

## **EU to suspend the UK's access to the single market if it fails to comply with EU law, reveals draft text**

Written by Martin Banks on 7 February 2018 in News  
News

The EU has been accused of “wanting to punish” the UK if it fails to abide by the terms of the two-year Brexit transitional period.



**Brexit** | *Photo credit: Press Association*

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The attack comes after the release of plans for the UK's Brexit transition period that will include the right to suspend the UK's access to the single market if it fails to comply with EU law.

A draft of the plans has been circulated in advance of a whistle-stop tour of all member states by the EU's chief Brexit negotiator, Michel Barnier.

The draft text also reportedly calls for the final withdrawal agreement to “provide for a mechanism

allowing the Union to suspend certain benefits deriving for the UK from participation in the internal market where it considers that referring the matter to the Court of Justice of the EU would not bring in appropriate time the necessary remedies.”

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The paper suggests the EU wants powers to address UK “non-compliance” during the transition period which is due to start when the UK formally exits the EU in 2019.

The five-page document, which has been sent to member states, says the EU should be able to “suspend certain benefits deriving for the UK from participation in the internal market” if it believes the UK has infringed any EU law.

Britain will also play no role in the development of EU law, even though new laws will apply. The UK will only be given “observer” status on “specific agenda points” - and only at the EU’s invitation.

The existence of the paper, leaked to the Financial Times, emerged following Barnier’s meeting with UK Brexit Secretary David Davis in London on Monday.

Separately, it was reported on Tuesday that the EU could delay transition and trade talks unless UK Prime Minister Theresa May makes a legal commitment to prevent a hard border on the island of Ireland and protect the integrity of the Good Friday agreement.

The approach being adopted by the EU was attacked by Brexiteers, including Jayne Adye, who is director of Get Britain Out.

On Wednesday, she told this website, “The EU is clearly expecting Britain to be a passive rule-taker during any transition period.”

She added, “In addition, the UK will not take back control of its fishing quotas during the transition. Britain will be shut out of talks on fishing quotas.

Even before the transition period negotiations have started, the EU is plotting to inflict sanctions on Britain if we do not passively accept all EU laws imposed on us.

“The draft treaty would allow Britain to merely ‘watch’ the development of law, ‘strictly at the EU’s invitation’. This is an insult to all those who voted to leave the EU.”

Adye added, “Without a full British veto on new single market rules, the EU could force laws on Britain and Britain’s businesses, such as a financial transaction tax, which we have already vetoed, and which would cause huge damage to British industry.

“The supposed purpose of the transition is to extend British membership of the single market to give

businesses time to adjust. However, the EU's threat to restrict our single market access, while still taking huge amounts of money from us, now renders this period pointless.

"On these terms, the transition would be a needless delay to Brexit. The British government must refuse to accept these demands."

## About the author

Martin Banks is a senior reporter for the Parliament Magazine

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[Brexit](#) [5]

[Trade](#) [6]

## Categories

[International Relations](#) [7]



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