

*Status: Point in time view as at 31/12/2020.*

*Changes to legislation: European Union (Withdrawal) Act 2018, Cross Heading: Questions as to meaning of EU law is up to date with all changes known to be in force on or before 27 May 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 2

RULES OF EVIDENCE

*Questions as to meaning of EU law*

- 3 (1) Where it is necessary, [<sup>F1</sup>in legal proceedings], to decide a question as to—
- (a) the meaning or effect in EU law of any of the EU Treaties or any other treaty relating to the EU, or
  - (b) the validity, meaning or effect in EU law of any EU instrument,
- the question is to be treated <sup>F2</sup>... as a question of law.
- (2) In this paragraph—
- <sup>F3</sup>  
...  
“treaty” includes—
- (a) any international agreement, and
  - (b) any protocol or annex to a treaty or international agreement.

Textual Amendments

- F1** Words in Sch. 5 para. 3(1) substituted (31.12.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), s. 42\(7\), Sch. 5 para. 48\(3\)\(a\)\(i\)](#) (with s. 38(3), Sch. 5 para. 66); S.I. 2020/1622, reg. 5(j)
- F2** Words in Sch. 5 para. 3(1) omitted (31.12.2020) by virtue of [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), s. 42\(7\), Sch. 5 para. 48\(3\)\(a\)\(ii\)](#) (with s. 38(3), Sch. 5 para. 66); S.I. 2020/1622, reg. 5(j)
- F3** Words in Sch. 5 para. 3(2) omitted (31.12.2020) by virtue of [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), s. 42\(7\), Sch. 5 para. 48\(3\)\(b\)](#) (with s. 38(3), Sch. 5 para. 66); S.I. 2020/1622, reg. 5(j)

Commencement Information

- I1** Sch. 5 para. 3 in force at 31.12.2020 by [S.I. 2020/1622, reg. 3\(m\)](#)

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