



European Economic Area Act 1993

1993 CHAPTER 51

3 General implementation of Agreement. **U.K.**

(1) Subject to section 2 above, where by virtue of the Agreement (as it has effect on the date on which it comes into force) it is necessary for a purpose mentioned in section 2(2)(a) or (b) of the 1972 Act that any relevant provision should have effect with modifications which can be ascertained from the Agreement, then on and after that date the provision shall have effect with those modifications.

(2) A Minister of the Crown may by regulations modify or exclude the operation of subsection (1) above in relation to a relevant provision where it appears to him appropriate to do so because of the suspension of any part of the Agreement in accordance with the terms of the Agreement.

(3) Subsection (1) above shall not be regarded—

(a) as providing for modifications the effect of which is achieved through the operation, by virtue of the Agreement, of section 2(1) of the 1972 Act [^{F1}as at immediately before [^{F2}IP completion day]], ^{F3}...

^{F3}(b)

and any instrument made for such a purpose under section 2(2) of the 1972 Act or under any other enactment may exclude the operation of subsection (1) above.

(4) Subsection (1) above shall not apply so as to require a modification if that modification, or a corresponding modification limited so as to relate only to the [^{F4}European Union],—

(a) could have been made, by Act passed before the date on which the Agreement comes into force, for a purpose mentioned in section 2(2)(a) or (b) of the 1972 Act, but

(b) was not made (by that or other means).

[^{F5}(4A) This section is subject to any amendment, repeal, revocation or other modification of [^{F6}assimilated] law on or after [^{F7}IP completion day].]

(5) In this section “relevant provision” means—

(a) a provision of an Act passed, or of any subordinate legislation made, before the date on which the Agreement comes into force;

Changes to legislation: There are currently no known outstanding effects for the European Economic Area Act 1993, Section 3. (See end of Document for details)

- (b) a provision of any other instrument made before that date by a person as against whom the effect of a directive issued by [^{F8}an][^{F8}EU] institution (if such a directive were relevant) might be relied upon in proceedings to which he was a party.

Textual Amendments

- F1** Words in s. 3(3)(a) inserted (31.12.2020) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 8 para. 26\(2\)\(a\)](#) (with s. 19, [Sch. 8 para. 37](#)); S.I. 2020/1622, reg. 3(n)
- F2** Words in s. 3(3)(a) substituted (31.12.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(7), [Sch. 5 para. 15](#) (with s. 38(3)); S.I. 2020/1622, reg. 5(j)
- F3** S. 3(3)(b) and word omitted (31.12.2020) by virtue of [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 8 para. 26\(2\)\(b\)](#) (with s. 19, [Sch. 8 para. 37](#)); S.I. 2020/1622, [reg. 3\(n\)](#) (with reg. 22)
- F4** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3, 4 (with art. 3(2)(3)4(2)6(4)6(5))
- F5** S. 3(4A) inserted (31.12.2020) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 8 para. 26\(3\)](#) (with s. 19, [Sch. 8 para. 37](#)); S.I. 2020/1622, reg. 3(n)
- F6** Word in s. 3(4A) substituted (1.1.2024) by [The Retained EU Law \(Revocation and Reform\) Act 2023 \(Consequential Amendment\) Regulations 2023 \(S.I. 2023/1424\)](#), reg. 1(2), [Sch. para. 34\(2\)\(b\)](#)
- F7** Words in s. 3(4A) substituted (31.12.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(7), [Sch. 5 para. 15](#) (with s. 38(3)); S.I. 2020/1622, reg. 5(j)
- F8** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), arts. 2, 3, 6 (with art. 3(2)(3)4(2)6(4)6(5))

Modifications etc. (not altering text)

- C1** S. 3(1) restricted (S.) (3.4.1995) by S.I. 1995/484, [reg. 3](#)
S. 3(1) restricted (E.W.) (3.4.1995) by S.I. 1995/732, [reg. 3](#)
S. 3(1) restricted (N.I.) (1.5.1995) by S.R. 1995/105, [reg. 3](#)

Changes to legislation:

There are currently no known outstanding effects for the European Economic Area Act 1993, Section 3.