
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 8(1) of, and paragraph 21 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular, under section 8(2)(b), (c), (d) and (g)) arising from the withdrawal of the United Kingdom from the European Union.

These Regulations are also made in exercise of the power conferred by section 41(1) of the European Union (Withdrawal Agreement) Act 2020 (c. 1), in particular, in order to update references to “exit day” in EU Exit Statutory Instruments to “IP Completion day” as a result of the creation of the implementation period by that Act.

These Regulations make amendments to EU Exit Statutory Instruments in order to update provisions in consequence of new EU legislation. They also make amendments to the new retained direct EU legislation that this new EU legislation will give rise to. The new EU legislation all applies in the field of the common fisheries policy of the European Union.

Other amendments made by these Regulations to EU Exit Statutory Instruments include the following: amendments to take account of the implementation period (for example, by changing references to “exit day” into references to “IP completion day” as mentioned above); amendments to make necessary changes which result from the EU withdrawal agreement (for example, where previously the European Union (Withdrawal) Act 2018 would have created retained direct EU legislation in a particular area but the EU withdrawal agreement now provides for the EU legislation in question to apply in the UK directly); and amendments to correct minor errors.

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

An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk.