikely to occur unless the UK decides to remain in the EU.

A&L Goodbody