
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are the first commencement regulations made under the Retained EU Law (Revocation and Reform) Act 2023 (c. 28) (“the Act”).

Regulation 2 brings into force Schedule 1 to the Act immediately before the end of 2023. That schedule lists retained EU law to be revoked at the end of 2023.

Regulation 3 brings into force the provisions of the Act listed in that regulation on 1st January 2024. These provisions include the abolition of general principles of EU law, the abolition of the principle of supremacy (insofar as it continued to apply in relation to pre-end of implementation period legislation in accordance with section 5 of the European Union (Withdrawal) Act 2018 (c. 16)) and the duty of courts to make an “incompatibility order” where the abolition of supremacy leaves a conflict between retained direct EU legislation and other domestic law. Regulation 3 also commences Schedule 2 to the Act which contains consequential amendments relating to section 5 of the Act.

A full impact assessment has not been prepared for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. An impact assessment was published in relation to the Retained EU Law (Revocation and Reform) Bill which can be found at <https://www.gov.uk/government/publications/retained-eu-law-revocation-and-reform-bill-2022-impact-assessment> or a copy can be obtained from the Department for Business and Trade, Old Admiralty Building, Admiralty Place, London SW1A 2DY.