

2018 No. 1186

EXITING THE EUROPEAN UNION

CUSTOMS AND EXCISE

**The Export of Objects of Cultural Interest (Control)
(Amendment etc.) (EU Exit) Regulations 2018**

<i>Sift requirements satisfied</i>	<i>16th October 2018</i>
<i>Made - - - -</i>	<i>13th November 2018</i>
<i>Laid before Parliament</i>	<i>16th November 2018</i>
<i>Coming into force in accordance with regulation 1(2)</i>	

The requirements of paragraph 3(2) of Schedule 7 to the European Union (Withdrawal) Act 2018(a) (relating to the appropriate Parliamentary procedure for these Regulations) have been satisfied.

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 8(1) of that Act and section 1 of the Export Control Act 2002(b):

Citation and commencement

1.—(1) These Regulations may be cited as the Export of Objects of Cultural Interest (Control) (Amendment etc.) (EU Exit) Regulations 2018.

(2) Regulation 2 of these Regulations comes into force on exit day and all other regulations come into force on 1st January 2019.

Revocation of retained direct EU legislation

2.—(1) Council Regulation (EC) No 116/2009 of 18 December 2008 on the export of cultural goods is revoked.

(2) Commission Implementing Regulation (EU) No 1081/2012 of 9 November 2012 for the purposes of Council Regulation (EC) No 116/2009 on the export of cultural goods is revoked.

Amendment of the Export of Objects of Cultural Interest (Control) Order 2003

3.—(1) The Export of Objects of Cultural Interest (Control) Order 2003(c) is amended as follows.

(a) 2018 c.16.
(b) 2002 c.28. Section 1 was amended by article 6(2)(c) of S.I. 2011/1043.
(c) S.I. 2003/2759.

- (2) In article 1(2), for the definition of “the Commissioners” substitute—
““the Commissioners” means the Commissioners for Her Majesty’s Revenue and Customs;”.
- (3) In article 1(2), for the definition of “EU Licence”(a) substitute—
““EU Licence” means an export licence issued by the competent authority of the United Kingdom (whether before or after 1st January 2019) under the Regulation;”(b).

13th November 2018

Michael Ellis
Parliamentary Under Secretary of State
Department for Digital, Culture, Media and Sport

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) in order to address failures of retained EU law to operate effectively and other deficiencies (in particular under section 8(2)(a) and (c)) arising from the withdrawal of the United Kingdom from the European Union.

Council Regulation (EC) No 116/2009 and Commission Implementing Regulation (EU) No 1081/2012, both concerning the export of cultural goods, became retained direct EU legislation and formed part of domestic law on exit day under section 3 of the European Union (Withdrawal) Act 2018. These Regulations immediately revoke both those Regulations.

These Regulations are also made in exercise of the powers in section 1 of the Export Control Act 2002 in order to amend the definitions of ‘the Commissioners’ and ‘EU licence’ in the Export of Objects of Cultural Interest (Control) Order 2003.

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

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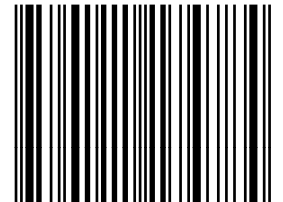
(a) The definition of “EU licence” was inserted by article 7 of, and paragraph 5 of Schedule 1 to, S.I. 2011/1043.
(b) The Arts Council of England (incorporated by Royal Charter granted on 30th March 1994) is the competent authority of the United Kingdom for the purposes of the Regulation.

£4.90

UK201811151005 11/2018 19585

<http://www.legislation.gov.uk/id/uksi/2018/1186>

ISBN 978-0-11-117478-4



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