

---

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<sup>MI</sup>;
  - (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<sup>M2</sup>;
  - (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<sup>M3</sup>;
  - (v) the European Union (Approvals) Act 2013<sup>M4</sup>;
  - (vi) the European Union (Approvals) Act 2014<sup>M5</sup>;
  - (vii) sections 82 and 88(5)(c) of the Serious Crime Act 2015<sup>M6</sup>;
  - (viii) section 1(1) of the European Union (Finance) Act 2015<sup>M7</sup>;
  - (ix) the European Union (Approvals) Act 2015<sup>M8</sup>.

#### Marginal Citations

- M1** 1978 c. 30.
- M2** 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.
- M3** 2012 c. 15.
- M4** 2013 c. 9.
- M5** 2014 c. 3.
- M6** 2015 c. 9.
- M7** 2015 c. 32.
- M8** 2015 c. 37.

#### Provisions coming into force on [<sup>F1</sup>IP completion 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 [<sup>F2</sup>IP completion day].

- F1** Words in [reg. 4](#) heading substituted (29.1.2020) by [The European Union \(Withdrawal\) Act 2018 \(Commencement No. 5, Transitional Provisions and Amendment\) Regulations 2020 \(S.I. 2020/74\)](#), [reg. 3\(2\)](#)
- F2** Words in [reg. 4](#) substituted (29.1.2020) by [The European Union \(Withdrawal\) Act 2018 \(Commencement No. 5, Transitional Provisions and Amendment\) Regulations 2020 \(S.I. 2020/74\)](#), [reg. 3\(3\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The European Union (Withdrawal) Act 2018 (Commencement and Transitional Provisions) Regulations 2018, PART 2.