
DRAFT STATUTORY INSTRUMENTS

2019 No.

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

PART 4

Transitional etc provisions

Treatment of retained Commission Implementing Regulation (EU) 2018/1101

5. The retained Commission Implementing Regulation is to be treated as if it were regulations made by the Secretary of State under point (b) of the second paragraph of Article 5 of the retained Blocking Regulation.

Transitional provision relating to certain authorisations

6. A United Kingdom person authorised pursuant to the second paragraph of Article 5 of Council Regulation (EC) No 2271/96 of 22 November 1996 protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom, as it had effect immediately before exit day, is to be treated as if authorised by regulations made by the Secretary of State under point (a) of the second paragraph of Article 5 of the retained Blocking Regulation.

Definitions in this Part

7. In this Part—

“retained Blocking Regulation” means Council Regulation (EC) No 2271/96 of 22 November 1996 protecting against the effects of the extra-territorial application of legislation adopted by a third country, and actions based thereon or resulting therefrom, as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018 and the provision made by these regulations;

“retained Commission Implementing Regulation” means Commission Implementing Regulation 2018 (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, as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018 and the provision made by these regulations;

“United Kingdom person” means a person who would, upon the coming into force of these regulations, fall within Article 11 of the retained Blocking Regulation.