

# EUROPEAN UNION (NOTIFICATION OF WITHDRAWAL) BILL

## EXPLANATORY NOTES ON LORDS AMENDMENTS

### What these notes do

- 1 These Explanatory Notes relate to the Lords amendments to the European Union (Notification of Withdrawal) Bill, as brought from the House of Lords on 7 March.
- 2 The Explanatory Notes have been prepared by the Department for Exiting the European Union in order to assist the reader of the Bill and the Lords amendments, and to help inform debate on the Lords amendments. They do not form part of the Bill and have not been endorsed by Parliament.
- 3 These Notes, like the Lords amendments themselves, refer to HL Bill 103, the Bill as first printed in the Lords.
- 4 These Notes need to be read in conjunction with the Lords amendments, and the text of the Bill. They are not, and are not meant to be, a comprehensive description of the effect of the Lords amendments.
- 5 Lords Amendment 1 was tabled at Committee stage in the House of Lords in the name of Baroness Hayter of Kentish Town, Lord Hannay of Chiswick, Lord Bowness, Baroness Ludford and was opposed by the Government.
- 6 Lords Amendment 2 was tabled at Report stage in the House of Lords in the name of Baroness Hayter of Kentish Town, Lord Pannick, Lord Oates and Viscount Hailsham and was opposed by the Government.
- 7 In the following Commentary, an asterisk(\*) appears in the heading of any paragraph that deals with a non-Government amendment.

### Commentary on Lords amendments

#### Lords Amendment to Clause 1: Power to notify withdrawal from the EU\*

##### Lords Amendment 1

- 8 Lords amendment 1 would provide that within three months of the Prime Minister giving notification under clause 1(1) of the Bill, a Minister of the Crown is required to set out a plan around the rights of citizens of the European Union and European Economic Area citizens and their family members who have residence rights in the UK on the date the Act receives Royal Assent. The plan must set out how the Government intends to guarantee that such persons can continue to benefit from their rights derived from membership of the European Union. In the case of rights of residence, the plan must also set out how the Government intends to guarantee that such persons can acquire rights in the future.

## **Lords Amendment: New Clause: Parliamentary approval for the outcome of negotiations with the European Union\***

### **Lords Amendment 2**

- 9 Lords amendment 2 would provide that the approval of both Houses of Parliament is required in the following circumstances. Under subsection (1), the approval of both Houses of Parliament would have to be sought before the Prime Minister can conclude an agreement on the terms of the UK's withdrawal from the European Union (as provided for in Article 50(2) of the Treaty on European Union). Under subsection (2) such approval would have to be sought before the European Parliament debates and votes on that agreement. Under subsection (3), the approval of both Houses of Parliament would have to be sought in relation to an agreement on the future relationship of the United Kingdom with the European Union. Under subsection (4), the approval of both Houses of Parliament would have to be sought in relation to any decision by the Prime Minister that the United Kingdom shall leave the European Union without an agreement as to the applicable terms.

## **Financial Effects of Lords Amendments**

- 10 These amendments are not expected to have any financial implications.

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