
Changes to legislation: There are currently no known outstanding effects for the Legislation (Wales) Act 2019, Cross Heading: Interpretation Act 1978 (c. 30). (See end of Document for details)

SCHEDULE 2

CONSEQUENTIAL AMENDMENTS AND REPEALS

Interpretation Act 1978 (c. 30)

- 1 For section 23B of the Interpretation Act 1978 (application of Act to Measures and Acts of the National Assembly for Wales etc.) substitute—

“23B Application of this Act to Welsh legislation

- (1) The provisions of this Act, except sections 1 to 3, apply to the following as they apply to an Act—
- (a) a Measure of the National Assembly for Wales, and
 - (b) an Act of the National Assembly for Wales, other than the Legislation (Wales) Act 2019, which receives Royal Assent before the day on which Part 2 of that Act (interpretation and operation of Welsh legislation) comes fully into force.
- (2) The provisions of this Act apply to an instrument—
- (a) made under a Measure or Act of the National Assembly for Wales, and
 - (b) made before the day on which Part 2 of the Legislation (Wales) Act 2019 comes fully into force,
- as they apply to other subordinate legislation.
- (3) The provisions of this Act apply to an instrument made under an Act of Parliament or retained direct EU legislation, and made by the Welsh Ministers or any other devolved Welsh authority, only if—
- (a) the instrument is made before the day on which Part 2 of the Legislation (Wales) Act 2019 comes fully into force,
 - (b) the instrument is made (at any time) with any other person who is not a devolved Welsh authority, or
 - (c) the instrument contains any provision that applies otherwise than in relation to Wales.
- (4) Nothing in subsection (2) or (3) limits the operation of sections 12 to 14A in relation to a power or duty to make an instrument to which Part 2 of the Legislation (Wales) Act 2019 applies, but section 11 does not apply in relation to such an instrument.
- (5) In the application of this Act to a Measure or Act of the National Assembly for Wales, references to the passing of an Act or an enactment are to be read as references to the enactment of the Measure or Act.
- (6) In this section, “devolved Welsh authority” and “Wales” have the same meanings as in the Government of Wales Act 2006 (see sections 157A and 158 of that Act).

23C Interpretation of this Act in relation to Welsh legislation

- (1) In this Act, references to an enactment include an enactment comprised in—
- (a) a Measure of the National Assembly for Wales,

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- (b) an Act of the National Assembly for Wales (whenever the Act receives Royal Assent),
 - (c) an instrument made under such an Act or Measure (whenever the instrument is made), or
 - (d) an instrument made under an Act of Parliament or retained direct EU legislation, and made by the Welsh Ministers or any other devolved Welsh authority (whenever the instrument is made, and whether or not it is made with any other person),
- but the reference in section 16(2) to a temporary enactment does not include an enactment comprised in legislation to which Part 2 of the Legislation (Wales) Act 2019 applies (see section 3(1) of that Act).
- (2) In section 17(2)(b), the reference to subordinate legislation includes an instrument to which Part 2 of the Legislation (Wales) Act 2019 applies.
- (3) In section 18, the reference to an act or omission which constitutes an offence under two or more Acts includes an act or omission which constitutes an offence under—
- (a) any legislation to which that section applies, and
 - (b) any legislation to which Part 2 of the Legislation (Wales) Act 2019 applies,
- and the reference to “those Acts” is to be read accordingly.
- (4) In section 19(1), references to “another Act” include—
- (a) a Measure of the National Assembly for Wales, and
 - (b) an Act of the National Assembly for Wales (whenever the Act receives Royal Assent),
- and the reference in paragraph (c) to “Acts” is to be read accordingly.”

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