

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made in exercise of the powers conferred by sections 8(1) and 23(1) and (2) of, and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) (“the Withdrawal Act”).

Regulation 2 makes general provision about what happens on exit day to non-ambulatory cross-references to EU instruments. General provision about what happens on exit day to ambulatory references to EU instruments is found at paragraphs 1 and 2 of Schedule 8 to the Withdrawal Act.

Regulation 3 amends the Interpretation Act 1978 and makes interpretative provision for references on or after exit day to EU instruments which form part of domestic law by virtue of section 3 of the Withdrawal Act.

Regulation 4 amends the Interpretation and Legislative Reform (Scotland) Act 2010 (2010 asp 10) (“the 2010 Act”). This includes making interpretative provision for references on or after exit day to EU instruments which form part of domestic law by virtue of section 3 of the Withdrawal Act; inserting the new EU-exit related definitions, which stem from the Withdrawal Act, into the 2010 Act; and, via the amendments to the 2010 Act, making consequential modification of the definitions within the Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999 (S.I. 1999/1379).

Regulations 5 to 7 amend the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)) (“the 1954 Act”). Regulation 5 updates the definition of “statutory provision” to include retained direct EU legislation. Regulation 6 makes interpretative provision for references to EU legislation to include references on or after exit day to EU instruments which form part of domestic law by virtue of section 3 of the Withdrawal Act. Regulation 7 inserts new EU-exit related definitions, which stem from the Withdrawal Act, into the 1954 Act.

Regulation 8 makes provision for the laying of documents before the Northern Ireland Assembly where required to by retained direct EU legislation. This makes equivalent provision to that already in section 41(3) of the 1954 Act in respect of documents required to be laid before the Assembly under domestic legislation.

Regulation 9, and the Schedule, to these Regulations repeals and revokes primary and secondary legislation that has become redundant either: (a) in consequence of the Withdrawal Act; or (b) in consequence of the effects of the Withdrawal Act combined with the withdrawal of the United Kingdom from the European Union. Part 3 of the Schedule contains transitional and savings provisions in relation to the repeals.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum is published alongside this instrument on [www.legislation.gov.uk](http://www.legislation.gov.uk).