

*Status: Point in time view as at 31/01/2020.*

*Changes to legislation: European Union (Withdrawal) Act 2018, Part 1 is up to date with all changes known to be in force on or before 03 April 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)*

## SCHEDULES

### SCHEDULE 5

#### PUBLICATION AND RULES OF EVIDENCE

##### PART 1

##### PUBLICATION OF RETAINED DIRECT EU LEGISLATION ETC.

##### *Things that must or may be published*

- 1 (1) The Queen's Printer must make arrangements for the publication of—
- (a) each relevant instrument that has been published before [<sup>F1</sup>IP completion day] by an EU entity, and
  - (b) the relevant international agreements.
- (2) In this paragraph—
- “relevant instrument” means—
    - (a) an EU regulation,
    - (b) an EU decision, and
    - (c) EU tertiary legislation;
  - “relevant international agreements” means—
    - (a) the Treaty on European Union,
    - (b) the Treaty on the Functioning of the European Union,
    - (c) the Euratom Treaty, and
    - (d) the EEA agreement.
- (3) The Queen's Printer may make arrangements for the publication of—
- (a) any decision of, or expression of opinion by, the European Court, or
  - (b) any other document published by an EU entity.
- (4) The Queen's Printer may make arrangements for the publication of anything which the Queen's Printer considers may be useful in connection with anything published under this paragraph.
- (5) This paragraph does not require the publication of—
- (a) anything repealed before [<sup>F2</sup>IP completion day], or
  - (b) any modifications made on or after [<sup>F3</sup>IP completion day].

#### Textual Amendments

- F1** Words in Sch. 5 para. 1(1)(a) substituted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(7), **Sch. 5 para. 48(2)** (with s. 38(3), Sch. 5 para. 66); S.I. 2020/75, reg. 4(n)(xxi)

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**F2** Words in Sch. 5 para. 1(5)(a) substituted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), s. 42\(7\), Sch. 5 para. 48\(2\)](#) (with s. 38(3), Sch. 5 para. 66); S.I. 2020/75, reg. 4(n)(xxi)

**F3** Words in Sch. 5 para. 1(5)(b) substituted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), s. 42\(7\), Sch. 5 para. 48\(2\)](#) (with s. 38(3), Sch. 5 para. 66); S.I. 2020/75, reg. 4(n)(xxi)

#### Modifications etc. (not altering text)

**C1** Sch. 5 para. 1(1) excluded (30.1.2020) by [Direct Payments to Farmers \(Legislative Continuity\) Act 2020 \(c. 2\), ss. 4, 9\(3\)](#)

#### Commencement Information

**I1** Sch. 5 para. 1 in force at 3.7.2019 by [S.I. 2019/1077, reg. 2\(a\)](#)

#### Exceptions from duty to publish

- 2 (1) A Minister of the Crown may create an exception from the duty under paragraph 1(1) in respect of a relevant instrument if satisfied that it has not become (or will not become, on [F<sup>4</sup>IP completion day]) retained direct EU legislation.
- (2) An exception is created by giving a direction to the Queen's Printer specifying the instrument or category of instruments that are excepted.
- (3) A Minister of the Crown must publish any direction under this paragraph.
- (4) In this paragraph—
  - “instrument” includes part of an instrument;
  - “relevant instrument” has the meaning given by paragraph 1(2).

#### Textual Amendments

**F4** Words in [Sch. 5 para. 2\(1\)](#) substituted (31.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), s. 42\(7\), Sch. 5 para. 48\(2\)](#) (with s. 38(3), Sch. 5 para. 66); S.I. 2020/75, reg. 4(n)(xxi)

#### Commencement Information

**I2** Sch. 5 para. 2 in force at 4.7.2018 by [S.I. 2018/808, reg. 3\(d\)](#)

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