

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers in section 8(1) of the European Union (Withdrawal) Act 2018 (c. 16) (“the Act”) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a) of the Act) arising from the withdrawal of the UK from the European Union.

Article 87 of the Euratom Treaty confers an unlimited right of use and consumption over special fissile materials (plutonium and enriched uranium) owned collectively by the Euratom Community in accordance with Article 86 of the Treaty on the lawful holders of those materials, subject to obligations to comply with Treaty provisions.

Regulation 2 ends any right, and any obligation etc. associated with any such right, under Article 87 of the Treaty which would otherwise be preserved under the Act, as the collective ownership of special fissile materials under Article 86 will cease to be effective on the date the UK withdraws from the Treaty and the related right of use and consumption under Article 87 will become redundant.

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 has been prepared and is available alongside this instrument at www.legislation.gov.uk.