



# **The future of EU law in the UK post- Brexit**

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*Professor Suzanne Rab*

## Introduction

In this blog post [Professor Suzanne Rab](#) reflects on the opportunities for the practice of EU law for academics and practitioners in the UK and in the wake of the UK's departure from the EU on 31 January 2020.



Brunel Professor of Commercial Law and Practice Chair [Professor Suzanne Rab](#) combines her role at Brunel with working full time as a barrister at Serle Court Chambers in London, and serving as a non-executive Board member of the Legal Aid Agency which dispenses civil and criminal legal aid. She has advised the UK government on preparations for Brexit and been involved in drafting secondary legislation under the EU Withdrawal Act.

## Blog

Many undergraduate law students will be wondering whether their study of European Union law and international will be relevant to their future professional practice. In my view, now more than ever EU and international law will be of increasing relevance for those who intend to pursue a career in law in the UK and also further afield.

The substantive changes to UK law as a result of Brexit will not take effect immediately. After 31 January 2020 there will be a transition period until the end of 2020, while the UK and EU negotiate additional arrangements which may include an agreement on a future trading relationship.

The current rules on trade, travel, and business for the UK and EU will continue to apply during the transition period to the end of December 2020 (unless this period is extended by the UK requesting a one-off extension by the end of June 2020).

As someone who has practised in the area of EU law since the beginning of my career, I can say that the UK's departure from the EU is without doubt a monumental development. However, do not be lulled into thinking that EU law will become of diminishing relevance, at least for the foreseeable future. Maintaining the level-playing field – which includes the rules on competition and State aid – is expected to be a key element in the negotiations over a future trade deal. Remember also that under the withdrawal legislation much of EU law will be preserved intact as of exit day with only minor amendments. Those lawyers who are specialists in this area will continue to be in demand, as they have been in the run-up to Brexit. I take a long term view and expect to be actively practising in this area for decades to come. The issue is not whether EU law will be relevant at all to the UK but how it will shape our future relationships with the EU, domestically and internationally. In particular, the extent to which EU rules will have a direct impact on UK law will depend on the form and content of any future trade deal that is concluded between the EU and the UK. In short, in order to gain wide access to the single market it is expected that alignment to EU rules will form part of the arrangements. At the same time, it is important to note that many of our existing laws are modelled on EU laws and while we can expect some divergence over time, the pace and shape of this change is not yet determined.

There are also many laws and regulations in other countries that have taken their inspiration from EU laws, particularly the laws on competition. The UK domestic laws on competition are very similar to those of the EU and the UK is expected to continue to be a leading jurisdiction in competition law practice and regulation. The UK Competition and Markets Authority has already invested significantly in recruiting more staff for an increased role post-Brexit. It has also set up a new State aid function for when it assumes its new role as independent State aid regulator for the UK at the end of the transition period. Lawyers with EU law experience will continue to be in high demand as the UK addresses its new relationship with the EU and other countries internationally.

## **Brunel Comparative Competition Law Summer School**

I have designed and deliver an annual EU and international competition law and regulation summer school. This course integrates both UK, EU and international competition law and regulation and practical skills elements against the evolving legal and regulatory landscape. The next presentation will run **22 June – 4 July 2020**.

This 2-week integrated and intensive programme (with optional components) combines UK, EU, Asian, Latin American, ME/African and other international experience in this fast-moving, challenging and high-profile area. It draws on experiences from established and emerging competition regimes including China, India, Hong Kong, Brazil, Mexico and Colombia which have recently adopted or revised their competition laws. The impacts will be explored across the economy and within certain sectors that have attracted regulatory scrutiny including in the communications, energy, financial services, healthcare/ pharmaceuticals, TMT, transportation and water sectors.

The programme includes cultural immersion on Campus at Brunel and in legal London, allowing participants to engage with each other and build their networks in academic, professional and social settings. This course will be of interest to students of EU, international law and competition law, as well as those who have not yet explored EU law. Attendees from previous years have included students (undergraduates and PhD), lawyers in private practice and in-house, government officials, regulators, policy-makers and economists.

**Further information can be obtained from the course website [here](#) or directly from me Suzanne Rab at [srab@serlecourt.uk](mailto:srab@serlecourt.uk). To book a place please contact [Nikki.Elliott@brunel.ac.uk](mailto:Nikki.Elliott@brunel.ac.uk) or [Tasmin.Hall-clotley@brunel.ac.uk](mailto:Tasmin.Hall-clotley@brunel.ac.uk).**