

Draft Regulations laid before Parliament under paragraph 6(3) of Schedule 5 to the European Union (Future Relationship) Act 2020 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2021 No. 0000

EUROPEAN UNION

The European Union (Future Relationship)
Act 2020 (References to the Trade and
Cooperation Agreement) Regulations 2021

<i>Made</i>	-	-	-	-	***
<i>Coming into force</i>	-	-	-	-	***

The Minister of State in the Cabinet Office makes the following Regulations in exercise of the powers conferred by section 31 of the European Union (Future Relationship) Act 2020(1).

In accordance with paragraph 6(1) of Schedule 5 to that Act, a draft of this instrument has been laid before Parliament and approved by a resolution of each House of Parliament.

Citation, commencement, application, extent and interpretation

1.—(1) These Regulations may be cited as the European Union (Future Relationship) Act 2020 (References to the Trade and Cooperation Agreement) Regulations 2021.

(2) These Regulations come into force on the day after the day on which they are made.

(3) The amendments made by these Regulations—

(a) do not apply in relation to times before the coming into force of these Regulations (and, accordingly, section 37(4) and (5) of the Act continue to apply in relation to such times);

(b) have the same extent as the enactments to which those amendments relate.

(4) In these Regulations, “the Act” means the European Union (Future Relationship) Act 2020.

Amendment of references to the Trade and Cooperation Agreement in the Act

2. In the provisions of the Act specified in column (1) of the table in the Schedule, the references to the Trade and Cooperation Agreement specified in column (2) are substituted with the references specified in column (3).

Amendment of references to the Trade and Cooperation Agreement in enactments amended by the Act

3.—(1) In regulation 2(1) of the Passenger Name Record Data and Miscellaneous Amendments Regulations 2018(2) (interpretation), in the definition of “terrorist offences”, for “Annex LAW-7” substitute “Annex 45”.

(2) In the Accreditation of Forensic Service Providers Regulations 2018(3)—

- (a) in regulation 2 (interpretation), in the definitions of “dactyloscopic data”, “DNA-profile” and “laboratory activity”, for “vehicle registration data etc” substitute “vehicle registration data”;
- (b) in regulation 4(2)(b) (requirement of accreditation), for “Article LAW.PRUM.16” substitute “Article 538”.

Date

Minister of State in the Cabinet Office
Cabinet Office

(2) [S.I. 2018/598](#) as amended by paragraph 2(7) of Schedule 2 to the Act. There are other amendments but these are not relevant to these Regulations.

(3) [S.I. 2018/1276](#) as amended by section 10(2)(a) and (3) of the Act. There are other amendments but these are not relevant to these Regulations.

SCHEDULE

Regulation 2

AMENDMENT OF REFERENCES TO THE TRADE
AND COOPERATION AGREEMENT IN THE ACT

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Provision of the Act</i>	<i>Old reference</i>	<i>New reference</i>
Section 8(1)(a)	Article LAW.PRUM.15	Article 537
Section 8(1)(b)	Chapter 3 of Annex LAW-1	Chapter 3 of Annex 39
Section 8(5)	Article LAW.PRUM.6	Article 528
Section 14(1)(a)	Article TBT.9	Article 96
Section 15(2)(a)	Article TBT.9	Article 96
Section 18(1) - definition of “non-food product safety annex”–		
paragraph (a)	TBT-1	Annex 11
paragraph (b)	TBT-3	Annex 13
Section 25(1)(a)	Section 2 of Appendix Road.C.1.1	Section 2 of Part C of Annex 31
Section 25(1)(b)	Section 2 of Appendix Road.C.1.1	Section 2 of Part C of Annex 31
Section 25(2)(a)	Section 2 of Appendix Road.C.1.1	Section 2 of Part C of Annex 31
Section 25(2)(b)	Section 2 of Appendix Road.C.1.1	Section 2 of Part C of Annex 31
Section 25(6) - definition of “GB electronic register”	Section 2 of Appendix Road.C.1.1	Section 2 of Part C of Annex 31
Section 25(6) - definition of “NI electronic register”	Section 2 of Appendix Road.C.1.1	Section 2 of Part C of Annex 31
Section 26(1)(b)	Title I of Heading 4 of Part 2 (Trade)	Title I of Heading 4 of Part 2 (Trade, Transport, Fisheries and Other Arrangements)
Section 26(1)(c)	Articles COMPROV.17 and FINPROV.2	Articles 6 and 775
Section 30	Article COMPROV.13	Article 4
Section 31(7)(b)	Article 2.4.4 of Chapter 2 of Title XI of Heading 1 of Part 2	Article 361(4)
Section 33(9)(a)	Article INST.36	Article 773
Section 37(1) - definition of “supplementing agreement”	Article COMPROV.2	Article 2
Schedule 2 –		

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union (Future Relationship) Act 2020 (References to the Trade and Cooperation Agreement) Regulations 2021 No. 884

<i>Column (1)</i>	<i>Column (2)</i>	<i>Column (3)</i>
<i>Provision of the Act</i>	<i>Old reference</i>	<i>New reference</i>
Paragraph 17(2)	Article LAW.PNR.28(10)	Article 552(10)
Paragraph 17(3)(a)	Article LAW.PNR.28(12)	Article 552(12)

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 2 and the Schedule amend the European Union (Future Relationship) Act 2020 (c. 29) (“the Act”) to amend and update references in that Act to provisions of the Trade and Cooperation Agreement (as defined in section 37 of the Act). Regulation 3 makes similar amendments to instruments amended by the Act.

The Trade and Cooperation Agreement can be found at <https://www.gov.uk/government/publications/ukeu-and-eaec-trade-and-cooperation-agreement-ts-no82021>. Persons unable to access the online version of that Agreement can contact EU Secretariat, Cabinet Office, 70 Whitehall, London, SW1A 2AS.

An impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.