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Potential Double Impacts of Brexit "With And Without A Deal" For EU and UK – In Particular "Internal Market" Issue

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Summary: Article 50 of the TEU acknowledges the right of the member states to withdraw from the EU. The provision entitles to a unilateral, unconditional, but not immediate withdrawal from the European Union, which renders relatively easy in procedural terms to trigger the process. As landmark need should also be noted, Article 50 of the TEU releases from the strictures of public international law, and in case its absence of an explicit withdrawal, so the applicable law will be the Vienna Convention on the Law of the Treaties. Short and long-term impacts could result from the negotiation process between the UK and the EU and "Hard" or "Soft" Brexit. In particular, how the "internal market" will be regulated, will it remain as a complete package or some part will be transformed depending on the future relations between the UK and the EU, the article will focus on the possible forms of relations such as Free Trade Agreement (FTA), European Economic Area (EEA), Custom Union Agreement (CUA), and Bilateral Agreement (BA).

Keywords: Brexit – Art. 50 of TEU – deal and no-deal Brexit – internal market – withdrawal agreement

1. Introduction

On 23 June 2016, British electorate voted to withdraw from the European Union (EU) in the referendum, which turnout was very high at 72 %, with more than 30 million people voting – 17.4 million people (52 %)[1] in favour of leaving opting, and in a consequence after one year (29 March 2017) government of United Kingdom (UK) informed the European Council about intention to withdraw from the European Union and the Euratom ("Brexit" is the UK's withdrawal from EU).

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[1] London, September 2016. [Online] Available at: https://www.electoralcommission.org.uk/sites/default/files/pdf_file/2016-EU-referendum-report.pdf. Accessed: 17. 11. 2019.

The UK-EU relationship has built up over 40 years of membership and affects many aspects of the UK Government, the internal market of the EU[2] and in terms of exit would have to cover the full extent of that relationship. Lisbon Treaty regulates the legal provision for the exit as the main a legal act, but in the absence of this Treaty, the issue of withdrawal would be regulated by international public law, since as subjects such as state (UK) and international organizations (EU) have a legal capacity of an international character. Withdrawal from the EU affects primarily the European Union law and national laws of the member states and secondarily international law[3].

In case withdrawing according to Article 50(3)of the TEU, the Treaties are to cease to apply to the withdrawing state from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification, unless the European Council, in agreement with the member state concerned, unanimously decides to extend this period[4]. Thus, according to this Article European Council and EU 27 states for UK's request granted an extension of the withdrawal period envisaged until 31 January 2020. One of the important point to emphasize is that the UK can ratify the withdrawal agreement at any stage before 31 January 2020 and on 17 October 2019 agreement reached the level of negotiators[5] and European Council, in an EU 27 format, endorsed the revised withdrawal agreement and approved the revised political declaration that was agreed on 17 October 2019 at the level of the EU and the UK negotiators[6]. As follows from the agreed document, Britain still pays the EU about 33 billion pounds "compensation" for the "divorce" and guarantees the rights of

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2 Treaty on the Functioning of the European Union, internal market in Article 26(2), European Union, 2007. Online available at: https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:12012E/TXT:EN:PDF. Accessed: 17. 11. 2019.

3 KISS, L. N. "Withdrawal from the EU and the Constitutional Law issues in the United Kingdom", In: Keresztes, Gábor (szerk.) Tavaszi Szél = Spring Wind 2017, [tanulmánykötet] 1. Budapest, Magyarország Doktoranduszok Országos Szövetsége, Budapest, 2017, pp. 220–226.

4 Treaty of the European Union, European Union, 1992. [Online] Available at: https://europa.eu/european-union/sites/europaeu/files/docs/body/treaty_on_european_union_en.pdf. Accessed:17. 11. 2019.

5 Council Decision (EU) 2019/1750 on the conclusion of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, European Union, 21 October 2019. [Online]. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019D1750&from=EN. Accessed: 17. 11. 2019.

6 Council Decision (EU) 2019/274 on the signing, on behalf of the European Union and of the European Atomic Energy Community, of the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, European Union, 11 January 2019. Online available at:https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019D0274&from=EN. Accessed: 17. 11. 2019.

3.5 million EU citizens living on its territory. Until the two parties can come to a single agreement, the legal force of the TEU remains in force, so the the UK still as a member state of the EU and has all related rights and obligations until the date of its official withdrawal.

Catalog of main events for the last three years (2017-2019)	
31 January 2020	Expected withdrawal date of the UK from the EU.
21 October 2019	EU Council takes the first formal step towards the conclusion of the withdrawal agreement
September 2019	UK Parliament passed a special law banning Prime Minister of UK, Boris Johnson plane on leaving the EU without an agreement. Moreover, if the agreement is not yet reached, the bill on withdrawal from the EU will be extended for three months (until January 31, 2020).
Until October 31, 2019	The current Prime Minister of UK, Boris Johnson, has a very simple program such as the UK leaves the EU with «Deal or no deal» until October 31, 2019. He refused to pay $ 50 billion to the EU in compensation for breaking agreements. Nevertheless, it was postponed to January 2020.
11 April 2019	European Council (Article 50 TEU), decided in agreement with the UK, to extend further the two years provided for by Article 50 TEU until 31 October 2019.
23 March 2018	Withdrawal agreement reached on parts of the legal text and called for intensified efforts to make progress on the remaining withdrawal issues. The European Council (Art. 50) further stated that nothing was agreed until everything is agreed upon.
29 March 2017	UK notified the European Council of its intention to leave the EU.

In the guidelines, the European Council states that the EU (27 states) will keep unity and during negotiations act as one with one vision: the UK as a close partner; any future deal based on the balance of rights and obligations. State that a non-member cannot enjoy the same rights and benefits as a member, and the single market must be preserved, which means *four freedoms of the movement* are indivisible and excludes *any cherry-picking*[7] since the EU law of the internal market is to ensure free movements of goods, services, capital, and persons

[7] Guidelines, Special meeting of the European Council (Art. 50), General Secretariat of the Council, European Council, Brussels, April 2017.

around a commitment to nondiscrimination on the grounds of member state nationality. It is important to note that negotiations under Article 50 of the TEU should be conducted as a *single package,* which means that nothing is agreed until everything is agreed, and individual items cannot be settled separately.

For conceptualization and restoration full picture of the Brexit, it is proposed to go through the main terms that gave rise to some legal facts, circumstances from 2017:

It is essential to point out the white and policy papers[8] review of the EU and UK covers quite different options for a possible policy that gives its advantages and disadvantages of trading relationship with internal inclusion market between the UK and the EU, and the main ones are as follows:

1. *Deal-Brexit (Soft Brexit)* is the withdrawal of the UK from the EU with the withdrawal agreement (November 2018). In this case, the UK joins the European Economic Area (EEA) the UK would have access to a single market, but not to agriculture or fisheries. Until the end of the transition period, UK will remain part of the EU in all respects (as a member state of EU), except one: will no longer have representatives and voting rights in the institutions of the European Union. In view of the unique circumstances on the island of Ireland, the European Council stressed the need to support the Good Friday Agreement and the peace process in Northern Ireland.
2. *Semi-hard Brexit,* where both contracting parties would have unrestricted access to trade and the movement of people. (The UK enters a free trade agreement (EFTA) with EU). (EFTA model).
3. *No-deal Brexit (Hard Brexit)* in which the UK trades with the EU under the terms of the World Trade Organization (WTO). In case if the EU and UK do not enter into a trade agreement, the trade relations between them will be governed by rules of the WTO.

In this regard, the decision to exit now this very complex and all 27 member states could be argued, but Brexit started to produce its consequences in nowadays. Both parties, the EU and the UK, should be ready for all scenarios and impacts of the Brexit with possible outcomes with and without a deal. The

[8] White paper, The United Kingdom's exit from, and new partnership with, the European Union, UK Government, February 2017. [Online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/589191/The_United_Kingdoms_exit_from_and_partnership_with_the_EU_Web.pdf. Accessed: 17. 11. 2019 and Policy Paper, Future Relationship between the United Kingdom and the European Union, UK Government, July 2018. Online available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/786626/The_Future_Relationship_between_the_United_Kingdom_and_the_European_Union_120319.pdf. Accessed: 17. 11. 2019.

formalization of the will of the parties to settle the dispute, past and present and the relationships to become would certainly make it less burdensome for both parties the separation insight. Otherwise, assumed the level of integration in every area of society between the European Union and the Member States, the absence of a definition of the remaining pending issues (economic, political, juridical) would inevitably subtract the relations between the withdrawing State and the EU from the law and the instrument of negotiation to deliver it to that of mere relations of force, true 'Achilles Heel' of customary and particularly international law[9].

In this article, the author hypothesizes that *deal-Brexit (Soft) with particular European Economic Area model is the best profitable and friendly pathway of the UK-EU future relationship* based on the author's opinion and critical analysis of potential double impacts of Brexit "with and without a deal" for the EU and the UK, particularly "internal market".

2. The outcome of a deal Brexit

On 11 April 2019, European Council extends further the two years provided for by Article 50 of the TEU until 30 October 2019 and then extended till 31 January 2020. The UK can ratify the withdrawal agreement at any stage before 31 January 2020, which means withdrawal will take place on the first day of the month of ratification procedures.

Long before Brexit, there was Groxit 35 years ago, on 23 February 1982. As a part of the Danish Kingdom, Greenland had joined the Community in 1973 even though its citizens had voted against membership.[10] Six years later, Denmark granted home rule to the island, and a referendum was held, resulting in 52 percent of Greenlanders voting in favour of leaving the European Communities, the same number as the UK vote. Compared to the on-going Brexit-ordeal, the post-referendum exit-negotiations only took three years, but it iteratively tested the patience of the diplomats and politicians of the leaving polity. Since Groxit, the economic funding from the EU has continued via the Fisheries Agreements and later the Partnership Agreement, but the perhaps more

[9] CIRCOLO, A., HAMUĽÁK, O. Euratom and Brexit: Could the United Kingdom maintain one foot in the European Union? Current scenarios and future prospects of British withdrawal from the EAEC, ICLR, 2018, Vol. 18, No. 2. Online available at: file:///C:/Users/TechLine/Downloads/Euratom_and_Brexit_could_the_United_King%20(3).pdf. Accessed: 17. 11. 2019.

[10] KISS, L. N. Exiting the EU: Pre- and Post-Lisbon, Curentul Juridic Year XXI, No. 3 (74): 3, 2018, pp. 13–26. [Online]. Available at: http://revcurentjur.ro/old/arhiva/attachments_201803/recjurid183_1F.pdf. Accessed: 17.11.2019.

interesting development is the diplomatic relations that continue to evolve[11]. 25 years before the Lisbon Treaty of 2007 introduced formal procedures for exiting the EU, these core beliefs made for much lengthier and more frustrating negotiations.

In Brexit's case it should have argued for the application of customary international law *"clausula rebus sic stantibus"*, also established in Article 54, 65, 67, 68 of the Vienna Convention on the Law of the Treaties[12] *(see annex # 1)* providing for the unilateral withdrawal from international treaties within the EU framework. Article 54 is basically what happened in the case of Greenland, but states nothing about unilateral withdrawal from a Treaty. Article 56 of the VCLT states that if a treaty has no provision regarding termination or withdrawal, an implicit right to withdraw can be derived if it is established that the parties intended to admit the possibility of denunciation or withdrawal or a right of denunciation or withdrawal may be implied by the nature of the treaty[13]. This will be underpinned by the creation of international law obligations that will flow from agreements with the EU. However, *the* Court of Justice, obtainable indirectly from some historical judgments (above all, Case C 6/64, Costa v. ENEL 23)[14] a clearly restrictive view on the possibility to withdraw from the Community which it recalls the sovereignty freely chosen by the member states with their accession to the treaties, establishing the basis of *"an ever closer union among the European peoples"* (Preamble of the EC Treaty – art. 1 of the TEU). In this historic decision, the European judges had to say that "the transfer, by the States in favour of the Community, of the rights and the obligations corresponding to the provisions of the Treaty, implies a definitive limitation of their sovereign rights." Besides, the Court of the Justice in C-621/18 *Wightman* – case[15], declares that there is no doubt as to the relevance of the question referred to since it concerns the interpretation of a provision of the EU law and this approach is more sensitive to the autonomy of the EU law, and an interpretation of Article 50 of the TEU as an explicit clause within a constitutional charter, rather than taking the international law perspective whereby the withdrawal clause functions merely as *"lex specialis"* and Article 50 of the Lisbon Treaty (TEU) provides[16].

[11] RASMUS, L. N. 35 years after the 'Groxit'-referendum: Why the EU still plays an important role for Greenlandic diplomacy, Oslo, Norway, September, 2017. [Online]. Available at: https://ecpr.eu/Filestore/PaperProposal/fc7f9236-e302-420f-9ae0-dddd0337bdfc.pdf Accessed: 17. 11. 2019.

[12] Vienna Convention on the Law of Treaties, United Nations, 23 May 1969.

[13] Vienna Convention on the Law of Treaties, Article 54, United Nations, 23 May 1969.

[14] Court of Justice, Case 6–64, Judgment of the Court, *Flaminio Costa v E.N.E.L.*, Reference for a preliminary ruling: Giudice conciliatore di Milano, Italy, July 1964.

[15] Court of the Justice, Case C-621/18, Wightman and Others, October 2018.

[16] Lisbon Treaty (TEU) of the EU, European Union, 1992.

"1. Any Member State may decide to withdraw from the Union in accordance with its own constitutional requirements.
2. A Member State which decides to withdraw shall notify the European Council of its intention. In the light of the guidelines provided by the European Council, the Union shall negotiate and agree with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be negotiated in accordance with Article 218(3) of the Treaty on the Functioning of the European Union. It shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the consent of the European Parliament.
3. The Treaties shall cease to apply to the State in question from the date of entry into force of the withdrawal agreement or, failing that, two years after the notification referred to in paragraph 2, unless the European Council, in agreement with the Member State concerned, unanimously decides to extend this period.
4. For the purposes of paragraphs 2 and 3, the member of the European Council or of the Council representing the withdrawing Member State shall not participate in the discussions of the European Council or Council or decisions concerning it.
A qualified majority shall be defined in accordance with Article 238(3)(b) of the Treaty on the Functioning of the European Union.
5. If a State which has withdrawn from the Union asks to rejoin, its request shall be subject to the procedure referred to in Article 49."

Article 50 of the TEU names three possible explanations for the lack of a provision for withdrawal in the Treaties before the Treaty of Lisbon. The first one is the *mere negligence of the drafters* of the Treaties. A second explanation could be that the *lack of a withdrawal provision might reflect the intention of the drafters to preclude a right to withdraw*. The third explanation mentioned is the one she considers most probable, namely that the *lack of a provision on withdrawal in the Treaties was to discourage the member states from withdrawal rather than deny* the existence of the possibility of withdrawal[17]. Moreover, Article 50 of the TEU does not specify how much the withdrawal agreement itself should say about the future relationship between the EU and the UK. Any detailed relationship would have to be put in a separate agreement that would have to be negotiated alongside the withdrawal agreement using detailed processes set out in the EU Treaties[18].

[17] BLANKE, H-J., MANGIAMELLI, S. (ed.). book, *The Treaty on the European Union (TEU): a commentary,* Wyrozumska A., article, Voluntary withdrawal from the Union, Berlin & Heidelberg: Springer-Verlag, 2013. pp.1384–1418.

[18] White Paper, The process for withdrawing from the European Union, UK Government, 2016. [Online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/503908/54538_EU_Series_No2_Accessible.pdf. Accessed: 17. 11. 2019.

Having this regard, the author focuses on the basic requirements of the two parties (the EU and the UK).

European Union's position:	**UK's Position:**
The obvious fact is that the EU is not profitable to abandon its basic freedoms of movement of people, capital, goods, and services, which is why the EU insists that deal should contain a "backstop" clause, according to which the UK will remain in a single market with the EU until no decision is found on how to avoid establishing a border between Ireland and Northern Ireland.	Among the terms of Brexit agreement, the most unpopular is the backstop provision, which envisages maintaining an open border between the draft withdrawal agreement the British region of Northern Ireland and the state of Ireland and establishing customs control on the administrative border with other parts of the UK after it leaves the EU.

In addition, it is necessary to take into account some assumptions made about the impact of Brexit on trade barriers, migration, and investment. In particular, productivity can have large effects on the estimates of the economic consequences of leaving the EU[19].

In terms of the law, jurisdiction treaty (s) on the future relationship between the EU and the UK can only be concluded after the UK becomes a third country. For example, the EU and the UK will be able to agree on future trade relations only after date of its official withdrawal which means no parallel negotiations. On 17 October 2019 the UK and the EU agreed a draft agreement on the withdrawal of the UK from the EU. The UK needs a bill to implement the *withdrawal agreement*, and on 22 October 2019 *the withdrawal bill* passed its first stage in the UK Parliament in a major boost to the prime Minister's plan (Boris Johnson) to take the UK out of the European Union. The main two reasons for the bill:

1. To meet our international obligations. When the the UK becomes a party to an international treaty, the treaty does not automatically take effect in UK law. Instead, Parliament must legislate to give effect to the treaty.
2. A full Act of Parliament is required by prior legislation. Under the EU (Withe drawal) Act, Parliament must pass a further Act before the UK is allowed to ratify the treaty.

[19] TETLOW, G., STOJANOVIC, A. Understanding the economic impact of Brexit, Institute for Government, London, November 2018. [Online]. Available at: https://www.instituteforgovernθment.org.uk/sites/default/files/Economic%20impact%20of%20Brexit%20summary.pdf Actcessed: 17. 11. 2019.

Europe's demands	England's proposals and terms
The actual bill would now be about £33bn. During the transitional period, the UK will remain a member of the EEA, the single market, and custom Union, the EU laws will continue to apply to the UK, and the UK will continue to pay into the EU budget. The UK will not be represented in the decision-making bodies of the EU. If the transition period is extended then extra payments may need to be maybe and would be decided by a join the UK-EU committee. Businesses will have time to adjust to the new situation and time for the British and the EU governments to negotiate a new trade deal and relations between the EU and the UK.	According to the latest proposals of the Prime Minister of England Johnson, after Brexit and the transition period, Northern Ireland will only leave the customs union, but will remain in the internal market, unlike the rest of Britain until 2025.
The main conclusions are as follows: ▪ Unresolved external border issues in Northern Ireland are not satisfied EU, Britain does not agree to the transparent border since it runs for 499 km (310 mi) from and 270 public roads that cross the border ▪ If, during the transition time the UK and the EU do not conclude a trade deal that allows keeping open borders, customs checks and duties will return to the island. Both on the border in Ireland and at sea between Northern Ireland and the UK. Even if England is sure to bring a new agreement from Brussels without a "backstop," the Prime Minister of the UK still needs to get approval in Parliament UK.	

While studying the draft of withdrawal agreement can be summarized, that it covers key strategic issues such as citizens' rights, border arrangements (particularly Republic of Ireland), and financial issues, such as customs, and division of assets, liabilities, payment, and mechanisms for resolving disputes between the UK citizens in the EU. It should be noted that from jurisprudence point, there are enough legal collisions and economic conditions that are losing one for the UK. This article reflects a brief key summary of analysis on a draft of withdrawal agreement, for example:

- The draft of the withdrawal agreement provides transitional period from 31 January 2020 to 31 December 2020, and during this period, the UK will continue to be a subject for the EU law, customs union, single market, EU trade policy, and apply the EU customs tariffs. However, there will be limitations, certain exceptions such for example, the UK will no longer

take part in the EU decision-making process and not be able to vote to the European Parliament[20].

- Article 174 of the withdrawal agreement proposes that any legal dispute and relationship between the UK and the EU be managed by joint committees (five-member arbitration panel), and the same time any issues relating to the EU law will still be referred to the European Court of Justice. The decisions of the two of them will be binding. Uniquely, dual jurisdiction of two different bodies or quasi-judicial bodies can complicate and hinder resolution legal disputes in practice, and lawsuits can last several years, which will complicate especially trade, financial relationship that requires a quick response. But the origin of their practice of the existence of two judges in the European space can be seen from the case Opinion 2/13 it briefly addresses the impact of Opinion 2/13 of CJEU[21] on the EU's accession to the Convention before exploring, judicial dialogue between the CJEU and the ECtHR has taken over the years and discussing the influence of the jurisprudence of one over the other. A final part relies on the notion of systemic integration to argue that the cooperation between both courts goes beyond mere (voluntary, optional) comity and amounts to a legal duty. The CJEU was concerned that the principle of mutual trust, highly relevant in the context of the EU's Area of Freedom, Security, and Justice (AFSJ), could be undermined. CJEU has used autonomy to define the EU's relationship with international law.
- Under the UK's constitutional arrangements,[22] the withdrawal agreements will not automatically become part of the UK's internal legal order since it needs to enact domestic legislation to give effect to them.
- The EU can (and does) agree to a wide range of approaches to dispute resolution under international agreements, including by political negotiation and binding third-party arbitration.

3. The Outcome Of A "No Deal" / "Hard Brexit"

In case of "No Deal Brexit", the UK will be a third country exactly on the day of the withdrawal and the EU law ceases to apply and the UK will be forced to start exchanging goods, capital instantly, and services with the EU on general terms of

[20] Draft Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community, European Commission, 14 November 2018. [Online]. Available at: https://ec.europa.eu/commission/sites/betapolitical/files/draft_withdrawal_agreement_0.pdf. Accessed: 17. 11. 2019.

[21] Court of Justice, case 2/13 opinion of the full Court, 18 December 2014.

[22] Policy paper, Technical note on implementing the withdrawal agreement, UK Government 2017.

the World Trade Organization with duties, tariff, border and customs controls[23]. Furthermore, it would not provide specific arrangements for the EU and UK citizens. More accurately, the jurisdiction of the CJEU and the doctrine of direct effect will cease to apply in the UK, which means the UK-EU agreements will be addressed through the UK's domestic legal order since the UK has a dualist such legal system[24] such as, for example Ireland, Denmark, and Sweden rather than a monist one. "No Deal Brexit" was inevitable as the EU flatly refuses to renegotiate the terms of an orderly agreement, regardless of who is in power in the UK. It is insurance against the border between Northern Ireland (part of the UK) and Ireland (a separate EU member state), since of the UK Parliament, three times refused to ratify the deal agreed by Theresa May (Former Prime Minister of UK) with the EU.

With "No Deal Brexit", the UK will be regulated under the WTO rules and the UK as a member would be subject to Most Favoured Nation tariffs, which would potentially raise the cost of exporting to the EU and moreover, it would create some significant logistical and administrative challenges, for example, in the border issues the EU must apply its regulation and tariffs including checks and controls for customs, sanitary, phytosanitary standards and verification of the EU's compliance which could be cause dramatically delays in road transport, obstacles for trade.

Conflicts within the WTO are also not excluded from Brexit, while now in the WTO, all the EU member states are included as a single member. The total trade burden consists of all import tariffs levied by the UK, and from a traders' point of view, the value of all "export" costs on exports sent to other countries. There is a distinction here between tariffs as seen by the government and as seen by traders[25]. Over time, if there is a divergence between the UK and the EU standards, the UK businesses would need to produce two different product lines – one for the UK and one for the EU, which would increase costs and reduce competitiveness. The Centre for Economic Performance estimates that a "No Deal WTO rules only" scenario would reduce the UK's trade with the

[23] PAUN, A., SARGEANT, J., WILSON, J., OWEN J. No Deal Brexit and the Union, Institute for Government London, October 2018. [Online]. Available at: https://www.instituteforgovernment.org.uk/sites/default/files/publications/no-deal-brexit-and-the-union_0.pdf. Accessed: 17. 11. 2019.

[24] Policy Paper, Enforcement and dispute resolution: a future partnership paper, UK Government, 2017. [Online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/639609/Enforcement_and_dispute_resolution.pdf. Accessed: 17. 11. 2019.

[25] BLACK, A. Hard Brexit-International Trade and the WTO Scenario, Global Policy Institute, London, 2017. [Online]. Available at: https://fedtrust.co.uk/wp-content/uploads/2017/05/Hard_Brexit_Andrew_Black_May_2017.pdf. Accessed: 17. 11. 2019.

EU by 40 % over ten years. This reduced trade would mean a fall in income per head of 2.6 % per year (net of the savings from no membership fees). There would also be longer-term negative effects from lower investment and slower productivity growth, which are estimated to be another 3.5 % of GDP. Adopting a policy of unilateral free trade would mitigate part of these costs. However, the savings from unilateral tariff cuts are estimated to be just 0.35 % of GDP. The short-term disruption resulting from the sudden imposition of these the WTO rules could exacerbate these negative effects[26]. Moreover, distinctive remark also that the WTO-model will not cover matters relating to co-operation on policing, criminal justice, security, and foreign policy.[27] While paying attention to statistical data, UK economy will grow more slowly after Brexit than it would do as a member of the EU, with those predictions ranging from a negligible cost to an 18% reduction in output in 2030 compared to a world in which the UK remained a member of the EU and also the UK's GDP would be 3.5 % smaller by 2021 with no-deal Brexit[28].

Must admit that it is not conducive to optimism according to the publication data, Institute of Fiscal Studies (2019) in the UK, which indicates that the pre-situation of leaving the UK from the EU has led to declining investment, contraction of the UK economy, and turned a loss of 60 billion Euros. In the case of a "Hard Brexit," national debt will double and exceed a 50-year high[29].

The imposition of tariffs on trade with the EU would increase costs for both UK importers (and hence consumers) and exporters. The average EU tariff rate is low – around 1.5 %. However, at a sectoral level, the impacts would be much larger: for example, for cars and car parts the tariff rate is 10 %.[30]

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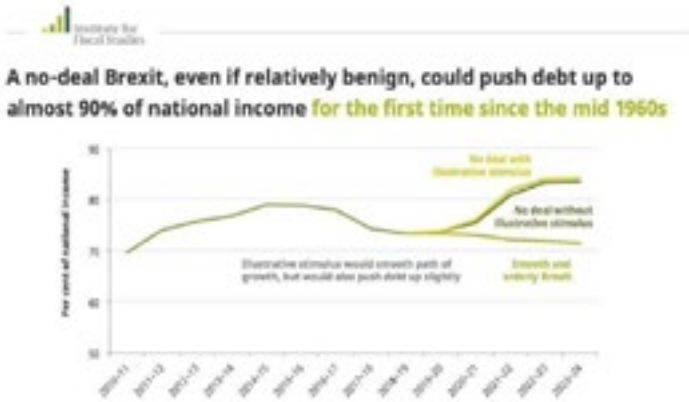
[26] SWATI, D. Brexit Factsheet, No Deal: The WTO Option, independent research UK in a Changing Europe, UK, 2017. [Online]. Available at: https://ukandeu.ac.uk/wp-content/uploads/2017/09/No-Deal-The-WTO-Option-Fact-sheet-1.pdf. Accessed: 17. 11. 2019.

[27] Policy Paper, Alternatives to membership: possible models for the United Kingdom outside the European Union, UK Government, 2016. [Online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/504661/Alternatives_to_membership_possible_models_for_the_UK_outside_the_EU_Accessible.pdf. Accessed: 17. 11. 2019.

[28] Policy Paper, Leaving the EU Implication for the UK economy PWC, UK, 2016. [Online]. Available at: https://www.pwc.co.uk/economic-services/assets/leaving-the-eu-implications-for-the-uk-economy.pdf Accessed: 17. 11. 2019

[29] Data, Institute of Fiscal Studies, Britain's leading independent microeconomic research institute, London, 2019. [Online]. available at: https://www.ifs.org.uk/research/198. Accessed: 17. 11. 2019.

[30] SWATI, D. Brexit Factsheet, No Deal: The WTO Option, independent research UK in a Changing Europe, UK, 2017. [Online]. Available at: https://ukandeu.ac.uk/wp-content/uploads/2017/09/No-Deal-The-WTO-Option-Fact-sheet-1.pdf. Accessed: 17. 11. 2019.



Car manufacturing: the impact of withdrawal from the EU
These are 10 percent for cars and, on average, 4.5 percent for vehicle components. At present, consumers benefit from the fact that 95 percent of cars imported to the UK are not subject to a tariff. Industry representatives told us that the additional costs of any tariffs imposed on imported cars would be likely to be passed on to consumers[31].
Japanese concern "Nissan" refused to build a plant for the production of SUVs in the UK due to the fact that Brexit and it develops UK – Europe relationship. Brexit's case will be applying a 10 % tariff on exports, and this additional burden on the British division of "Nissan" will be 500 million pounds per year, which is not beneficial to "Nissan".[32]

Scottish fisheries rely on exports to the EU. In 2017, Scottish vessels accounted for almost 60 % of the UK's fishing catch by value, and 71 % of UK fish exports are sent to the EU[33]. These would be affected by high tariffs and significant additional paperwork and bureaucracy at the border – making the prospect of business with the continent unviable for some vessels, for a period at least.

[31] The impact of Brexit on the automotive sector, Fifth Report of Session 2017–19, House of Commons Business, Energy and Industrial Strategy Committee, 27 February 2018. [Online]. Available at: https://publications.parliament.uk/pa/cm201719/cmselect/cmbeis/379/379.pdf Accessed: 17. 11. 2019.

[32] The impact of Brexit on the automotive sector, Fifth Report of Session 2017–19, House of Commons Business, Energy and Industrial Strategy Committee, 27 February 2018. [Online]. Available at: https://publications.parliament.uk/pa/cm201719/cmselect/cmbeis/379/379.pdf Accessed: 17. 11. 2019.

[33] Report, Marine Scotland Seafood Trade Modelling Research Project – Assessing the Impact of Alternative Fish Trade Agreements Post EU-Exit, Marine Scotland, ABPmer, April 2018. [Online]. Available at: file:///C:/Users/TechLine/Downloads/00536121.pdf. Accessed: 17. 11. 2019.

Northern Ireland has an estimated fiscal deficit of approximately £9 billion a year, which is the largest per capita deficit of any of the 12 standard UK regions). If Northern Ireland were to reunite with Ireland, then this hole would need to be filled by the Irish Government via increased taxes or borrowing, or else there would need to be substantial public spending cuts in Northern Ireland[34].

The UK would restrict its access to the single market if broader free trade deals were not negotiated and reached with the EU outside the WTO framework, since individual the EU member states would be obliged to adhere to the terms of the EU's agreements with the UK, restricting bilateral agreements between the UK and the respective the EU member states.

4. Discussion, critical analysis, possible scenarios of the UK-EU relationship after Brexit

The Lisbon Treaty (TFEU), capable of claiming the title of a pan-European constitution, closely connected the EU countries with each other that no one can afford to leave Union so quickly and easily. The EU countries, by the membership to the EU, transferred a significant part of their sovereignty to the European Institutions. In addition, the fact that the Lisbon Treaties were concluded for an unlimited period was widely understood or interpreted to exclude the right of unilateral withdrawal, and the conclusion is that the EU is positioning itself as a permanent organization that will not break up. Unlimited duration of the commitment assumed leans in favour of the indissolubility of the bond contract by Member State: the absence of a specific procedure of withdrawal would, therefore, be the logical consequence of this choice, to be honest a little pragmatic and crystallized in legal abstraction (the question has always been shown to have a "material" side, difficult to contain by regulations)[35]

It is clear from the chronological events of the EU that there was no case law on withdrawing from the EU and has not yet been established, so Article 50 of TEU has never been tested. During the integration process that started with the foundation of the European Community no country has withdrawn from the

[34] PAUN, A., SARGEANT, J., WILSON, J., OWEN, J. No Deal Brexit and the Union, Institute for Government London, October 2018. [Online]. Available at: https://www.instituteforgovernment.org.uk/sites/default/files/publications/no-deal-brexit-and-the-union_0.pdf. Accessed: 17. 11. 2019.

[35] TROITIÑO, D. R., KERIKMÄE, T., CHOCHIA, A. Book *"Brexit History, Reasoning and Perspectives*", Switzerland, 2018, pp. 205–207.

community[36] since Greenland was no autonomous member state of the EU, it can also be argued that the Greenland action was a member state's reduction in size and therefore not a withdrawal of a member state according to the European Community Law. Respectively after that, withdrawal is a new instrument for the member states. In addition to the above, Article 50 of TEU does not set down any substantive conditions for a Member State to be able to exercise its right to withdraw rather it includes only procedural requirements. That means more space for negotiation of a withdrawal agreement if no agreement for two years there are options also with it extending this period[37]. Unconditionally means that the exercise of the right to withdrawal is not subjected to any preliminary verification of conditions nor is it even conditional on the conclusion of the agreement foreseen in the provision[38]. Article 50 of TEU does not even mention the generic circumstances in which this right may be activated, and the proposals aired during the Convention, such as the existence of 'extraordinary circumstances' such as revision of the Treaties or conditioned on obtaining unanimous assent of Member States which would be equivalent to requesting authorization were ruled out.

From the legal aspect, it should be noted, that no- inclusion ways of exit from EU on TEU was a smart solution which creates some possibility, legal space for political organization such as the EU and state as the UK for flexible interpretation and the establishment of the constitutional practice negotiations, and finding the optimal solution for both sides and defining, in particular, the latter's future relationship. But on the other hand, as a compulsory format and legal structure of the Treaty, it had to include mandatory main points, *"Termination of Treaty,"* which means leaving a member from the EU with ensuing rights and obligations in detail, which would easily facilitate situation around Brexit also. For example the most discussed and troublesome issue in Brexit is a border in Northern Ireland and Ireland since now there are no customs or border posts between them, they quietly move around the island and trade with each other in the daily basis,

[36] Referring to the withdrawal of Greenland from the EU, Berglund, 2006, pp. 157 shows in her essay that a withdrawal from the Union is in principle possible. Since Greenland was no autonomous member state of the EU, Zeh 2004, p.192, however argues that the Greenland action was a member state's reduction in size and therefore not a withdrawal of a member state according to the European Community Law.

[37] POPTCHEVA, E.-M. Briefing, Article 50 TEU: Withdrawal of a Member State from the EU, European Parliamentary Research Service, February 2016. [Online]. Available at: https://www.europarl.europa.eu/RegData/etudes/BRIE/2016/577971/EPRS_BRI(2016)577971_EN.pdf. Accessed: 17. 11. 2019.

[38] CLOSA, C. Interpreting Article 50: exit and voice and… what about loyalty? Global Governance Programme, European University Institute, Robert Schuman Centre for Advanced Studies, 2016. [Online]. Available at: https://cadmus.eui.eu/bitstream/handle/1814/44487/RSCAS_2016_71.pdf?sequence=1&isAllowed=y. Accessed: 17. 11. 2019.

as both countries are members of the EU, within which there is a single market and customs union. If the UK and the EU fail to strike a trade deal during the transition period to keep the borders open, customs checks will return to the island both on the border with Ireland and at sea between Northern Ireland and the rest of the UK. Therefore, the withdrawal agreement states that if the parties do not find a mutually acceptable solution by the end of the transition period, Northern Ireland can remain part of the customs union of the EU. Nevertheless, this would be a partial economic rejection of an integral part of Britain, and this, to put it mildly, does not like either UK or Northern Ireland itself. It is assumed that Northern Ireland in any outcome of "Brexit" can remain in a customs union with the EU. In October 2019, UK Government in its report[39] stressed the latest country's position that UK will continue to uphold the Belfast (Good Friday) Agreement[40], continue to maintain existing Common Travel Area (CTA) arrangements and under no circumstances will it put in place infrastructure, checks, or controls at the border between Northern Ireland and Ireland.

As a result of the UK in such a situation has mainly three options: *"Hard or Soft" Brexit or rejection of Brexit.* Moreover, it should be noted that "Hard" Brexit was not implied during the referendum vote (2017). Even the majority of the same party members of Prime Minister of UK, Boris Johnson, did not approve the idea of leaving the EU without a deal. It is noteworthy and encouraging in such a deadlock situation, a clearer legal explanation was from the side of Court of Justice ruled in C-621/18 Wightman-case it confirms that Article 50 notification can be unilaterally revoked, so the UK has the right to unilaterally withdraw notification under Article 50, which means cancel "Brexit" and have a payment of Brexit ussies[41]. The Court proceeds to the argumentation from the context of Article 50. The CJEU draws upon the statements of the principle of ever closer union among the peoples of Europe, and the values of liberty and democracy. Besides, according to Article 50 of the TEU, the UK may cancel its withdrawal application at any time. Controversial with inaccurate view, approaches to solving Brexit inside the UK country and in these days according to the latest BBC news British opponents of leaving the UK from the EU are campaigning (People's Vote – "people's vote") for a second referendum on the

[39] Report, No-Deal Readiness, UK Government, October 2019. [Online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/837632/No_deal_readiness_paper.PDF. Accessed: 17. 11. 2019.

[40] Policy Paper, "The Belfast Agreement, also known as the Good Friday Agreement in multi-party negotiations", UK, 10 April 1998. [Online]. Available https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/136652/agreement.pdf. Accessed: 17. 11. 2019

[41] Court of the Justice of EU, Case C-621/18, Wightman and Others, 10 December 2018.

EU membership with beliefs that people will "change their minds" about leaving the EU and so-called "confirmatory" referendum with legally binding. By arguing that withdrawal is inevitable once notice has been given, proponents of Brest rally on Article 50 of the TEU to ensure that the referendum result cannot be overturned should the British public change its mind[42].

For most types of financial services, the EU law amounts to the substantial majority of the UK's legislative framework, whether directly applicable or the EU Directives transposed into UK law. The EU Directives and Regulations govern the regulation – both prudential and conduct of the business of all major sectors, including banking, insurance, wholesale and retail investments, provision of market infrastructure, payment, clearing and settlement systems, and a host of other activities[43]. One consideration for the UK Government would be how to avoid regulatory gaps in the UK's domestic legislative framework once the EU Treaties ceased to apply. This would involve questions over how existing the EU law could or should be adopted into domestic law. Cleary has been seen that the UK-EU internal market relations due to the double benefits for both parties and unknown framework of their regulation will be negotiated in the coming year – 2020. They are faced with different policy options to choose as it was noted above in this article such as possible the UK–EU trade relationship after Brexit[44]: 1) *Free Trade Agreement (FTA)* will include common standards and regulations for traded goods, and services but freedom of capital and persons will be limited. However, the UK and the UE will keep their controls over internal market regulation but with some limited cooperation on exporting goods and services. 2) *European Economic Area (EEA)* provides full access to the internal market the UK, but will keep contribution to the EU's budget and no control over migration, which means free movement of persons is compulsory to be applied. Under this arrangement, the UK would have access to the single market, but not to

[42] SARI, A. Reversing a Withdrawal Notification under Article 50 TEU: Can the Member States Change Their Mind? *Journal, European Law Review*, July 2017. [Online]. Available at: Ahttps://ore.exeter.ac.uk/repository/bitstream/handle/10871/27017/SARI_article50_20_no_tracks.pdf?sequene=1&isAllowed=yAccessed: 17.11.2019. KISS, L. N. The Brief Interpretation Of Article 50 TEU. In: Kékesi, T. (szerk.) Multiscience XXXII. MicroCAD International Multidisciplinary Scientific Conference, Miskolc-Egyetemváros, Magyarország: Miskolci Egyetem, (2018) pp. 1–8. Paper: E10. KISS, Lilla Nóra: Unilateral Withdrawal of a Member State? Some Thoughts on the Legal Dimensions of Brexit, *Pécs Journal Of International And European Law,* 2018, 1 pp. 36–46, 11 p.

[43] White Paper, The process for withdrawing from the European Union*,* UK Government, 2016. [Online]. Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/503908/54538_EU_Series_No2_Accessible.pdf. Accessed: 17. 11. 2019.

[44] Final report, Preparing for Brexit, Cambridge Econometrics, January 2018. [Online]. Available at: https://www.london.gov.uk/sites/default/files/preparing_for_brexit_final_report.pdf. Accessed: 17. 11. 2019.

agriculture or fisheries. However, agriculture is not comprehensively covered by these agreements, so some agricultural products remain subject to tariffs. (Nowadays EU has EEA with Iceland, Liechtenstein, and Norway). Important note that this model closest to EU stills the UK will have the internal market, which covers areas such as consumer protection, product standards, and competition policy the UK would not have any power to decide any legislation. Moreover, the UK will not belong to the EU Customs Union, which means the UK can set their external tariffs with the right for its trade negotiations with other countries. 3) *Customs Union Agreement (CUA)* which means no barriers for trade between the UK and the EU with common trade policy. The only difference between CUA and FTA will consist of the common tariff applied by third parties and traded exported goods and services. This model is similar to the conditions currently faced by Turkey, Canada. 4) *Bilateral Agreement (BA)* offer limited access to the single market, offering some combination of tariff-free trade, open access to the services market and guarantees that companies operating in these markets are treated in a fair and non-discriminatory way such as Switzerland has a complex set of bilateral agreements with the EU. For example, Switzerland has only partial access to the single market (goods and services (besides financial since there is no bilateral agreement with the EU on banking), but outside Customs Union and Switzerland can conclude its trade agreements with other parts of the world. The bilateral agreements include various provisions to reduce practical barriers to cross-border trade. The UK would have to make some difficult decisions about its priorities. Each possible approach would involve a balance between securing access to the EU's single market, accepting costs and obligations and maintaining the UK's influence.

5. Conclusion

The UK's leaving from the EU occurs some triggering of Article 50 of the TEU with political, economic, commercial, and legal uncertainties. The UK does not support compliance conditions with general rules of trade, social policy, and EU legislation on paying around 50 $ billion to the EU as a contribution during the transition period until the end of 2020. On the one hand, one country: the UK sits at the negotiating table Brexit and on the other the 27 member states (EU) with quite different interests, but showing unexpected unity on Brexit issues for the UK politicians. In the opinion of the author, no matter how bitterly it is necessary to recognize the fact that Brexit is a heavy blow for the EU in terms of the image and integration idea, but this crisis will not be fatal for the EU, even taking into account the serious costs of Brexit.

Brexit should be categorized as an instance of differentiated disintegration and defined differentiated disintegration as 'the selective reduction of a state's level and scope of integration. Disintegration can lead to internal differentiation if a member state remains in the EU but exits from specific policies, or external differentiation if it exits from the EU, but continues to participate in selected EU policies'. Accepting that European integration occurs in forms of differentiation *'per eo ipso,'* forms of 'complete disintegration' are implausible – unless disintegration occurs without any formal agreement on the type of association ('No-deal Brexit')[45]

Indeed, withdrawal epitomizes the democratic premise of membership, and in turn, triggers further reflection on alternative forms of participation in the European integration process[46]. Great Britain has never been a proponent of political integration in the EU. They became the EU member purely from a benefits perspective. The EU for Great Britain has nothing to do with ideology, and it is a project which should be beneficial to the UK's national interests. Great Britain should benefit from the EU membership, especially economically and in the area of security[47]. February of 2016, it was also said that Great Britain would not have to be a part of further political integration and 'the ever closer union.' However, people still voted that they wanted to leave the EU in the referendum in June. Other important push factors that came up in the run-up to the referendum were immigration, the EU budget and overall EU interference.

While the UK has committed to implementing the referendum outcome of 'leave' vote did not guide as to what form Brexit should take. Negotiating the terms of leaving the EU, UK is trying to continue his strategy 'cherry-picking,' seeking to maintain participation in the beneficial elements of its integration project. However, EU-27 member states are not inclined to indulge this intention. It is clear that Brexit issues depend on the quality of politicians to negotiate and generate high costs for both sides, so it should change for a positive impact due to its consequences. There is a great deal of uncertainty over what the UK's post-Brexit trading arrangements will be. Decisions over post-Brexit

[45] LERUTH, B., GÄNZLE, S., TRONDAL J. Exploring, Differentiated Disintegration in a Post-Brexit European Union Benjamin, *Journal of Common Market Studies*, 22 May 2019. [Online]. Available at: file:///C:/Users/TechLine/Downloads/JCMSExploringDifferentiatedDisintegration%20(2).pdf. Accessed: 17. 11. 2019.

[46] HILLION, C. Withdrawal under article 50 TEU: an integration-friendly process, Kluwer Law International, United Kingdom, Common Market Law Review 55: 29–56, 2018. Online available at: file:///C:/Users/TechLine/Downloads/BrexitIntegration.pdf. Accessed: 17. 11. 2019.

[47] OMENS, E. Research Paper, The process of withdrawal from the European Union Great Britain's path to European Union membership and the Brexit, University of Twente, 2017. [Online]. Available at: https://essay.utwente.nl/73741/1/Oomens_MA_BMS.pdf. Accessed: 17. 11. 2019.

membership of the single market and participate in the customs union will have profound effects on the price of goods in the UK. Furthermore, slowing economic dynamics and rising unemployment in the UK after Brexit will convince the population of other member states to stay in the EU and to improve integration.

It is also unclear whether sterling will depreciate further or appreciate as Brexit proceeds. These uncertainties over tariffs and the exchange rate mean that UK households are potentially going to be affected by considerable and unpredictable changes in food prices. After Brexit Northern Irish border will be the only land border between the EU and the UK with a lack of significant geographic barriers, which makes it difficult to control. The backstop issues would keep the UK in a trading relationship with the EU until a final deal to avoid a hard border could be agreed on, something that many politicians, scholar fear would never happen.

Important to note here is that the UK does not like the free movement of people part of the internal market, so they would want to get rid of that aspect. In addition to the free movement of people, the UK has historically had issues with both the Common Agricultural Policy as well as the Common Fisheries Policy, so they would want to get rid of those policies as well. From a legal perspective, an important issue will be the role of the Courts. The UK will want a relationship with the EU in which no EU Court would have any say in the UK. Besides, the status of EU citizens[48] in the UK and the UK citizens in the EU is important, as well as the status of British citizens working for the EU institutions. This is also apparent from the fact that this was one of the first and main points in the negotiations between the UK and the EU. Besides the status of citizens, the relationship with Ireland and Northern Ireland is an issue. As we have seen mechanisms were discussed already in the second round of negotiations to preserve the Common Travel Area and the rights that are associated with it[49].

Having regard to all the relevant circumstances, the EU and the UK should reach an agreement as long as they have this right instead of rules will according to international law and decide for a mutually beneficial effect of Brexit for the EU and the UK. Larger proportion of the UK-EU economy is dependent on each other's and considerably impact depends on dynamic of the negotiations. One of the most mentioned options is in this article for the UK –EU future relationship is EEA, and the UK becoming a part of this like Norway model which is

[48] KISS, L. N. The optician"s dilemma: Can all these lenses be polished into the same frame or do we need new frames, too? − BREXIT: Time to reform EU citizenship? Curentul Juridic Year XXII, No. 2 (77), 2019, pp. 21–37.

[49] OMENS, E. Research Paper, The process of withdrawal from the European Union Great Britain's path to European Union membership and the Brexit, University of Twente, 2017. [Online]. Available at: https://essay.utwente.nl/73741/1/Oomens_MA_BMS.pdf. Accessed: 17. 11. 2019.

most integrated with single market. The UK will pay EU budget, it would have to continue with the free movement of labor, and it would have to apply single market rules and regulations with some difference. The UK would also be subject to the EFTA Court instead of the European Court of Justice.

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Commission, 14 November 2018. Online available at: https://ec.europa.eu/commission/sites/betapolitical/files/draft_withdrawal_agreement_0.pdf. Accessed: 17. 11. 2019.

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Annex # 1

Article 54 *of the 1968 Vienna Convention on the Law of Treaties provides: "Termination of or withdrawal from a treaty under its provisions or by consent of the parties. The termination of a treaty or the withdrawal of a party may take place :(a) in conformity with the provisions of the treaty, or (b) at any time by consent of all the parties after consultation with the other contracting States."*

Article 65. *Procedure to be followed with respect to invalidity, termination, withdrawal from or suspension of the operation of a treaty "1. A party which, under the provisions of the present Convention, invokes either a defect in its consent to be bound by a treaty or a ground for impeaching the validity of a treaty, terminating it, withdrawing from it or suspending its operation, must notify the other parties of its claim. The notification shall indicate the measure proposed to be taken with respect to the treaty and the reasons therefor. 2. If, after the expiry of a period which, except in cases of special urgency, shall not be less than three months after the receipt of the notification, no party has raised any objection, the party making the notification may carry out in the manner provided in Article 67 the measure which it has proposed. 3. If, however, objection has been raised by any other party, the parties shall seek a solution through the means indicated in Article 33 of the Charter of the United Nations."*

Article 67. *Instruments for declaring invalid, terminating, withdrawing from or suspending the operation of a treaty "1. The notification provided for under Article 65, paragraph 1 must be made in writing. 2. Any act declaring invalid, terminating, withdrawing from or suspending the operation of a treaty according to the provisions of the treaty or of paragraphs 2 or 3 of Article 65 shall be carried out through an instrument communicated to the other parties. If the instrument is not signed by the Head of State, Head of Government or Minister for Foreign Affairs, the representative of the State communicating it may be called upon to produce full powers."*

Article 68. *"Revocation of notifications and instruments provided for in Articles 65 and 67. A notification or instrument provided for in Article 65 or 67 may be revoked at any time before it takes effect."*