
STATUTORY INSTRUMENTS

2020 No. 1447

The European Union Withdrawal (Consequential Modifications) (EU Exit) Regulations 2020

PART 5

Northern Ireland

Amendment of the Interpretation Act (Northern Ireland) 1954

7.—(1) The Interpretation Act (Northern Ireland) 1954^{M1} is amended as follows.

(2) In section 11 (references in enactments)—

(a) for subsections (1A) and (1B), substitute—

“(1A) Except to the extent provided by subsection (1AA), subsection (1) does not apply to a reference in an enactment to retained direct EU legislation (but, for provision about references to EU legislation, see—

(a) paragraphs 1 to 2A of Schedule 8 to the European Union (Withdrawal) Act 2018,

(b) subsections (1B) to (1F), and

(c) section 11A).

(1AA) A reference in an enactment to a statutory provision which is subordinate legislation made under retained direct EU legislation is a reference to which subsection (1) applies; and “subordinate legislation” here means subordinate legislation within the meaning of the Interpretation Act 1978 (see section 21(1) of that Act).

(1B) Subsection (1C) applies to a reference in an enactment so far as the reference is to be read in accordance with paragraph 2A(3) of Schedule 8 to the European Union (Withdrawal) Act 2018 (certain references to certain EU laws to be read as referring to those laws as they form part of domestic law).”,

(b) in subsection (1C), for the words from the beginning to “referred to” substitute “ The reference is not only to be read in accordance with paragraph 2A(3) of Schedule 8 to that Act but shall also be construed as referring to the subject law (within the meaning given by paragraph 2A(3)(b) of that Schedule) ”,

(c) in subsection (1D)(b), after “domestic law” insert “ (to any extent) ”,

(d) in subsection (1E), at the beginning insert “ Subject to section 11A, ”.

(3) After section 11 insert—

“11A References to EU instruments etc which have direct effect

(1) Subsection (2) applies where—

(a) an enactment passed or made on or after IP completion day refers to any treaty relating to the EU or any instrument or other document of an EU entity, and

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(b) the treaty, instrument or document has effect by virtue of section 7A or 7B of the European Union (Withdrawal) Act 2018 (general implementation of remainder of EU withdrawal agreement etc).

(2) So far as required for the purposes of relevant separation agreement law, the reference shall be construed as a reference to the treaty, instrument or document as it so has effect (including, so far as so required, as it has effect from time to time).

(3) In this section—

“EU entity” has the meaning given by section 20(1) of the European Union (Withdrawal) Act 2018;

“relevant separation agreement law” has the meaning given by section 7C(3) of the European Union (Withdrawal) Act 2018; and

“treaty” includes any international agreement (and any protocol or annex to a treaty or international agreement).”

Commencement Information

I1 Reg. 7 in force at 31.12.2020, see reg. 1(3)

Marginal Citations

M1 1954 c. 33 (N.I.).

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