

## European Union (Approval of Treaty Amendment Decision) Bill

[HL] — *Report*, Wednesday 27 June 2012

**Lord Owen** (Crossbench)

My Lords, I know that other important business awaits so I will be very brief. However, there is a procedural question of some importance under the European Union Act 2011, which we are discussing, and the Explanatory Note relating to referendums.

Treaty referendum is becoming a very live subject now that the Finance Minister of Germany has announced that there could be a referendum on a rather more urgent timescale than has been considered—presumably in relationship to the single European banking supervision system which is being proposed by some people. However, my point goes much wider than that. Under the circumstances, it is possible for a Minister under the simplified revision procedure to make a statement under Section 5 of the Act that, although a transfer of power from the UK to the EU falling within Section 4 of this Act has taken place, the proposed change is considered not significant. There are circumstances in which it might be very urgent, during the present crisis over the eurozone, for the British Government to give powers, and I think that they have overall adopted a very conciliatory attitude to those members of the eurozone to the effect that we do not wish to stand in their way on making changes that we may not ourselves wish for but which are related purely to the eurozone. So it is quite possible that a decision might come that is not considered significant in terms of the Act, but if passed by this House would allow the European Union treaties to be amended and action to take place urgently. That might be helpful.

However, in the same circumstances, the Government, not using the 2011 Act, might consider that the implications of these changes are of such importance that they wish to call a referendum under the general powers, although not in a way that would stop the rest of the European Union living under the treaty amendments they had agreed. When the Bill comes back on Third Reading, will it possible to clarify the not-significant clause in a helpful way towards the European Union? We could also hold our own referendum under different legislation which, if you like, would deal with our own political problems but would not stand in the way of a resolution to the eurozone crisis, which we might all agree might be necessary in a matter of days.

Lord Howell of Guildford (Minister of State, Foreign and Commonwealth Office; Conservative)

My Lords, the noble Lord has raised wider issues of great importance,

ones that your Lordships will no doubt wish to debate. Indeed, it is possible that he may have an opportunity to raise them at Third Reading. However, this Bill is concerned merely with amending Article 136 of the Lisbon treaty, and there being no amendments to it on Report, I beg to move.

*Report received.*