
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made in exercise of the powers conferred by section 23(1) and (2) of, and paragraphs 21 and 26 of Schedule 7 to, the European Union (Withdrawal) Act 2018 (c. 16) (“the 2018 Act”) and section 41(1) and (2) of the European Union (Withdrawal Agreement) Act 2020 (c.1).

^{M1}Regulation 2 amends the Interpretation Act 1978 (c. 30) and makes interpretative provision for references on or after IP completion day to EU instruments which form part of relevant separation agreement law (as defined in the 2018 Act). It also amends the Interpretation Act 1978 to make it clear that the new definition of “enactment” (i.e. including retained direct EU legislation) which was added by the 2018 Act applies to the interpretation of subordinate legislation (as well as Acts) made or passed before the Interpretation Act 1978 came into force.

Regulation 3 amends Schedule 8 to the 2018 Act to make general provision about what happens on IP completion day to non-ambulatory cross-references to EU instruments and in respect of references to relevant separation agreement law. General provision about what happens on IP completion day to ambulatory references to EU instruments is found at paragraphs 1 and 2 of Schedule 8 to the 2018 Act.

Regulation 4 makes consequential amendments to the European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) (EU Exit) Regulations 2019 (S.I. 2019/628) (“the 2019 Regulations”) to change certain references to “exit day” to “IP completion day”.

Regulation 5 amends the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10) and makes interpretative provision for references on or after IP completion day to EU instruments which form part of relevant separation agreement law (as defined in the 2018 Act).

Regulation 6 makes transitional provision for certain definitions relating to the EU which were added to the Scotland Act 1998 (Transitory and Transitional Provisions) (Publication and Interpretation etc. of Acts of the Scottish Parliament) Order 1999 (S.I. 1999/1379) by regulation 4(5) of the 2019 Regulations.

Regulation 7 amends the Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.)) and makes interpretative provision for references on or after IP completion day to EU instruments which form part of relevant separation agreement law (as defined in the 2018 Act).

Regulation 8 amends the Legislation (Wales) Act 2019 (anaw 4) and makes interpretative provision for references on or after IP completion day to EU instruments which form part of relevant separation agreement law (as defined in the 2018 Act).

Regulation 9 and the Schedule to these Regulations repeal primary legislation that has become redundant in consequence of the 2018 Act or this instrument.

Regulation 10 revokes certain provisions of the 2019 Regulations where alternative provision is made in this instrument.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen. An Explanatory Memorandum is published alongside this instrument on www.legislation.gov.uk .

Changes to legislation:

There are currently no known outstanding effects for the The European Union Withdrawal (Consequential Modifications) (EU Exit) Regulations 2020.