
DRAFT STATUTORY INSTRUMENTS

2020 No.

The European Union Withdrawal (Consequential Modifications) (EU Exit) Regulations 2020

PART 6

Wales

Amendment of Legislation (Wales) Act 2019

8.—(1) The Legislation (Wales) Act 2019⁽¹⁾ is amended as follows.

(2) In section 24 (references to direct EU legislation retained in domestic law after EU exit), after subsection (2)—

(a) in the English language text insert—

“(2A) But this is subject to section 25A (references to relevant separation agreement law).”;

(b) in the Welsh language text insert—

“(2A) Ond mae hyn yn ddarostyngedig i adran 25A (cyfeiriadau at gyfraith berthnasol y cytundebau gwahanu).”;

(3) After section 25—

(a) in the English language text insert—

“References to relevant separation agreement law

25A.—(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;

⁽¹⁾ 2019 anaw 4. Section 24 is amended by paragraph 59 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 (c. 1) and S.I. 2020/463. There are other amendments not relevant to this instrument.

“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). ”

(b) in the Welsh language text insert—

“Cyfeiriadau at gyfraith berthnasol y cytundebau gwahanu

25A.—(1) Mae’r adran hon yn gymwys—

(a) pan fo Deddf gan Senedd Cymru yn cael y Cydsyniad Brenhinol, neu pan fo is-offeryn Cymreig yn cael ei wneud, ar neu ar ôl diwrnod cwblhau’r cyfnod gweithredu, a

(b) pan fo’r Ddeddf neu’r offeryn yn cyfeirio at unrhyw gytuniad sy’n ymwneud â’r UE, neu unrhyw offeryn neu ddogfen arall gan unrhyw endid o’r UE, sy’n cael effaith yn rhinwedd adran 7A neu 7B o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16) (gweithredu gweddill y cytundeb ymadael â’r UE etc. yn gyffredinol).

(2) Mae’r cyfeiriad, i’r graddau y mae’n ofynnol at ddibenion cyfraith berthnasol y cytundebau gwahanu, yn gyfeiriad at y cytuniad, yr offeryn neu’r ddogfen fel y mae’n cael effaith yn rhinwedd yr adran honno (gan gynnwys, i’r graddau y mae’n ofynnol, fel y mae’n cael effaith o bryd i’w gilydd).

(3) Yn yr adran hon—

mae i “cyfraith berthnasol y cytundebau gwahanu” yr ystyr a roddir i “relevant separation agreement law” gan adran 7C(3) o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018;

mae “cytuniad” (“*treaty*”) yn cynnwys unrhyw gytundeb rhyngwladol (ac unrhyw brotocol neu atodiad i gytuniad neu gytundeb rhyngwladol);

mae i “endid o’r UE” yr ystyr a roddir i “EU entity” gan adran 20(1) o Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018. ”

(4) In section 26 (references to EU instruments)—

(a) in the English language text—

(i) in the heading after “to” insert “certain”,

(ii) in subsection (3), for “regulation 2 of the European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) (EU Exit) Regulations 2019 (S.I. 2019/628)” substitute “paragraph 2A of Schedule 8 to the European Union (Withdrawal) Act 2018 (c.16)”.

(b) in the Welsh language text—

(i) in the heading for “offerynnau’r UE” substitute “offerynnau penodol gan yr UE”,

(ii) in subsection (3), for “reoliad 2 o Reoliadau Deddf yr Undeb Ewropeaidd (Ymadael) 2018 (Addasiadau Canlyniadol a Diddymiadau a Dirymiadau) (Ymadael â’r UE) 2019 (O.S. 2019/628)” substitute “baragraff 2A o Atodlen 8 i Ddeddf yr Undeb Ewropeaidd (Ymadael) 2018 (p. 16)”.