

Changes to legislation: There are currently no known outstanding effects for the European Union (Withdrawal Agreement) Act 2020, PART 3. (See end of Document for details)

SCHEDULES

SCHEDULE 5

CONSEQUENTIAL AND TRANSITIONAL PROVISION ETC.

PART 3

TRANSITIONAL, TRANSITORY AND SAVING PROVISION

Retention of existing grounds for deportation

- 63 (1) If section 10(2) (which inserts section 3(5A) of the Immigration Act 1971) comes into force before IP completion day, section 3(5A) of the Act of 1971 is to be read, until IP completion day, as if—
- (a) for “Article 20 of the EU withdrawal agreement” there were substituted “Article 19(3) of the EU withdrawal agreement”, and
 - (b) for “Article 19 of the EEA EFTA separation agreement” there were substituted “Article 18(3) of the EEA EFTA separation agreement”.
- (2) If section 10(4) (which inserts section 3(10) and (11) of the Immigration Act 1971) comes into force before IP completion day, section 3(10) of the Act of 1971 is to be read, until IP completion day, as if paragraphs (c) and (d) were omitted.
- (3) If section 10(5) (which inserts section 33(6B) to (6D) of the UK Borders Act 2007) comes into force before IP completion day, section 33(6C) of the Act of 2007 is to be read, until IP completion day, as if paragraphs (c) and (d) were omitted.

Commencement Information

- I1** Sch. 5 para. 63 in force at 31.1.2020 by S.I. 2020/75, reg. 4(n)(xxix)

Certain powers of devolved authorities in relation to EU law

- 64 Section 57(2) of the Scotland Act 1998, section 80(8) of the Government of Wales Act 2006 and section 24(1)(b) of the Northern Ireland Act 1998, so far as relating to EU law, do not apply to the making of regulations under section 12, 13 or 14.

Commencement Information

- I2** Sch. 5 para. 64 in force at 19.5.2020 by S.I. 2020/518, reg. 2(p)(v)

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Savings in connection with section 36

- 65 Section 36(e) and (f) do not affect the continued operation of the amendments made by section 2 of the European Union (Withdrawal) Act 2019 and section 4 of the European Union (Withdrawal) (No. 2) Act 2019.

Regulations under EUWA 2018 etc.

- 66 (1) The fact that a power to make regulations is conferred by this Act in the European Union (Withdrawal) Act 2018 does not affect the extent of any other power to make regulations under that Act.
- (2) The modifications made by this Act to any power to make regulations conferred by the European Union (Withdrawal) Act 2018 do not affect the validity of any regulations made under that power before the coming into force of the modifications.
- (3) Sub-paragraph (2) is subject to any provision made by regulations under section 41(5) above or section 23(6) of the Act of 2018.

Time-limited powers

- 67 The prohibition on making regulations under paragraph 1(3) or 3(2) of this Schedule after the end of the period of one year beginning with IP completion day does not affect the continuation in force of regulations made at or before that time.

Power to make transitional, transitory or saving regulations under EUWA 2018

- 68 (1) The power of a Minister of the Crown under section 23(6) of the European Union (Withdrawal) Act 2018 to make such transitional, transitory or saving provision as the Minister considers appropriate in connection with the coming into force of any provision of that Act includes the power to make such transitional, transitory or saving provision as the Minister considers appropriate in connection with the coming into force (whether by virtue of this Act, this Act and that Act, or otherwise) of any provision of that Act as inserted into that Act, or modified, by or under this Act (and references in the Act of 2018 to the power under section 23(6) of that Act are to be read accordingly).
- (2) Sub-paragraph (1) does not limit the power conferred by section 41(5) above; and the power of a Minister of the Crown under section 25(4) of the European Union (Withdrawal) Act 2018 does not apply to any insertions into, or other modifications of, that Act made by this Act (for which see section 42(6) and (7) above).
- (3) References in this paragraph to any modification made by or under this Act of any provision of the European Union (Withdrawal) Act 2018 include references to any modification made by or under this Act of a provision of another Act which was inserted into that other Act or otherwise modified by the Act of 2018.

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