



European Union (Withdrawal) Act 2018

2018 CHAPTER 16

[^{F1}Further aspects of withdrawal

Textual Amendments

- F1** S. 7A and cross-heading inserted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020](#) (c. 1), ss. 5, 42(7) (with s. 38(3), Sch. 5 para. 66); S.I. 2020/75, reg. 4(c)

7A General implementation of remainder of withdrawal agreement

- (1) Subsection (2) applies to—
 - (a) all such rights, powers, liabilities, obligations and restrictions from time to time created or arising by or under the withdrawal agreement, and
 - (b) all such remedies and procedures from time to time provided for by or under the withdrawal agreement,as in accordance with the withdrawal agreement are without further enactment to be given legal effect or used in the United Kingdom.
- (2) The rights, powers, liabilities, obligations, restrictions, remedies and procedures concerned are to be—
 - (a) recognised and available in domestic law, and
 - (b) enforced, allowed and followed accordingly.
- (3) Every enactment (including an enactment contained in this Act) is to be read and has effect subject to subsection (2).
- (4) This section does not apply in relation to Part 4 of the withdrawal agreement so far as section 2(1) of the European Communities Act 1972 applies in relation to that Part.
- (5) See also (among other things)—
 - (a) Part 3 of the European Union (Withdrawal Agreement) Act 2020 (further provision about citizens' rights),
 - (b) section 20 of that Act (financial provision),

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Changes to legislation: European Union (Withdrawal) Act 2018, Cross Heading: Further aspects of withdrawal is up to date with all changes known to be in force on or before 27 February 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)

- (c) section 7C of this Act (interpretation of law relating to withdrawal agreement etc.),
- (d) section 8B of this Act (power in connection with certain other separation issues),
- (e) section 8C of this Act (power in connection with the Protocol on Ireland/Northern Ireland in withdrawal agreement), and
- (f) Parts 1B and 1C of Schedule 2 to this Act (powers involving devolved authorities in connection with certain other separation issues and the Ireland/Northern Ireland Protocol).]

[^{F2}7B General implementation of EEA EFTA and Swiss agreements

- (1) Subsection (2) applies to all such rights, powers, liabilities, obligations, restrictions, remedies and procedures as—
 - (a) would from time to time be created or arise, or (in the case of remedies or procedures) be provided for, by or under the EEA EFTA separation agreement or the Swiss citizens' rights agreement, and
 - (b) would, in accordance with Article 4(1) of the withdrawal agreement, be required to be given legal effect or used in the United Kingdom without further enactment,

if that Article were to apply in relation to the EEA EFTA separation agreement and the Swiss citizens' rights agreement, those agreements were part of EU law and the relevant EEA states and Switzerland were member States.
- (2) The rights, powers, liabilities, obligations, restrictions, remedies and procedures concerned are to be—
 - (a) recognised and available in domestic law, and
 - (b) enforced, allowed and followed accordingly.
- (3) Every enactment (other than section 7A but otherwise including an enactment contained in this Act) is to be read and has effect subject to subsection (2).
- (4) See also (among other things)—
 - (a) Part 3 of the European Union (Withdrawal Agreement) Act 2020 (further provision about citizens' rights),
 - (b) section 7C of this Act (interpretation of law relating to the EEA EFTA separation agreement and the Swiss citizens' rights agreement etc.),
 - (c) section 8B of this Act (power in connection with certain other separation issues), and
 - (d) Part 1B of Schedule 2 to this Act (powers involving devolved authorities in connection with certain other separation issues).
- (5) In this section “the relevant EEA states” means Norway, Iceland and Liechtenstein.
- (6) In this Act “EEA EFTA separation agreement” and “Swiss citizens' rights agreement” have the same meanings as in the European Union (Withdrawal Agreement) Act 2020 (see section 39(1) of that Act).]

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Textual Amendments

- F2** S. 7B inserted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), **ss. 6, 42(7)** (with [s. 38\(3\)](#), [Sch. 5 para. 66](#)); [S.I. 2020/75](#), [reg. 4\(d\)](#)

[^{F3}7C Interpretation of relevant separation agreement law

- (1) Any question as to the validity, meaning or effect of any relevant separation agreement law is to be decided, so far as they are applicable—
- (a) in accordance with the withdrawal agreement, the EEA EFTA separation agreement and the Swiss citizens' rights agreement, and
 - (b) having regard (among other things) to the desirability of ensuring that, where one of those agreements makes provision which corresponds to provision made by another of those agreements, the effect of relevant separation agreement law in relation to the matters dealt with by the corresponding provision in each agreement is consistent.
- (2) See (among other things)—
- (a) Article 4 of the withdrawal agreement (methods and principles relating to the effect, the implementation and the application of the agreement),
 - (b) Articles 158 and 160 of the withdrawal agreement (jurisdiction of the European Court in relation to Part 2 and certain provisions of Part 5 of the agreement),
 - (c) Articles 12 and 13 of the Protocol on Ireland/Northern Ireland in the withdrawal agreement (implementation, application, supervision and enforcement of the Protocol and common provisions),
 - (d) Article 4 of the EEA EFTA separation agreement (methods and principles relating to the effect, the implementation and the application of the agreement), and
 - (e) Article 4 of the Swiss citizens' rights agreement (methods and principles relating to the effect, the implementation and the application of the agreement).
- (3) In this Act “relevant separation agreement law” means—
- (a) any of the following provisions or anything which is domestic law by virtue of any of them—
 - (i) section 7A, 7B, 8B or 8C or Part 1B or 1C of Schedule 2 or this section, or
 - (ii) Part 3, or section 20, of the [European Union \(Withdrawal Agreement\) Act 2020](#) (citizens' rights and financial provision), or
 - (b) anything not falling within paragraph (a) so far as it is domestic law for the purposes of, or otherwise within the scope of—
 - (i) the withdrawal agreement (other than Part 4 of that agreement),
 - (ii) the EEA EFTA separation agreement, or
 - (iii) the Swiss citizens' rights agreement,
- as that body of law is added to or otherwise modified by or under this Act or by other domestic law from time to time.]

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Textual Amendments

- F3** S. 7C inserted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), **ss. 26(2), 42(7)** (with [s. 38\(3\)](#), [Sch. 5 para. 66](#)); [S.I. 2020/75](#), reg. 4(j)

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