



# European Union (Withdrawal Agreement) Act 2020

## 2020 CHAPTER 1

### PART 2

REMAINING IMPLEMENTATION OF WITHDRAWAL AGREEMENT ETC: GENERAL

#### *Withdrawal agreement*

#### **5 General implementation of remainder of withdrawal agreement**

After section 7 of the European Union (Withdrawal) Act 2018 (status of retained EU law) insert—

#### *“Further aspects of withdrawal*

##### **7A General implementation of remainder of withdrawal agreement**

- (1) Subsection (2) applies to—
- (a) all such rights, powers, liabilities, obligations and restrictions from time to time created or arising by or under the withdrawal agreement, and
  - (b) all such remedies and procedures from time to time provided for by or under the withdrawal agreement,
- as in accordance with the withdrawal agreement are without further enactment to be given legal effect or used in the United Kingdom.
- (2) The rights, powers, liabilities, obligations, restrictions, remedies and procedures concerned are to be—
- (a) recognised and available in domestic law, and
  - (b) enforced, allowed and followed accordingly.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Every enactment (including an enactment contained in this Act) is to be read and has effect subject to subsection (2).
- (4) This section does not apply in relation to Part 4 of the withdrawal agreement so far as section 2(1) of the European Communities Act 1972 applies in relation to that Part.
- (5) See also (among other things)—
  - (a) Part 3 of the European Union (Withdrawal Agreement) Act 2020 (further provision about citizens’ rights),
  - (b) section 20 of that Act (financial provision),
  - (c) section 7C of this Act (interpretation of law relating to withdrawal agreement etc.),
  - (d) section 8B of this Act (power in connection with certain other separation issues),
  - (e) section 8C of this Act (power in connection with the Protocol on Ireland/Northern Ireland in withdrawal agreement), and
  - (f) Parts 1B and 1C of Schedule 2 to this Act (powers involving devolved authorities in connection with certain other separation issues and the Ireland/Northern Ireland Protocol).”

*Related EEA EFTA and Swiss agreements*

## 6 General implementation of related EEA EFTA and Swiss agreements

After section 7A of the European Union (Withdrawal) Act 2018 (general implementation of remainder of withdrawal agreement) (for which see section 5 above) insert—

**“7B General implementation of EEA EFTA and Swiss agreements**

- (1) Subsection (2) applies to all such rights, powers, liabilities, obligations, restrictions, remedies and procedures as—
  - (a) would from time to time be created or arise, or (in the case of remedies or procedures) be provided for, by or under the EEA EFTA separation agreement or the Swiss citizens’ rights agreement, and
  - (b) would, in accordance with Article 4(1) of the withdrawal agreement, be required to be given legal effect or used in the United Kingdom without further enactment,
 if that Article were to apply in relation to the EEA EFTA separation agreement and the Swiss citizens’ rights agreement, those agreements were part of EU law and the relevant EEA states and Switzerland were member States.
- (2) The rights, powers, liabilities, obligations, restrictions, remedies and procedures concerned are to be—
  - (a) recognised and available in domestic law, and
  - (b) enforced, allowed and followed accordingly.
- (3) Every enactment (other than section 7A but otherwise including an enactment contained in this Act) is to be read and has effect subject to subsection (2).

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*Status: This is the original version (as it was originally enacted).*

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- (4) See also (among other things)—
- (a) Part 3 of the European Union (Withdrawal Agreement) Act 2020 (further provision about citizens' rights),
  - (b) section 7C of this Act (interpretation of law relating to the EEA EFTA separation agreement and the Swiss citizens' rights agreement etc.),
  - (c) section 8B of this Act (power in connection with certain other separation issues), and
  - (d) Part 1B of Schedule 2 to this Act (powers involving devolved authorities in connection with certain other separation issues).
- (5) In this section “the relevant EEA states” means Norway, Iceland and Liechtenstein.
- (6) In this Act “EEA EFTA separation agreement” and “Swiss citizens' rights agreement” have the same meanings as in the European Union (Withdrawal Agreement) Act 2020 (see section 39(1) of that Act).”