

SCHEDULES

SCHEDULE 1

FURTHER PROVISION ABOUT EXCEPTIONS TO SAVINGS AND INCORPORATION

Challenges to validity of retained EU law

- 1 (1) There is no right in domestic law on or after exit day to challenge any retained EU law on the basis that, immediately before exit day, an EU instrument was invalid.
- (2) Sub-paragraph (1) does not apply so far as—
 - (a) the European Court has decided before exit day that the instrument is invalid, or
 - (b) the challenge is of a kind described, or provided for, in regulations made by a Minister of the Crown.
- (3) Regulations under sub-paragraph (2)(b) may (among other things) provide for a challenge which would otherwise have been against an EU institution to be against a public authority in the United Kingdom.