

Changes to legislation: European Union (Withdrawal) Act 2018, Cross Heading: Challenges to validity of assimilated law is up to date with all changes known to be in force on or before 25 April 2024. 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) View outstanding changes

SCHEDULES

^{F2}SCHEDULE 1

FURTHER PROVISION ABOUT EXCEPTIONS TO SAVINGS AND INCORPORATION

Textual Amendments

- F2** Words in Sch. 1 substituted (31.1.2020 for specified purposes, 31.12.2020 in so far as not already in force) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), **ss. 25(6)(a), 42(7)** (with [s. 38\(3\)](#), [Sch. 5 para. 66](#)); [S.I. 2020/75](#), [reg. 4\(h\)](#); [S.I. 2020/1622](#), [reg. 5\(d\)](#)

Challenges to validity of [^{F1}assimilated] law

Textual Amendments

- F1** Word in [Sch. 1](#) substituted (1.1.2024) by [Retained EU Law \(Revocation and Reform\) Act 2023 \(c. 28\)](#), [s. 22\(3\)](#), **Sch. 2 para. 8(11)** (with [s. 22\(6\)](#)); [S.I. 2023/1363](#), [reg. 3\(e\)](#)

- 1 (1) There is no right in domestic law on or after [^{F2}IP completion day] to challenge any [^{F1}assimilated] law on the basis that, immediately before [^{F2}IP completion day], an EU instrument was invalid.
- (2) Sub-paragraph (1) does not apply so far as—
- (a) the European Court has decided before [^{F2}IP completion day] that the instrument is invalid, or
 - (b) the challenge is of a kind described, or provided for, in regulations made by a Minister of the Crown.
- (3) Regulations under sub-paragraph (2)(b) may (among other things) provide for a challenge which would otherwise have been against an EU institution to be against a public authority in the United Kingdom.

Modifications etc. (not altering text)

- C1** Sch. 1 para. 1(1) excluded (31.12.2020) by [The Challenges to Validity of EU Instruments \(EU Exit\) Regulations 2019 \(S.I. 2019/673\)](#), [regs. 1, 3](#) (as amended by [S.I. 2020/1503](#)), [regs. 1, 2\(2\)](#); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

Commencement Information

- I1** Sch. 1 para. 1(2)(b) in force for specified purposes and Sch. 1 para. 1(3) in force at 4.7.2018 by [S.I. 2018/808](#), [reg. 3\(a\)](#)
- I2** Sch. 1 para. 1(1)(2)(a) in force at 31.12.2020 by [S.I. 2020/1622](#), [reg. 3\(k\)](#)
- I3** Sch. 1 para. 1(2)(b) in force at 31.12.2020 in so far as not already in force by [S.I. 2020/1622](#), [reg. 3\(k\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 6(4)-(5ZA) word substituted by [2023 c. 28 Sch. 2 para. 8\(3\)\(c\)](#) (The inserted text to be amended is still prospective so this amendment is not applied yet.)
- s. 6(5ZA) inserted by [2023 c. 28 s. 6\(4\)](#)
- s. 6(6B) inserted by [2023 c. 28 s. 6\(6\)](#)
- s. 6A-6C inserted by [2023 c. 28 s. 6\(8\)](#)
- s. 6A word substituted by [2023 c. 28 Sch. 2 para. 8\(4\)](#) (The inserted text to be amended is still prospective so this amendment is not applied yet.)
- s. 6B word substituted by [2023 c. 28 Sch. 2 para. 8\(5\)](#) (The inserted text to be amended is still prospective so this amendment is not applied yet.)
- s. 6C word substituted by [2023 c. 28 Sch. 2 para. 8\(6\)](#) (The inserted text to be amended is still prospective so this amendment is not applied yet.)