



Legislation (Wales) Act 2019

2019 anaw 4

PART 2

INTERPRETATION AND OPERATION OF WELSH LEGISLATION

References in Welsh legislation to legislation and other documents

21 References to portions of enactments, instruments and documents

- (1) Where an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument—
- (a) describes or refers to a portion of any enactment, instrument or document, and
 - (b) does so by referring to words, sections or other parts from or to which (or from and to which) the portion extends,
- the portion includes the words, sections or other parts referred to.
- (2) In subsection (1), “enactment” includes an enactment which is, or is contained in, any of the following—
- (a) an Act of the Scottish Parliament;
 - (b) Northern Ireland legislation (within the meaning given by section 24(5) of the Interpretation Act 1978 (c. 30));
 - (c) an instrument made under legislation mentioned in paragraph (a) or (b).

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

- I1** S. 21 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
- I2** S. 21 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

*Changes to legislation: There are currently no known outstanding effects for the Legislation (Wales) Act 2019, Cross
 Heading: References in Welsh legislation to legislation and other documents. (See end of Document for details)*

22 Edition of [F1 Act of Senedd Cymru] or Assembly Measure referred to

- (1) This section applies where an [F1 Act of Senedd Cymru] or a Welsh subordinate instrument refers to an [F1 Act of Senedd Cymru] (including an [F1 Act of Senedd Cymru] to which this Part does not apply) or an Assembly Measure.
- (2) The reference is a reference to the certified copy of the Act, or to the Measure as approved, which is published—
 - (a) by the Queen's Printer, or
 - (b) under the superintendence or authority of Her Majesty's Stationery Office.

Textual Amendments

F1 Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

I3 S. 22 in force for specified purposes at 11.9.2019, see s. 44(1)(c)

I4 S. 22 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

23 Edition of Act of the Parliament of the United Kingdom referred to

- (1) This section applies where an [F1 Act of Senedd Cymru] or a Welsh subordinate instrument refers to an Act of the Parliament of the United Kingdom (whether by its short title or by year, statute, session or chapter).
- (2) The reference is a reference to the Act as enacted which is published—
 - (a) by the Queen's Printer, or
 - (b) under the superintendence or authority of Her Majesty's Stationery Office.
- (3) But—
 - (a) where the reference is to an Act included in a revised edition of the statutes printed by authority, the reference is a reference to that edition;
 - (b) where paragraph (a) does not apply and the reference is to an Act included in the edition prepared under the direction of the Record Commission, the reference is a reference to that edition.

Textual Amendments

F1 Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)

Commencement Information

I5 S. 23 in force for specified purposes at 11.9.2019, see s. 44(1)(c)

I6 S. 23 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

24 References to direct EU legislation retained in domestic law after EU exit

- (1) This section applies where—
 - (a) an [F1 Act of Senedd Cymru] receives Royal Assent, or a Welsh subordinate instrument is made, on or after [F2: implementation period completion day], and

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- (b) the Act or instrument refers to any EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement that forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018 (c. 16) [^{F3}or section 1 of the Direct Payments to Farmers (Legislative Continuity) Act 2020 (c. 2)] (incorporation of direct EU legislation).
- (2) The reference is a reference to the EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement as it forms part of domestic law (and not as it forms part of EU law).
- [^{F4}(2A) But this is subject to section 25A (references to relevant separation agreement law).]
- (3) In this section, the following expressions have the meanings given by section 20(1) of the European Union (Withdrawal) Act 2018—
- “domestic law”;
 - “EU decision”;
 - “EU regulation”;
 - “EU tertiary legislation”.

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)
- F2** Words in s. 24(1)(a) substituted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(7), [Sch. 5 para. 59\(b\)](#) (with s. 38(3)); S.I. 2020/75, reg. 4(n)(xxviii)
- F3** Words in s. 24(1)(b) inserted (30.4.2020) by [The Direct Payments to Farmers \(Legislative Continuity\) Act 2020 \(Consequential Amendments\) Regulations 2020 \(S.I. 2020/463\)](#), regs. 1(1), [4\(a\)](#)
- F4** S. 24(2A) inserted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), [8\(2\)\(a\)](#)

Commencement Information

- I7** S. 24 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
- I8** S. 24 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

25 References to enactments are to enactments as amended

- (1) This section applies where—
- (a) an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument refers to an enactment (“A”), and
 - (b) at any time (whether before, on or after the day on which the ^{F5}... Act receives Royal Assent or the ^{F6}... instrument is made) A is amended, extended or applied by an enactment (“B”).
- (2) The reference to A is a reference to A as amended, extended or applied by B.
- (3) Nothing in sections 22 to 24 limits the operation of this section.
- (4) In subsection (1), “enactment” includes an enactment which is, or is contained in, any of the following—
- (a) an Act of the Scottish Parliament;
 - (b) Northern Ireland legislation (within the meaning given by section 24(5) of the Interpretation Act 1978 (c. 30));

Changes to legislation: There are currently no known outstanding effects for the Legislation (Wales) Act 2019, Cross Heading: References in Welsh legislation to legislation and other documents. (See end of Document for details)

- (c) an instrument made under legislation mentioned in paragraph (a) or (b).

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(8\)](#)
- F5** Word in s. 25(1)(b) omitted (6.5.2020) by virtue of [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(3\)\(a\)\(4\)\(c\)](#)
- F6** Words in s. 25(1)(b) omitted (6.5.2020) by virtue of [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), [Sch. 1 para. 5\(3\)\(b\)\(4\)\(c\)](#)

Commencement Information

- I9** S. 25 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
- I10** S. 25 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), [art. 2](#)

[^{F7}25A. References to relevant separation agreement law

- (1) This section applies where—
- (a) an Act of Senedd Cymru receives Royal Assent, or a Welsh subordinate instrument is made, on or after implementation period completion day, and
 - (b) the Act or instrument refers to any treaty relating to the EU, or any instrument or other document of any EU entity, which has effect by virtue of section 7A or 7B of the European Union (Withdrawal) Act 2018 ([c. 16](#)) (general implementation of remainder of EU withdrawal agreement etc.).
- (2) The reference is, so far as required for the purposes of relevant separation agreement law, a reference to the treaty, instrument or document as it has effect by virtue of that section (including, so far as required, as it has effect from time to time).
- (3) In this section—
- “EU entity” (“*endid o’r UE*”) has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018;
- “relevant separation agreement law” (“*cyfraith berthnasol y cytundebau gwahanu*”) has the meaning given by section 7C(3) of the European Union (Withdrawal) Act 2018;
- “treaty” (“*cytuniad*”) includes any international agreement (and any protocol or annex to a treaty or international agreement).]

Textual Amendments

- F7** S. 25A inserted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), [8\(3\)\(a\)](#)

26 References to [^{F8}certain] EU instruments

- (1) This section applies where—
- (a) an [^{F1}Act of Senedd Cymru] or a Welsh subordinate instrument refers to an EU instrument (“A”), and

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- (b) before the day on which the ^{F9}... Act receives Royal Assent or the ^{F10}... instrument is made, A has been amended, extended or applied by another EU instrument (“B”).
- (2) The reference to A is a reference to A as amended, extended or applied by B.
- (3) See also [^{F11}paragraph 2A of Schedule 8 to the European Union (Withdrawal) Act 2018 (c.16)]^{F12}

Textual Amendments

- F1** Words in Act substituted (6.5.2020) by [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 5(8)**
- F8** Word in s. 26 heading inserted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), **8(4)(a)(i)**
- F9** Word in s. 26(1)(b) omitted (6.5.2020) by virtue of [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 5(3)(a)(4)(d)**
- F10** Words in s. 26(1)(b) omitted (6.5.2020) by virtue of [Senedd and Elections \(Wales\) Act 2020 \(anaw 1\)](#), s. 42(2), **Sch. 1 para. 5(3)(b)(4)(d)**
- F11** Words in s. 26(3) substituted (31.12.2020) by [The European Union Withdrawal \(Consequential Modifications\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1447\)](#), regs. 1(3), **8(4)(a)(ii)**
- F12** Words in s. 26(3) omitted (31.1.2020) by virtue of [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(7), **Sch. 5 para. 60(b)** (with s. 38(3)); S.I. 2020/75, reg. 4(n)(xxviii)

Commencement Information

- I11** S. 26 in force for specified purposes at 11.9.2019, see s. 44(1)(c)
- I12** S. 26 in force at 1.1.2020 in so far as not already in force by [S.I. 2019/1333](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Legislation (Wales) Act 2019, Cross
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