

Status: Point in time view as at 29/06/2023.

Changes to legislation: European Union (Withdrawal) Act 2018, Paragraph 8B is up to date with all changes known to be in force on or before 25 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 7

REGULATIONS

[^{F1}PART 1A

SCRUTINY OF SPECIFIC POWERS RELATING TO WITHDRAWAL AGREEMENT ETC.

Textual Amendments

- F1** Sch. 7 Pt. 1A inserted (23.1.2020 for specified purposes, 31.1.2020 for specified purposes, 19.5.2020 in so far as not already in force) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(6)(e)(ix), [Sch. 5 para. 51](#) (with s. 38(3), [Sch. 5 para. 66](#)); [S.I. 2020/75](#), reg. 4(n)(xxiii); [S.I. 2020/518](#), reg. 2(p)(i)

Powers in connection with Part 4 of the withdrawal agreement

- 8B (1) A statutory instrument containing regulations under section 8A which amend, repeal or revoke—
- (a) primary legislation, ^{F2}...
- ^{F2}
- may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, each House of Parliament.
- (2) Any other statutory instrument containing regulations under section 8A is subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Regulations under Part 1A of Schedule 2 of the Scottish Ministers acting alone which amend, repeal or revoke—
- (a) primary legislation, ^{F3}...
- ^{F3}
- are subject to the affirmative procedure (see section 29 of the [Interpretation and Legislative Reform \(Scotland\) Act 2010 \(asp 10\)](#)).
- (4) Any other regulations under Part 1A of Schedule 2 of the Scottish Ministers acting alone are subject to the negative procedure (see section 28 of the [Interpretation and Legislative Reform \(Scotland\) Act 2010](#)).
- (5) A statutory instrument containing regulations under Part 1A of Schedule 2 of the Welsh Ministers acting alone which amend, repeal or revoke—
- (a) primary legislation, ^{F4}...
- ^{F4}

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may not be made unless a draft of the instrument has been laid before, and approved by a resolution of, the National Assembly for Wales.

(6) Any other statutory instrument containing regulations under Part 1A of Schedule 2 of the Welsh Ministers acting alone is subject to annulment in pursuance of a resolution of the National Assembly for Wales.

(7) Regulations under Part 1A of Schedule 2 of a Northern Ireland department acting alone which amend, repeal or revoke—

(a) primary legislation, ^{F5} ...

^{F5}

may not be made unless a draft of the regulations has been laid before, and approved by a resolution of, the Northern Ireland Assembly.

(8) Any other regulations under Part 1A of Schedule 2 of a Northern Ireland department acting alone are subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if they were a statutory instrument within the meaning of that Act.]

Textual Amendments

- F2** Sch. 7 para. 8B(1)(b) and word omitted (29.6.2023) by virtue of [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\), s. 22\(1\)\(d\)](#), **Sch. 3 para. 3(2)(a)**
- F3** Sch. 7 para. 8B(3)(b) and word omitted (29.6.2023) by virtue of [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\), s. 22\(1\)\(d\)](#), **Sch. 3 para. 3(2)(a)**
- F4** Sch. 7 para. 8B(5)(b) and word omitted (29.6.2023) by virtue of [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\), s. 22\(1\)\(d\)](#), **Sch. 3 para. 3(2)(a)**
- F5** Sch. 7 para. 8B(7)(b) and word omitted (29.6.2023) by virtue of [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\), s. 22\(1\)\(d\)](#), **Sch. 3 para. 3(2)(a)**

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