

DRAFT STATUTORY INSTRUMENTS

2019 No.

The Protecting against the Effects of the
Extraterritorial Application of Third Country
Legislation (Amendment) (EU Exit) Regulations 2019

PART 3

Amendment of retained direct EU legislation

Amendment of Commission Implementing Regulation (EU) 2018/1101

4.—(1) Commission Implementing Regulation (EU) 2018/1101 of 3 August 2018 laying down the criteria for the application of the second paragraph of Article 5 of Council Regulation (EC) No 2271/96 protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom, is amended as follows.

(2) In Article 1, for “application of”, substitute “making and consideration of applications referred to in”;

(3) In Article 2, in point (d), for “Union”, substitute “United Kingdom”.

(4) In Article 3—

(a) in paragraph 1—

(i) after “in writing to”, insert “the Secretary of State.”;

(ii) omit the words from “European Commission” to the end;

(b) in paragraph 4, for “Commission”, in both places that it occurs, substitute “Secretary of State”;

(c) omit paragraph 5.

(5) In Article 4—

(a) in the first paragraph, for “Commission”, substitute “Secretary of State”;

(b) in point (b), omit “third”;

(c) in point (c), in each place that it occurs, omit “third”;

(d) in point (i), for “Union’s”, substitute “United Kingdom’s”;

(e) in point (j), for “Union or a Member State”, substitute “United Kingdom”;

(f) in point (k), for the words from “internal market” to the end, substitute “financial or economic stability of the United Kingdom or key United Kingdom infrastructure”;

(g) in point (m), for “one or several Member States and its cross-border consequences within the Union”, substitute “the United Kingdom”.

(6) Omit Article 5.

(7) In Article 6—

(a) in paragraph 1—

- (i) for “Commission”, substitute “Secretary of State”;
 - (ii) omit “its”;
 - (b) in paragraph 2, omit “and Regulation (EC) No 45/2001”;
 - (c) omit paragraph 3.
- (8) After Article 7, omit the words from “This Regulation shall be binding” to “all Member States”.