



Law Derived from the European Union (Wales) Act 2018

2018 anaw 3

EU derived Welsh law

8 Rules of evidence etc.

- (1) Where it is necessary, for the purpose of interpreting EU derived Welsh law in legal proceedings, to decide a question as to—
 - (a) the meaning or effect in EU law of any of the EU Treaties or any other treaty relating to the EU, or
 - (b) the validity, meaning or effect in EU law of any EU instrument,the question is to be treated for that purpose as a question of law.
- (2) In this section—

“interpreting EU derived Welsh law” (*“dehongli cyfraith Cymru sy’n deillio o’r UE”*) means deciding any question as to the validity, meaning or effect of any EU derived Welsh law;

“treaty” (*“cytuniad”*) includes—

 - (a) any international agreement, and
 - (b) any protocol or annex to a treaty or international agreement.
- (3) The Welsh Ministers may by regulations—
 - (a) make provision enabling or requiring judicial notice to be taken of a relevant matter, or
 - (b) provide for the admissibility in any legal proceedings of specified evidence of—
 - (i) a relevant matter, or
 - (ii) instruments or documents issued by or in the custody of an EU entity,for the purpose of interpreting EU derived Welsh law.

Status: This is the original version (as it was originally enacted).

- (4) Regulations under subsection (3)(b) may provide that evidence is admissible only where specified conditions are met (for example, conditions as to certification of documents).
- (5) Regulations under this section may modify any provision made by or under an enactment.
- (6) For the purposes of this section, each of the following is a “relevant matter”—
 - (a) EU law,
 - (b) the EEA agreement, and
 - (c) anything that is specified in the regulations and that relates to a matter mentioned in paragraph (a) or (b).