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**Changes to legislation:** There are currently no known outstanding effects for the European Union (Withdrawal Agreement) Act 2020, Paragraph 40. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 5

#### CONSEQUENTIAL AND TRANSITIONAL PROVISION ETC.

#### PART 2

##### SPECIFIC CONSEQUENTIAL PROVISION ETC.

##### *European Union (Withdrawal) Act 2018*

- 40 (1) Section 7 (status of retained EU law) is amended as follows.
- (2) In subsection (1)(b) for “section 2” substitute “ section 1A(2) or 1B(2) ”.
- (3) After subsection (1) insert—
- “(1A) Anything which—
- (a) was, immediately before IP completion day, primary legislation of a particular kind, subordinate legislation of a particular kind or another enactment of a particular kind, and
- (b) continues to be domestic law on and after IP completion day by virtue of section 2,
- continues to be domestic law as an enactment of the same kind.”
- (4) In subsection (5)—
- (a) in paragraph (a) after “(3)” insert “ and (7) ”, and
- (b) after paragraph (b) insert—
- “(ba) section 7C (status of case law of European Court etc. in relation to retained EU law which is relevant separation agreement law),”.
- (5) In subsection (6) for “exit day”, wherever it appears, substitute “ IP completion day ”.

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#### Commencement Information

- I1** Sch. 5 para. 40(1)(2)(5) in force at 31.1.2020 by S.I. 2020/75, **reg. 4(n)(xv)**
- I2** Sch. 5 para. 40(3)(4) in force at 31.12.2020 by S.I. 2020/1622, **reg. 5(j)**

**Changes to legislation:**

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