

# Funding the Future

## I strongly suspect the proposed Brexit deal is illegal ...

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I have commented already on this morning's published Brexit deal. I omitted to mention that it is likely to also be illegal under this [legislation](#):



The screenshot shows the legislation.gov.uk website. At the top, there is a logo and the text 'legislation.gov.uk'. To the right, it says 'delivered by THE NATIONAL ARCHIVES' and 'Cymraeg'. Below this is a search bar with fields for 'Title', 'Year', 'Number', and 'Type' (set to 'All Legislation (excluding draft)'). There is a 'Search' button and a 'Advanced Search' link. The main content area shows the 'Taxation (Cross-border Trade) Act 2018'. Under 'Section 55', it says: 'Single United Kingdom customs territory' (1) It shall be unlawful for Her Majesty's Government to enter into arrangements under which Northern Ireland forms part of a separate customs territory to Great Britain. (2) For the purposes of this section "customs territory" shall have the same meaning as in the General Agreement on Tariffs and Trade 1947 as amended.

I have checked what subsection 2 means by reference to the [GATT agreement](#). It says:

There is not a shadow of a doubt that under the new Brexit deal Northern Ireland has substantially different tariffs and most especially other regulations for commerce from the UK: it will be in the single market when the rest of the UK is not, for example. And there will be a customs border between it and the rest of the UK.

Now that 2018 law could be repealed, of course.

But that would acknowledge that the ERG has really sold out.

What will they be saying about it? The reality is that the issue will have to be addressed: the GATT would appear to require it.