
STATUTORY INSTRUMENTS

2023 No. 1363 (C. 96)

RETAINED EU LAW REFORM

**The Retained EU Law (Revocation and Reform)
Act 2023 (Commencement No. 1) Regulations 2023**

Made - - - - 12th December 2023

The Secretary of State makes these Regulations in exercise of the power conferred by section 22(3) of the Retained EU Law (Revocation and Reform) Act 2023⁽¹⁾.

Citation and interpretation

1.—(1) These Regulations may be cited as the Retained EU Law (Revocation and Reform) Act 2023 (Commencement No. 1) Regulations 2023.

(2) In these Regulations “the Act” means the Retained EU Law (Revocation and Reform) Act 2023.

Provision coming into force immediately before the end of 2023

2. Schedule 1 (sunset of subordinate legislation and retained direct EU legislation) to the Act comes into force immediately before the end of 2023.

Provisions coming into force on 1st January 2024

3. The following provisions of the Act come into force on 1st January 2024—

- (a) section 3 (abolition of supremacy of EU law);
- (b) section 4 (abolition of general principles of EU law);
- (c) section 5(3) (“assimilated law”);
- (d) section 8 (incompatibility orders);
- (e) Schedule 2 (“assimilated law”: consequential amendments).

Status: *This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

12th December 2023

Kevin Hollinrake
Parliamentary Under Secretary of State
Department for Business and Trade

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.