

United Kingdom Parliament (Sovereignty and Jurisdiction over Borders) Bill

CONTENTS

- 1 United Kingdom's membership of the European Union
- 2 Restriction on Royal Assent
- 3 Orders
- 4 Short title and extent

A
B I L L

TO

Make provision for the supremacy of the sovereignty of the United Kingdom Parliament in relation to the United Kingdom's membership of the European Union, including matters in respect of borders and immigration; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 United Kingdom's membership of the European Union

Notwithstanding any provision of the European Communities Act 1972, or any other enactment—

- (a) a Minister of the Crown may make an order disapplying an otherwise legally binding European Union measure, or provision thereof including matters in respect of borders and immigration (whether or not the measure or provision was adopted before the coming into force of this Act); 5
- (b) where, on a motion supported by not fewer than 100 Members, each House of Parliament passes a resolution in identical terms to disapply an otherwise legally binding European Union measure, or provision thereof, a Minister of the Crown shall forthwith make an order giving effect to the terms of that resolution; 10
- (c) where, on a motion supported by not fewer than 100 Members, each House of Parliament passes a resolution in identical terms instructing a Minister of the Crown to vote against the adoption of a European Union initiative or proposal, the Minister shall so vote; 15
- (d) where each House of Parliament has passed a resolution in accordance with paragraph (c) and the European Union initiative or proposal is nonetheless adopted and given legislative force in the European Union, that measure shall not form part of the law applicable in any part of the United Kingdom; and 20
- (e) the European Charter of Fundamental Rights of the European Union shall not form part of the law applicable in any part of the United

Kingdom and as a consequence shall not be binding on any person or public authority in any legal proceeding of the United Kingdom.

2 Restriction on Royal Assent

- (1) No Bill shall be presented to Her Majesty the Queen for her Royal Assent which contravenes, or amends, this Act or which purports so to do unless the referendum condition is met. 5
- (2) The referendum condition is that set out in section 3(2) of the European Union Act 2011 with references to the approval of a decision being read for the purposes of subsection (1) as references to presentation of a Bill to her Majesty the Queen for her Royal Assent. 10
- (3) Sections 11, 12 and 13 of the European Union Act 2011 shall apply to a referendum held in pursuance to this section as it does to a referendum held in pursuance to sections 2, 3 or 6 of that Act.

3 Orders

- (1) An order made under this Act must be made by statutory instrument. 15
- (2) A statutory instrument containing an order under section 1(b) may not be made unless a draft of the instrument has been laid before, and approved by, a resolution of each House of Parliament.
- (3) A statutory instrument containing an order under section 1(c) is subject to annulment in pursuance of a resolution of either House of Parliament. 20
- (4) A power to make an order under this Act includes power to make incidental, supplementary, consequential, saving, transitional or transitory provision.

4 Short title and extent

- (1) This Act may be cited as United Kingdom Parliament (Sovereignty and Jurisdiction over Borders) Act 2015. 25
- (2) This Act extends to England and Wales, Scotland and Northern Ireland.

United Kingdom Parliament (Sovereignty and Jurisdiction over Borders) Bill

A

B I L L

To make provision for the supremacy of the sovereignty of the United Kingdom Parliament in relation to the United Kingdom's membership of the European Union, including matters in respect of borders and immigration; and for connected purposes.

*Presented by Sir William Cash,
supported by
Mr John Redwood, Mr Bernard Jenkin,
Sir Edward Leigh, Sir Gerald Howarth,
Steve Baker, Mr John Baron, Jacob Rees-Mogg,
Mr Peter Bone, Chris Heaton-Harris,
Mr Christopher Chope and Richard Drax.*

*Ordered, by The House of Commons,
to be Printed, 3 December 2014.*

© Parliamentary copyright House of Commons 2014

*This publication may be reproduced under the terms of the Open Parliament Licence, which is published at
www.parliament.uk/site-information/copyright.*

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by
The Stationery Office Limited
£x.xx

Bill 130

(xxxxxx)

55/4

xxxbarxxx