



Retained EU Law (Revocation and Reform) Act 2023

2023 CHAPTER 28

Powers relating to retained EU law and assimilated law

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

- (1) A relevant national authority may by regulations restate, to any extent, any secondary assimilated law.
- (2) In this Act “secondary assimilated law” means—
 - (a) any assimilated law that is not primary legislation;
 - (b) any assimilated law that is primary legislation the text of which was inserted by subordinate legislation.
- (3) A restatement is not assimilated law.
- (4) Any effect which is produced in relation to the thing being restated by virtue of anything that is assimilated law by virtue of section 6(3) or (6) of the European Union (Withdrawal) Act 2018 does not apply in relation to the restatement.
- (5) But a restatement may, if the relevant national authority considers it appropriate, itself produce an effect that is equivalent to an effect referred to in [subsection \(4\)](#).
- (6) A restatement may also, if the relevant national authority considers it appropriate, produce an effect that is equivalent to an effect within [subsection \(7\)](#).
- (7) An effect is within this subsection if it would, but for sections 2 to 4, be produced in relation to the thing being restated by virtue of—
 - (a) the principle of the supremacy of EU law,
 - (b) retained general principles of EU law, or
 - (c) anything which was retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018.

Changes to legislation: There are currently no known outstanding effects for the Retained EU Law (Revocation and Reform) Act 2023, Section 12. (See end of Document for details)

- (8) A relevant national authority may by regulations reproduce, to any extent, the effect that anything which was retained EU law by virtue of section 4 or 6(3) or (6) of European Union (Withdrawal) Act 2018 would have, but for sections 2 to 4 of this Act.
- (9) No regulations may be made under this section after 23 June 2026.
- (10) In this section—
- “restatement”: references to restatement, in relation to anything which is assimilated law by virtue of section 6(3) or (6) of the European Union (Withdrawal) Act 2018, include codification;
 - “retained general principles of EU law” has the meaning that was given by section 6(7) of the European Union (Withdrawal) Act 2018 immediately before the end of 2023.

Commencement Information

II S. 12 in force at Royal Assent, see [s. 22\(1\)\(d\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Retained EU Law (Revocation and Reform) Act 2023, Section 12.