



# European Union (Future Relationship) Act 2020

## 2020 CHAPTER 29

### PART 3

#### GENERAL IMPLEMENTATION

##### *Powers*

#### **31 Implementation power**

- (1) A relevant national authority may by regulations make such provision as the relevant national authority considers appropriate—
  - (a) to implement the Trade and Cooperation Agreement, the Nuclear Cooperation Agreement, the Security of Classified Information Agreement or any relevant agreement, or
  - (b) otherwise for the purposes of dealing with matters arising out of, or related to, the Trade and Cooperation Agreement, the Nuclear Cooperation Agreement, the Security of Classified Information Agreement or any relevant agreement.
- (2) Regulations under this section may make any provision that could be made by an Act of Parliament (including modifying this Act).
- (3) Regulations under this section may (among other things and whether with the same or a different effect) re-implement any aspect of—
  - (a) the Trade and Cooperation Agreement,
  - (b) the Nuclear Cooperation Agreement,
  - (c) the Security of Classified Information Agreement, or
  - (d) any relevant agreement,which has already been implemented (whether by virtue of this Act or otherwise).
- (4) But regulations under this section may not—
  - (a) impose or increase taxation or fees,

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*Changes to legislation: There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, Section 31. (See end of Document for details)*

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- (b) make retrospective provision,
  - (c) create a relevant criminal offence,
  - (d) amend, repeal or revoke the Human Rights Act 1998 or any subordinate legislation made under it, or
  - (e) amend or repeal the Scotland Act 1998, the Government of Wales Act 2006 or the Northern Ireland Act 1998 (unless the regulations are made by virtue of paragraph 27(b) of Schedule 5 to this Act or are amending or repealing any provision of those Acts which modifies another enactment).
- (5) Subsection (4)(b) does not apply in relation to any regulations under this section which are for the purposes of replacing or otherwise modifying, or of otherwise making provision in connection with, the provision made by section 37(4) and (5).
- (6) See also Part 2 of Schedule 5 (general restrictions on certain powers of devolved authorities: devolved competence etc.).
- (7) In this section “relevant agreement” means—
- (a) any future relationship agreement which is not the Trade and Cooperation Agreement, the Nuclear Cooperation Agreement or the Security of Classified Information Agreement, or
  - (b) any agreement which falls within [<sup>F1</sup>Article 361(4)] of the Trade and Cooperation Agreement (competition co-operation agreement) (including any agreement which so falls as modified or supplemented from time to time in accordance with any provision of it or of any future relationship agreement).

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**Textual Amendments**

- F1** Words in s. 31(7)(b) substituted (23.7.2021) by [The European Union \(Future Relationship\) Act 2020 \(References to the Trade and Cooperation Agreement\) Regulations 2021 \(S.I. 2021/884\)](#), reg. 1(2), [Sch.](#) (with reg. 1(3)(a))

**Changes to legislation:**

There are currently no known outstanding effects for the European Union (Future Relationship) Act 2020, Section 31.