



# Retained EU Law (Revocation and Reform) Act 2023

## CHAPTER 28

### RETAINED EU LAW (REVOCATION AND REFORM) ACT 2023

#### *Sunsets of retained EU law*

- 1 Sunset of EU-derived subordinate legislation and retained direct EU legislation
- 2 Sunset of retained EU rights, powers, liabilities etc

#### *Assimilation of retained EU law*

- 3 Abolition of supremacy of EU law
- 4 Abolition of general principles of EU law
- 5 “Assimilated law”

#### *Interpretation and effect of retained EU law*

- 6 Role of courts
- 7 Compatibility
- 8 Incompatibility orders

#### *Modification of retained EU law*

- 9 Scope of powers
- 10 Procedural requirements

#### *Powers relating to retained EU law and assimilated law*

- 11 Power to restate retained EU law
- 12 Power to restate assimilated law or reproduce sunsetted retained EU rights, powers, liabilities etc

*Status: Point in time view as at 29/06/2023.*

**Changes to legislation:** *Retained EU Law (Revocation and Reform) Act 2023 is up to date with all changes known to be in force on or before 13 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)*

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- 13 Powers to restate or reproduce: general
- 14 Powers to revoke or replace
- 15 Power to update
- 16 Power to remove or reduce burdens

#### *Retained EU law dashboard and report*

- 17 Retained EU law dashboard and report

#### *Business impact target*

- 18 Abolition of business impact target

#### *Final provisions*

- 19 Consequential provision
- 20 Regulations: general
- 21 Interpretation
- 22 Commencement, transitional and savings
- 23 Extent and short title

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#### Schedules

- Schedule 1 — Sunset of subordinate legislation and retained direct EU legislation

##### Part 1

##### Part 2 — RETAINED DIRECT EU LEGISLATION

- Schedule 2 — “Assimilated law”: consequential amendments

- 1 Interpretation Act (Northern Ireland) 1954 (c. 33 (N.I.))
- 2 Interpretation Act 1978
- 3 Scotland Act 1998
- 4 Northern Ireland Act 1998
- 5 Government of Wales Act 2006
- 6 Legislative and Regulatory Reform Act 2006
- 7 Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)
- 8 European Union (Withdrawal) Act 2018
- 9 Legislation (Wales) Act 2019 (anaw 4)
- 10 Direct Payments to Farmers (Legislative Continuity) Act 2020
- 11 This Act

- Schedule 3 — Amendment of certain retained EU law

##### Part 1 — CHANGE OF PARLIAMENTARY PROCEDURE

- 1 Environmental Protection Act 1990 (c. 43)
- 2 Waste and Contaminated Land (Northern Ireland) Order 1997 (S.I. 1997/2778 (N.I. 19))
- 3 European Union (Withdrawal) Act 2018 (c. 16)
- 4 European Union (Withdrawal Agreement) Act 2020 (c. 1)
- 5 European Union (Future Relationship) Act 2020 (c. 29)
- 6 Financial Services Act 2021 (c. 22)
- 7 Environment Act 2021 (c. 30)
- 8 Public Service Pensions and Judicial Offices Act 2022 (c. 7)
- 9 Professional Qualifications Act 2022 (c. 20)

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- 10 Subsidy Control Act 2022 (c. 23)
- 11 Building Safety Act 2022 (c. 30)
- 12 Nationality and Borders Act 2022 (c. 36)
  - Part 2 — CONSEQUENTIAL AMENDMENTS
- 13 European Union (Withdrawal) Act 2018
- 14 Direct Payments to Farmers (Legislative Continuity) Act 2020
  - Schedule 4 — Regulations: restrictions on powers of devolved authorities
    - 1 Introductory
    - 2 No power to make provision outside devolved competence
    - 3 Requirement for consent where it would otherwise be required
    - 4 Requirement for joint exercise where it would otherwise be required
    - 5 Requirement for consultation where it would otherwise be required
  - Schedule 5 — Regulations: procedure
    - Part 1 — GENERAL
      - 1 Making of regulations by statutory instrument etc
      - 2 Combining provision
      - 3 Hybrid instruments
    - Part 2 — POWERS OF RELEVANT NATIONAL AUTHORITY: SEPARATE EXERCISE
      - 4 Introductory
      - 5 Separate exercise by a Minister of the Crown
      - 6 (1) Sub-paragraph (2) applies where— (a) a Minister of the...
      - 7 Separate exercise by Scottish Ministers
      - 8 Separate exercise by Welsh Ministers
      - 9 (1) Sub-paragraph (2) applies if— (a) the Welsh Ministers, acting...
    - 10 Separate exercise by Northern Ireland department
      - Part 3 — POWERS OF RELEVANT NATIONAL AUTHORITY: JOINT EXERCISE
        - 11 Parliamentary procedure
        - 12 Joint exercise with Scottish Ministers
        - 13 (1) This paragraph applies in relation to regulations under this...
        - 14 Joint exercise with Welsh Ministers
        - 15 Joint exercise with Northern Ireland department
        - 16 Effect of annulment resolution
        - 17 Transitional, transitory or saving provision

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