



Legislation (Wales) Act 2019

2019 anaw 4

PART 2

INTERPRETATION AND OPERATION OF WELSH LEGISLATION

Amendment, repeal and revocation of legislation

32 Amendments made to or by Welsh legislation

- (1) Where an enactment amends an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument by inserting or substituting words or other material, the words or material have effect as part of that Act or instrument.
- (2) Where an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument amends an enactment by inserting or substituting words or other material, the words or material have effect as part of that enactment.
- (3) See also section 23ZA of the Interpretation Act 1978 (c. 30) for provision about the application of that Act to [^{F2}assimilated direct] legislation that is amended by an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument (or by certain other legislation).

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)
- F2** Words in s. 32(3) substituted (1.1.2024) by [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\)](#), s. 22(3), [Sch. 2 para. 9\(3\)\(b\)](#) (with s. 22(6)); S.I. 2023/1363, reg. 3(e)

Commencement Information

- I1** S. 32 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
- I2** S. 32 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

Status: Point in time view as at 01/01/2024.

Changes to legislation: There are currently no known outstanding effects for the Legislation (Wales) Act 2019, Cross Heading: Amendment, repeal and revocation of legislation. (See end of Document for details)

33 Repeals and revocations do not revive law previously repealed, revoked or abolished

Where—

- (a) an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument repeals or revokes an enactment (“A”), and
- (b) A previously repealed or revoked any other enactment (“B”) or abolished any other rule of law (“C”),

the repeal or revocation of A does not revive B or C.

Textual Amendments

F1 Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

I3 S. 33 in force for specified purposes at 11.9.2019, see s. 44(1)(c)

I4 S. 33 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

34 General savings in connection with repeals and revocations

- (1) This section applies where an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument repeals or revokes an enactment.
- (2) The repeal or revocation does not—
 - (a) revive anything that is not in force or existing at the time when the repeal or revocation takes effect;
 - (b) affect the previous operation of the enactment or anything done or suffered under the enactment.
- (3) The repeal or revocation also does not affect—
 - (a) any right, privilege, obligation or liability acquired, accrued or incurred under the enactment;
 - (b) any penalty, forfeiture or punishment incurred in respect of any offence committed under the enactment;
 - (c) any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment,

and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if the repeal or revocation had not occurred.

Textual Amendments

F1 Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

I5 S. 34 in force for specified purposes at 11.9.2019, see s. 44(1)(c)

I6 S. 34 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

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35 Effect of re-enactment

- (1) This section applies where an enactment (“A”) is—
 - (a) repealed or revoked by an [F1 Act of Senedd Cymru] or a Welsh subordinate instrument, and
 - (b) re-enacted (with or without modification) by an enactment (“B”) which is, or is contained in, an [F1 Act of Senedd Cymru] or a Welsh subordinate instrument.
- (2) A reference to A in any enactment, instrument or document is to be read as (or as including) a reference to B.
- (3) So far as any subordinate legislation made under A or having effect as if it were made under A could have been made under B, it is to have effect as if made under B.
- (4) So far as anything done or having effect as if it were done under A could have been done under B, it is to have effect as if done under B.

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

- I7** S. 35 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
I8 S. 35 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

36 Referring to an [F1 Act of Senedd Cymru] by its short title after repeal

An [F1 Act of Senedd Cymru] may continue to be referred to by the short title conferred on it by an enactment despite the repeal of that enactment.

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

- I9** S. 36 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
I10 S. 36 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

37 Meaning of repeal and revocation in this Part

- (1) In this Part, references to repealing or revoking an enactment or abolishing a rule of law include—
 - (a) substituting anything for the enactment or rule (or for any part of it);
 - (b) limiting the application or effect of the enactment or rule;
 - (c) providing for the enactment or rule to cease to have effect.
- (2) For the purposes of sections 34 to 36 (but not section 33)—

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- (a) the expiry of a temporary [^{F1}Act of Senedd Cymru] is to be treated as a repeal of the Act by an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument;
- (b) the expiry of a temporary Welsh subordinate instrument is to be treated as a revocation of the instrument by an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument.

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

- I11** S. 37 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
I12 S. 37 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

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