

**Changes to legislation:** European Union (Withdrawal) Act 2018, Cross Heading: Government of Wales Act 2006 is up to date with all changes known to be in force on or before 22 July 2023. 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

## SCHEDULES

### SCHEDULE 3

#### FURTHER AMENDMENTS OF DEVOLUTION LEGISLATION AND REPORTING REQUIREMENT

#### PART 3

##### OTHER AMENDMENTS OF DEVOLUTION LEGISLATION

##### *Government of Wales Act 2006*

27 The Government of Wales Act 2006 is amended as follows.

##### Commencement Information

**I1** Sch. 3 para. 27 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with reg. 10)

28 In section 3 (ordinary general elections), in subsection (1A), omit paragraph (b) and the “or” before it.

##### Commencement Information

**I2** Sch. 3 para. 28 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

29 In section 13(5) (power of the Welsh Ministers to make provision about elections etc.)—

- (a) omit paragraph (c) but not the “and” at the end of it, and
- (b) in paragraph (d) omit “, European Parliamentary elections”.

##### Commencement Information

**I3** Sch. 3 para. 29 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

30 (1) Section 13A (power of the Secretary of State to make provision about the combination of polls) is amended as follows.

(2) In subsection (2)—

- (a) insert “ and ” at the end of paragraph (a), and
- (b) omit paragraph (c) and the “and” before it.

(3) In subsection (3), omit paragraph (b) and the “and” before it.

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#### Commencement Information

**I4** Sch. 3 para. 30 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 31 In section 16(3) (disqualification from being Assembly member) omit “(other than the United Kingdom)”.

#### Commencement Information

**I5** Sch. 3 para. 31 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 32 (1) Section 21 (limit on salaries of Assembly members) is amended as follows.
- (2) In subsection (1)—
- (a) insert “ or ” at the end of paragraph (za), and
  - (b) omit paragraph (b) and the “or” before it.
- (3) In subsection (2)(b), for “(1)(za), (a), or (b)” substitute “ (1)(za) or (a) ”.

#### Commencement Information

**I6** Sch. 3 para. 32 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 33 In section 58A (executive ministerial functions), in subsection (4)(d), for “obligations under EU law” substitute “ retained EU obligations ”.

#### Commencement Information

**I7** Sch. 3 para. 33 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with reg. 10)

- 34 Omit section 58B (implementation of EU law: general).

#### Commencement Information

**I8** Sch. 3 para. 34 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 35 (1) Section 59 (implementation of EU law: designation of Welsh Ministers etc.) is amended as follows.
- (2) For the heading substitute “ Fees and charges in relation to international law ”.
- (3) Omit subsections (1) to (4).
- (4) In subsection (5), for “in pursuance of an EU obligation etc” substitute “ in pursuance of an international obligation ”.

#### Commencement Information

**I9** Sch. 3 para. 35 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 22)

- 36 In the heading before section 80 (EU law, human rights and international obligations etc.), before “EU” insert “ Retained ”.

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#### Commencement Information

**I10** Sch. 3 para. 36 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with reg. 10)

- 37 (1) Section 80 (EU law) is amended as follows.
- (2) In the heading, before “EU” insert “ Retained ”.
- (3) In subsection (1), for “An EU obligation” substitute “ A retained EU obligation ”.
- (4) In subsection (2), for “an EU obligation” substitute “ a retained EU obligation ”.
- (5) In subsection (3)—
- (a) for “an EU obligation” substitute “ a retained EU obligation ”, and
- (b) for “the EU obligation” substitute “ the retained EU obligation ”.
- (6) In subsection (7)—
- (a) for “an EU obligation” substitute “ a retained EU obligation ”, and
- (b) for “the EU obligation” substitute “ the retained EU obligation ”.
- <sup>F1</sup>(7) . . . . .

#### Textual Amendments

**F1** Sch. 3 para. 37(7) omitted (31.3.2022) by virtue of The European Union (Withdrawal) Act 2018 (Repeal of EU Restrictions in Devolution Legislation, etc.) Regulations 2022 (S.I. 2022/357), regs. 1(1), 6(4)(c)

#### Commencement Information

**I11** Sch. 3 para. 37 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with reg. 10)

- 38 In section 111 (proceedings on Bills)—
- (a) in subsection (6), omit paragraph (b) but not the “or” at the end of it, and
- (b) in subsection (7)(a), omit “, (b)”.

#### Commencement Information

**I12** Sch. 3 para. 38 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 14, 22)

- 39 Omit section 113 (ECJ references).

#### Commencement Information

**I13** Sch. 3 para. 39 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 14, 22)

- 40 In section 115 (Royal Assent), in subsection (3), omit paragraph (b) and the “or” before it.

#### Commencement Information

**I14** Sch. 3 para. 40 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(I) (with regs. 10, 14, 22)

- 41 (1) Section 116E (Welsh taxpayers) is amended as follows.

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(2) In subsection (4)—

- (a) insert “ or ” at the end of paragraph (a), and
- (b) omit paragraph (b) and the “or” at the end of it.

(3) In subsection (6), for “any of paragraphs (a) to (c)” substitute “ paragraph (a) or (c) ”.

#### Commencement Information

**I15** Sch. 3 para. 41 in force at 31.12.2020 with effect in relation to the tax year 2020-21 and subsequent tax years in accordance with reg. 15 of the commencing S.I. by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

42 In section 116F (Welsh taxpayers: Scottish parliamentarians), in subsection (2)(a), for “any of paragraphs (a) to (c)” substitute “ paragraph (a) or (c) ”.

#### Commencement Information

**I16** Sch. 3 para. 42 in force at 31.12.2020 with effect in relation to the tax year 2020-21 and subsequent tax years in accordance with reg. 15 of the commencing S.I. by S.I. 2020/1622, reg. 3(l) (with reg. 10)

<sup>F2</sup>43 . . . . .

#### Textual Amendments

**F2** Sch. 3 para. 43 omitted (31.3.2022) by virtue of The European Union (Withdrawal) Act 2018 (Repeal of EU Restrictions in Devolution Legislation, etc.) Regulations 2022 (S.I. 2022/357), regs. 1(1), 6(4)(c)

44 In section 158(1) (interpretation)—

- (a) omit the definition of “EU law”, and
- (b) in the definition of “international obligations” omit “EU law or”.

#### Commencement Information

**I17** Sch. 3 para. 44 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

45 In section 159 (index of defined expressions), omit the entry for EU law.

#### Commencement Information

**I18** Sch. 3 para. 45 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

46 In Schedule 3 (transfer etc. of functions: further provisions), omit paragraph 5 and the heading before it (EU obligations).

#### Commencement Information

**I19** Sch. 3 para. 46 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

47 In Part 2 of Schedule 7A (specific reservations), in section C7 (product standards, safety and liability), for paragraph 77 substitute—

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“77 The subject matter of all technical standards and requirements in relation to products that had effect immediately before exit day in pursuance of an obligation under EU law.”

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**Commencement Information**

**I20** Sch. 3 para. 47 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with reg. 10)

- 48 In paragraph 5(1) of Schedule 7B (protected enactments), in the table—
- (a) omit the entry for the European Communities Act 1972, and
  - (b) after the entry for the Energy Act 2008 insert—

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“The European Union (Withdrawal) Act 2018      The whole Act.”

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**Commencement Information**

**I21** Sch. 3 para. 48(b) in force at Royal Assent, see s. 25(1)(b)

**I22** Sch. 3 para. 48(a) in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

- 49 In Schedule 11 (transitional provisions), omit paragraph 35A and the heading before it (instrument containing provisions under transferred power and provision under power in section 2(2) of the European Communities Act 1972: Assembly procedure).

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**Commencement Information**

**I23** Sch. 3 para. 49 in force at 31.12.2020 by S.I. 2020/1622, reg. 3(l) (with regs. 10, 22)

**Changes to legislation:**

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[View outstanding changes](#)

**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. 5(A1)-(A3) inserted by [2023 c. 28 s. 3\(1\)](#)
- s. 5(A4) inserted by [2023 c. 28 s. 4\(2\)\(a\)](#)
- s. 5(A2) words substituted by [2023 c. 28 Sch. 2 para. 8\(2\)](#)
- s. 5(8) inserted by [2023 c. 28 s. 3\(2\)](#)
- s. 5(8) words substituted by [2023 c. 28 Sch. 2 para. 8\(2\)](#)
- s. 6(4)-(5ZA) word substituted by [2023 c. 28 Sch. 2 para. 8\(3\)\(c\)](#)
- s. 6(5ZA) inserted by [2023 c. 28 s. 6\(5ZA\)](#)
- 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\(4\)](#)
- s. 6B word substituted by [2023 c. 28 Sch. 2 para. 8\(5\)](#)
- s. 6C word substituted by [2023 c. 28 Sch. 2 para. 8\(6\)](#)
- s. 6D inserted by [2023 c. 28 s. 8](#)
- s. 6D(1)(a) words substituted by [2023 c. 28 Sch. 2 para. 8\(7\)](#)
- s. 6D(1)(b) words substituted by [2023 c. 28 Sch. 2 para. 8\(7\)](#)
- s. 7(4A) words substituted by [2023 c. 28 Sch. 2 para. 8\(8\)\(b\)](#)
- Sch. 8 para. 11A(2) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(b\)](#)
- Sch. 8 para. 11B(2) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(b\)](#)
- Sch. 8 para. 11A(3) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(d\)\(i\)](#)
- Sch. 8 para. 11B(3) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(d\)\(i\)](#)
- Sch. 8 para. 11A(3) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(d\)\(ii\)](#)
- Sch. 8 para. 11B(3) words substituted by [2023 c. 28 Sch. 2 para. 8\(15\)\(d\)\(ii\)](#)