

UK Supreme Court delivers landmark Ruling Brexit is not a democratic decision it is up to the Parliament

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Article 50 ruling: UK Supreme Court gives parliament the Brexit Decision not the people

Democracy took a beating as Supreme Court delivers landmark Ruling Brexit is not a democratic decision it is up to the Parliament. The pound fell today after the Supreme Court delivered its landmark ruling on Brexit.

Currency experts blamed the 'volatile' reaction on the unanimous decision by Supreme Court judges not to grant the devolved assemblies in Scotland, Wales and Northern Ireland a chance to block Theresa May triggering Article 50.

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Supreme Court judges ruled that the Government must consult MPs before starting the process of leaving the EU but unanimously rejected an accompanying case that demanded the devolved administrations should also be given a veto on Brexit.

David Cheetham, XT market analyst, said: 'The pound has come under some selling pressure in the wake of the Supreme Court ruling, largely due to the fact that the Government doesn't have to consult the Scottish, Welsh or Northern Irish assemblies before triggering Article 50.'

'The appeal itself was rejected, but it still remains likely that Mrs May will meet her self-imposed deadline of beginning the formal Brexit process by the end of March.'

'Sterling has been volatile over the announcement.'

Although MPs are expected to vote it through, the ruling adds a further complication to the Brexit process, adding to uncertainty.

Jeremy Corbyn said Labour would not 'frustrate the process for invoking Article 50' but will seek to amend the Government's bill.

Scotland's First Minister Nicola Sturgeon led arguments for the devolved administrations to be consulted before Theresa May triggers Article 50 - the formal mechanism for leaving the EU - which threatened to derail the PM's timetable for Brexit.

The case came alongside the main Supreme Court ruling that MPs must be consulted before the Government starts the process of leaving the EU.

But unlike the ruling on devolved powers, it was not a unanimous decision, with three judges dissenting against the majority of eight judges who ruled that an Act of Parliament was necessary.

Scottish nationalists said it will put forward 50 'serious and substantive' amendments to the legislation.

Former first minister Alex Salmond, the SNP's foreign affairs spokesman, said the party will use the Commons vote to amplify the voice of Scottish voters, who backed staying in the EU by a majority of 62 - 38 per cent.

He said: 'We welcome the Supreme Court's decision and hope that their ruling brings this Tory government back to the reality that they cannot simply bypass elected parliamentarians to fulfil their role in carrying out due and proper scrutiny of one of the biggest decisions facing the UK.

'The Prime Minister and her hard Brexit brigade must treat devolved administrations as equal partners - as indeed she promised to do.

'For over six months the concerns surrounding a hard Tory Brexit have been echoing throughout the land and yet the Prime Minister has not listened.



Supreme Court President Lord Neuberger, pictured, said EU and other foreign affairs matters are reserved to UK Government



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'If Theresa May is intent on being true to her word that Scotland and the other devolved administrations are equal partners in this process, then now is the time to show it.

'Now is the time to sit with the Joint Ministerial Committee and not just casually acknowledge, but constructively engage. Consultation must mean consultation.

'Our amendments will address the very serious concerns facing the UK and the very real issues that the UK government has, thus far, avoided.'

Explaining why they decided the Scottish Parliament and Welsh and Northern Ireland Assemblies do not have to be consulted before triggering Article 50, the Supreme Court judges said: 'The devolution Acts were passed by Parliament on the assumption that the UK would be a member of the EU, but they do not require the UK to remain a member.

'Relations with the EU and other foreign affairs matters are reserved to UK Government and parliament, not to the devolved institutions. Withdrawal from the EU will alter the competence of the devolved institutions, and remove the responsibilities to comply with EU law.



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Pro-EU demonstrators had gathered outside the Supreme Court building in central London for the decision to be announced

'In view of the decision of the majority of the Justices that primary legislation is required for the UK to withdraw from the EU, it is not necessary for the court to decide if the NIA imposes a discrete requirement for such legislation

'The decision to withdraw from the EU is not a function carried out by the Secretary of State for Northern Ireland in relation to Northern Ireland within the meaning of section 75 NIA.'

They added: 'Moreover, section 1 NIA, which gave the people of Northern Ireland the right to determine whether to remain part of the UK or to become part of a united Ireland, does not regulate any other change in the constitutional status of Northern Ireland.

'As to the application of the Sewel Convention to the decision to withdraw from the EU given the effect on the devolved competences, the Convention operates as a political constraint on the activity of the UK Parliament. It therefore plays an important role in the operation of the UK constitution.

'But the policing of its scope and operation is not within the constitutional remit of the courts. The devolved legislatures do not have a veto on the UK's decision to withdraw from the EU.'