



Craig Whittaker MP

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Leaving the EU

Thank you for contacting me about the UK's withdrawal from the EU.

The British people voted in a free and fair referendum to leave the EU. Turnout was larger than at any election since 1992 and no Prime Minister or party in British history has ever received as many votes as the vote to leave did. The Government has a duty to deliver the referendum result and it will do so in the national interest.

The UK's vote to leave the EU was in no way a rejection of European values. The UK's dedication to ensuring the continued prosperity of the European people remains resolute and it is unconditionally committed to maintaining the security of the continent. The UK may be leaving the EU but it is not leaving Europe. The Government will always work with our international partners to defend democracy, human rights and the rule of law.

The Government has reached agreement with the European Commission on citizens' rights, Northern Ireland and the financial settlement. Talks are now focusing on the implementation period before moving onto the second phase on the UK and the EU's future relationship.

As far as the European Court of Justice is concerned, we are leaving the EU and we are taking control of our borders, money and laws and that means the end of the jurisdiction of the ECJ over the UK. In order to provide maximum certainty for businesses and citizens the Government has proposed a time-limited and formally agreed implementation period of around two years. I believe that this is in the interests of both the UK and the EU, but this is a matter for negotiation.

So that we provide maximum certainty while we implement our new arrangements, this period may follow existing rules closely. As the Prime Minister, Theresa May, and the Secretary of State for Exiting the EU, David Davis, have said, that may mean that we start off with the ECJ still governing the rules we implement for that period.

The rights of EU citizens in the UK will be underpinned by UK law instead of being enforced by the ECJ as the EU originally asked for. UK courts will be able to ask the ECJ for its view on citizens' rights but it will be UK courts that make the final decision and not the ECJ. This voluntary system will come to an end after 8 years.

In its position on future dispute resolution, the Government has made clear that that the ECJ will not be the final arbiter in any disputes. It would not be right for the court of one party to have jurisdiction over that of the other party.

The Withdrawal Agreement will enable families who have built their lives together in the EU or the UK to stay together. It will allow the spouses, children and elderly parents of those protected by the agreement, who live in a different country when the UK leaves the EU, to reunite as a family at any time in the future. This will not apply to future spouses or other relatives.

We have agreed with the European Commission that we will introduce a new settled status scheme under UK law for EU citizens and their family members, covered by the Withdrawal Agreement. The

scheme will provide a transparent, smooth and streamlined process, the criteria for which will be set out in the Withdrawal Agreement, but it will incorporate appropriate criminality checks. We have also discussed the issue of the 'specified cut-off date' carefully with Member States and citizens' groups in the UK. On this basis we have concluded that the cut-off date will be the date of our withdrawal to provide the greatest possible legal and practical certainty for those covered by the Withdrawal Agreement.

This agreement not only provides certainty about residence, but also healthcare, pensions and other benefits. It will mean that EU citizens who have paid into the UK system – and UK nationals who have paid into the system of an EU Member State – can benefit from what they have put in and continue to benefit from existing coordination rules for future contributions.

Reciprocal healthcare rights will be protected, meaning those covered by the agreement will be able to continue to receive healthcare as they do now. And in relation to European Health Insurance Cards (EHICs), we have agreed to protect the rights of individuals who are in a cross-border situation at the point of our withdrawal and entitled to a UK EHIC. This includes, for example, tourists for the duration of their stay, students for the duration of their course and UK nationals resident in another Member State. We will discuss wider use of EHICs in the next phase of the negotiations.

The UK and the EU have agreed the scope of the financial settlement and what falls within it. Based on this assessment, I expect the final amount to be significantly below initial projections and much less than what we would have contributed if we had remained in the EU. I can also confirm that it has been agreed the UK's budget rebate will be applied to the financial settlement and that the UK's capital in the European Investment Bank will be returned to us decades earlier than the EU had originally wanted.

Once we have left the EU, it will be for the Government to decide how taxpayers' money is spent. My ministerial colleagues have been clear that, when the UK leaves the EU, it will no longer pay vast contributions to the EU budget. As the UK leaves and pay its commitments there will be significantly more money to spend on our priorities, such as the NHS, which otherwise would have gone to the EU.

Article 50 has been invoked and the Prime Minister has been clear that there must be no attempts to remain inside the EU, no attempts to rejoin it through the back door, and no second referendum. The UK will leave the EU in March next year and its membership of the single market will end at this point. An implementation period will allow businesses time to adjust but it will be strictly time-limited. There should be no doubt that the UK is leaving the EU and its institutions.

In this momentous endeavour, Mrs May and David Davis have my full backing.

Thank you again for taking the time to contact me.

Kind regards,

A handwritten signature in black ink, appearing to read 'Craig Whittaker', with a stylized flourish at the end.

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