
Changes to legislation: European Union (Withdrawal) Act 2018, Cross Heading: Scope of consequential and transitional powers is up to date with all changes known to be in force on or before 24 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 7

REGULATIONS

PART 3

GENERAL PROVISION ABOUT POWERS UNDER ACT

Scope of consequential and transitional powers

- 23 (1) The fact that anything continues to be, or forms part of, domestic law by virtue of any provision of [^{F1}sections 1A] to 6 or Schedule 1 does not prevent it from being modified by regulations made under section 23(1) in consequence of any other provision made by or under this Act.
- (2) Accordingly, [^{F2}anything which continues to be domestic law by virtue of section 1B(2) or] any retained EU law may, for example, be modified by regulations made under section 23(1) in consequence of the repeal of any enactment contained in the European Communities Act 1972.
- (3) The power to make regulations under section 23(6) includes the power to make transitional, transitory or saving provision in connection with—
- (a) the repeal of any enactment contained in the European Communities Act 1972, or
 - (b) the withdrawal of the United Kingdom from the EU,
- which is additional to that made by any provision of [^{F3}sections 1A] to 6 or Schedule 1 or alters its effect in particular cases or descriptions of case.
- (4) The power to make regulations under section 23(1) includes the power to make transitional, transitory or saving provision which—
- (a) is in connection with any repeal or revocation made by any such regulations of an enactment in consequence of—
 - (i) the repeal of any enactment contained in the European Communities Act 1972, or
 - (ii) the withdrawal of the United Kingdom from the EU, and
 - (b) is additional to that made by any provision of [^{F4}sections 1A] to 6 or Schedule 1 or alters its effect in particular cases or descriptions of case.
- (5) Provision of the kind mentioned in sub-paragraph (3) or (4) may (among other things) include further provision treating any provision of that kind as [^{F5}anything which continues to be domestic law by virtue of section 1B(2), or as retained EU law,] for particular purposes or all purposes.

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Textual Amendments

- F1** Words in Sch. 7 para. 23(1) substituted (23.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(6)(e)(x), [Sch. 5 para. 53\(3\)\(a\)](#) (with s. 38(3), Sch. 5 para. 66)
- F2** Words in Sch. 7 para. 23(2) inserted (23.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(6)(e)(x), [Sch. 5 para. 53\(3\)\(b\)](#) (with s. 38(3), Sch. 5 para. 66)
- F3** Words in Sch. 7 para. 23(3) substituted (23.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(6)(e)(x), [Sch. 5 para. 53\(3\)\(c\)](#) (with s. 38(3), Sch. 5 para. 66)
- F4** Words in Sch. 7 para. 23(4)(b) substituted (23.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(6)(e)(x), [Sch. 5 para. 53\(3\)\(d\)](#) (with s. 38(3), Sch. 5 para. 66)
- F5** Words in Sch. 7 para. 23(5) substituted (23.1.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), s. 42(6)(e)(x), [Sch. 5 para. 53\(3\)\(e\)](#) (with s. 38(3), Sch. 5 para. 66)

Changes to legislation:

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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\(15\)\(d\)\(ii\)](#)