

## HOW TO HAVE AN IMPACT ON THE EU REFERENDUM ACT

Have forethought. Take action.

When the Referendum Bill went to the House of Lords as part of my UK and EU project I crafted a memorandum that set out three questions that peers could raise in a debate in a chamber in which the government lacked a majority of votes. I circulated the memorandum to more than 60 peers who had signified an intention to speak in the debate and/or were a member of the constitutional affairs committee. The points were picked up by three peers in the debate and in emails to me. One point is now in the Act controlling what the government must do before the referendum campaign is officially launched.

Richard Rose

### 1st) Have forethought. Put the idea into circulation.

Excerpt from UKandEU Blog 12 Oct 2015

#### NEGLECTED ISSUES IN THE REFERENDUM BILL Richard Rose, University of Strathclyde Glasgow

#### **Will the British government give details of the reforms already in place at the time of the referendum and what should follow?**

The government's desire to hold a referendum sooner to endorse what has been agreed with the EU is in conflict with Brussels' practice of arriving at agreements slowly.

Slowness is most evident in dealing with any treaty changes, which would require unanimous endorsement by 27 other member states and would not start to be negotiated until after the UK holds its referendum.

Within the time scale proposed by the UK government, there will be three very different categories of EU commitment to the reforms it is seeking:

1. Binding EU actions that reduce its powers over the UK by a fixed date.
2. A statement of principle to reduce its powers subject to negotiation of details within the life of a Commission expiring in 2019.
3. Powers sought for repatriation to be included in the next intergovernmental discussion of treaty changes whenever it may be held.

A report that recognises different degrees of commitment to whatever bargain the government has achieved would inform the electorate of the extent of uncertainty about the future. It would also enable EU leaders and national governments, such as Germany, to confirm or correct any misinterpretations of what they had agreed with the UK government prior to a referendum vote.

### 2nd) Have patience. Let others take credit.

HOUSE OF LORDS DAILY HANSARD, 23 November 2015 3.18 pm

Amendment Clause 24A

Moved by **Baroness Anelay of St Johns, Government Minister for Europe**

**24A:** After Clause 5, insert the following new Clause—

"Duty to publish information on outcome of negotiations between member States

(1) The Secretary of State must publish a report which contains (alone or with other material)—

- (a) a statement setting out what has been agreed by member States following negotiations relating to the United Kingdom's request for reforms to address concerns over its membership of the European Union, and
  - (b) the opinion of the Government of the United Kingdom on what has been agreed.
- (2) The report must be published before the beginning of the final 10 week period.
- (3) In this section "the final 10 week period" means the period of 10 weeks ending with the date of the referendum.
- (4) A copy of the report published under this section must be laid before Parliament by the Secretary of State."

Amendment carried without a division