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STATUTORY INSTRUMENTS

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**2022 No. 357**

**The European Union (Withdrawal) Act 2018 (Repeal of EU Restrictions in Devolution Legislation, etc.) Regulations 2022**

**PART 2**

**Repeal of EU restrictions in devolution Acts and consequential amendment of devolution Acts**

**Amendment of the Government of Wales Act 2006**

- 4.**—(1) The Government of Wales Act 2006(1) is amended as follows.
- (2) In the italic heading before section 80 (retained EU law, human rights and international obligations etc.)(2), for “law” substitute “obligations”.
- (3) In section 80 (retained EU law)(3)—
- (a) in the heading, for “law” substitute “obligations”;
  - (b) omit subsections (8) to (8L);
  - (c) in subsection (9), for “Subsections (1), (8) and (8L) apply” substitute “Subsection (1) applies”.
- (4) In section 108A(2)(e) (no competence to legislate incompatibly with Convention rights or in breach of section 109A(1))(4), omit “or in breach of the restriction in section 109A(1)”.
- (5) Omit section 109A (legislative competence: restriction relating to retained EU law)(5).
- (6) Omit section 157ZA (explanatory statements in relation to certain regulations)(6).

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(1) 2006 c. 32.

(2) The heading was amended by paragraph 36 of Schedule 3 to the European Union (Withdrawal) Act 2018, and by article 6(2) (a) of the Treaty of Lisbon (Changes in Terminology) Order 2011 (S.I. 2011/1043).

(3) The heading of section 80 was amended by article 6(2)(a) of the Treaty of Lisbon (Changes in Terminology) Order 2011 and paragraph 37(2) of Schedule 3 to the European Union (Withdrawal) Act 2018 (“the 2018 Act”). Subsections (8) to (8L) were inserted by paragraph 2 of Schedule 3 to the 2018 Act, and amended by paragraph 28 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020, paragraph 3 of Schedule 6 to the European Union (Future Relationship) Act 2020, paragraph 2(19) of Schedule 1 to the Senedd and Elections (Wales) Act 2020 (anaw 1) and paragraph 2 of Schedule 3 to the Trade Act 2021. Subsection (9) was amended by paragraph 37(7) of Schedule 3 to the 2018 Act. There are other amendments to section 80 that are not relevant to these Regulations.

(4) Section 108A was inserted by section 3(1) of the Wales Act 2017 (c. 4). Subsection (2)(e) was amended by section 12(3) of the European Union (Withdrawal) Act 2018.

(5) Section 109A was inserted by section 12(4) of the European Union (Withdrawal) Act 2018 and amended by paragraph 29 of Schedule 5 to the European Union (Withdrawal Agreement) Act 2020 and by paragraph 2(19) of Schedule 1 to the Senedd and Elections (Wales) Act 2020.

(6) Section 157ZA was inserted by paragraph 43 of Schedule 3 to the European Union (Withdrawal) Act 2018 and amended by paragraph 2(19) of Schedule 1 to the Senedd and Elections (Wales) Act 2020.