
STATUTORY INSTRUMENTS

2020 No. 1408

The Law Enforcement and Security (Separation
Issues etc.) (EU Exit) Regulations 2020

PART 3

Amendments of the Criminal Justice (Amendment etc.) (EU Exit) Regulations 2019

Chapter 1

European Protection Orders: England and Wales

Amendment of transitional and saving provision: restraining orders made before exit day

41. For regulation 5 (transitional and savings provision: restraining orders made before exit day), including its heading, substitute—

**“Transitional and saving provision: requests to executing States to recognise
European protection orders made in England and Wales**

5.—(1) The following provisions of the England and Wales EPO Regulations continue to apply, as if they had not been revoked by regulation 4, to relevant European protection orders as defined in paragraph (2) below (and see Article 62(1)(k) of the withdrawal agreement and sections 7A and 7C of the European Union (Withdrawal) Act 2018)—

- (a) regulations 1 to 4;
- (b) regulation 6;
- (c) regulations 9 and 10.

(2) A relevant European protection order is one received before IP completion day by the competent authority of the executing State under regulation 9(2) of the England and Wales EPO Regulations (notifying the executing State of the European protection order), or by any other authority of the executing State with no competence to recognise a European protection order but which forwards it to the competent authority.

(3) For the purposes of this regulation—

- (a) “the competent authority” has the same meaning as in regulation 2(1) of the England and Wales EPO Regulations (interpretation – general);
- (b) “the executing State” has the same meaning as in regulations 3(2) and 4(5) of the England and Wales EPO Regulations (interpretation – Part 2 and power of a court to make a European protection order);
- (c) the provisions of the England and Wales EPO Regulations referred to in paragraph (1) are to be read as if the term “member State” included the United Kingdom.”.