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**Changes to legislation:** European Union (Withdrawal) Act 2018, Paragraph 2 is up to date with all changes known to be in force on or before 04 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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# SCHEDULES

## SCHEDULE 5

### PUBLICATION AND RULES OF EVIDENCE

#### PART 1

##### PUBLICATION OF RETAINED DIRECT EU LEGISLATION ETC.

###### *Exceptions from duty to publish*

- 2 (1) A Minister of the Crown may create an exception from the duty under paragraph 1(1) in respect of a relevant instrument if satisfied that it has not become (or will not become, on [F<sup>1</sup>IP completion day]) retained direct EU legislation.
- (2) An exception is created by giving a direction to the Queen's Printer specifying the instrument or category of instruments that are excepted.
- (3) A Minister of the Crown must publish any direction under this paragraph.
- (4) In this paragraph—  
“instrument” includes part of an instrument;  
“relevant instrument” has the meaning given by paragraph 1(2).

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#### **Textual Amendments**

- F1** Words in [Sch. 5 para. 2\(1\)](#) substituted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(7), [Sch. 5 para. 48\(2\)](#) (with s. 38(3), [Sch. 5 para. 66](#)); [S.I. 2020/75](#), reg. 4(n)(xxi)

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#### **Commencement Information**

- I1** [Sch. 5 para. 2](#) in force at 4.7.2018 by [S.I. 2018/808](#), [reg. 3\(d\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(4)-(5ZA) word substituted by [2023 c. 28 Sch. 2 para. 8\(3\)\(c\)](#) (The inserted text to be amended is still prospective so this amendment is not applied yet.)
- s. 6(5ZA) inserted by [2023 c. 28 s. 6\(4\)](#)
- s. 6(6B) inserted by [2023 c. 28 s. 6\(6\)](#)
- s. 6A-6C inserted by [2023 c. 28 s. 6\(8\)](#)
- s. 6A word substituted by [2023 c. 28 Sch. 2 para. 8\(4\)](#) (The inserted text to be amended is still prospective so this amendment is not applied yet.)
- s. 6B word substituted by [2023 c. 28 Sch. 2 para. 8\(5\)](#) (The inserted text to be amended is still prospective so this amendment is not applied yet.)
- s. 6C word substituted by [2023 c. 28 Sch. 2 para. 8\(6\)](#) (The inserted text to be amended is still prospective so this amendment is not applied yet.)