
STATUTORY INSTRUMENTS

2018 No. 808

**The European Union (Withdrawal) Act 2018 (Commencement
and Transitional Provisions) Regulations 2018**

PART 2

Provisions coming into force

Provisions coming into force on the First Appointed Day

3. The day appointed for the coming into force of the following provisions of the Act is the First Appointed Day—

- (a) section 5(6) (exceptions to savings and incorporation)—
 - (i) for the purposes of making regulations under paragraph 1(2)(b) (challenges to validity of retained EU law) of Schedule 1 (further provision about exceptions to savings and incorporation); and
 - (ii) insofar as it relates to paragraph 1(3) (challenges to validity of retained EU law) of Schedule 1,
and accordingly paragraph 1(2)(b) of Schedule 1 for the purposes of making regulations and paragraph 1(3) of Schedule 1;
- (b) section 6(7) (interpretation of retained EU law);
- (c) section 12(9) to (11) and (13) (retaining EU restrictions in devolution legislation etc.);
- (d) section 15(1) (publication and rules of evidence) insofar as it relates to paragraph 2 (exceptions from duty to publish) of Schedule 5 (publication and rules of evidence) and accordingly paragraph 2 of Schedule 5;
- (e) section 15(2) (publication and rules of evidence) insofar as it relates to paragraph 4 (power to make provision about judicial notice and admissibility) of Schedule 5 (publication and rules of evidence) and accordingly paragraph 4 of Schedule 5;
- (f) section 19 (future interaction with the law and agencies of the EU);
- (g) section 23(5) (consequential and transitional provision) insofar as it relates to the following paragraphs of Schedule 8 (consequential, transitional, transitory and saving provision), and accordingly those paragraphs of Schedule 8—
 - (i) paragraph 18 (Interpretation Act 1978);
 - (ii) paragraph 20;
 - (iii) paragraph 22(d) for the purposes of the use of the term “enactment” in sections 15, 16 and 17 of the Interpretation Act 1978(1);
 - (iv) paragraph 22(e) insofar as it relates to the following definitions—
 - (aa) ““exit day” (and related expressions)”;

- (bb) “retained EU law”;
- (cc) “retained direct minor EU legislation”;
- (dd) “retained direct principal EU legislation”;
- (ee) “retained direct EU legislation”;
- (ff) “retained EU obligation”;
- (v) paragraphs 31 to 34 (Interpretation and Legislative Reform (Scotland) Act 2010 [\(asp 10\)](#));
- (vi) paragraph 36 (Small Business, Enterprise and Employment Act 2015);
- (h) section 23(7) (consequential and transitional provision) insofar as it relates to paragraph 40 (main powers in connection with withdrawal) of Schedule 8 (consequential, transitional, transitory and saving provision) and accordingly paragraph 40 of Schedule 8;
- (i) section 23(8) (consequential and transitional provision) insofar as it relates to the repeal of the following enactments, and accordingly Schedule 9 (additional repeals) insofar as it relates to the repeal of those enactments—
 - (i) section 1A of, and Schedule 1A to, the European Parliamentary Elections Act 2002⁽²⁾;
 - (ii) sections 4 and 5 of the European Union (Amendment) Act 2008;
 - (iii) sections 1 to 13, 14(1) and 15(1) of, and Schedule 1 to, the European Union Act 2011;
 - (iv) the European Union (Approval of Treaty Amendment Decision) Act 2012⁽³⁾;
 - (v) the European Union (Approvals) Act 2013⁽⁴⁾;
 - (vi) the European Union (Approvals) Act 2014⁽⁵⁾;
 - (vii) sections 82 and 88(5)(c) of the Serious Crime Act 2015⁽⁶⁾;
 - (viii) section 1(1) of the European Union (Finance) Act 2015⁽⁷⁾;
 - (ix) the European Union (Approvals) Act 2015⁽⁸⁾.

Provisions coming into force on exit day

4. The day appointed for the coming into force of—

- (a) section 23(8) (consequential and transitional provision) insofar as it relates to the repeal of the European Union Act 2011 (to the extent not already commenced); and
- (b) accordingly Schedule 9 (additional repeals) insofar as it relates to the repeal of that Act (to the extent not already commenced),

is exit day.

(2) 2002 c. 24; section 1A was inserted by section 7(1) of the European Parliament (Representation) Act 2003 (c. 7) and Schedule 1A was inserted by section 7(2) of, and the Schedule to, that Act.

(3) 2012 c. 15.

(4) 2013 c. 9.

(5) 2014 c. 3.

(6) 2015 c. 9.

(7) 2015 c. 32.

(8) 2015 c. 37.