

*Changes to legislation: European Union (Withdrawal) Act 2018, Cross Heading: Questions as to meaning of EU law is up to date with all changes known to be in force on or before 26 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

### SCHEDULE 5

#### PUBLICATION AND RULES OF EVIDENCE

#### PART 2

#### RULES OF EVIDENCE

##### *Questions as to meaning of EU law*

- 3 (1) Where it is necessary, [<sup>F1</sup>in legal proceedings], to decide a question as to—
- (a) the meaning or effect in EU law of any of the EU Treaties or any other treaty relating to the EU, or
  - (b) the validity, meaning or effect in EU law of any EU instrument,
- the question is to be treated <sup>F2</sup>... as a question of law.
- (2) In this paragraph—
- <sup>F3</sup>  
...
- “treaty” includes—
- (a) any international agreement, and
  - (b) any protocol or annex to a treaty or international agreement.

#### Textual Amendments

- F1** Words in Sch. 5 para. 3(1) substituted (31.12.2020) by European Union (Withdrawal Agreement) Act 2020 (c. 1), s. 42(7), **Sch. 5 para. 48(3)(a)(i)** (with s. 38(3), Sch. 5 para. 66); S.I. 2020/1622, reg. 5(j)
- F2** Words in Sch. 5 para. 3(1) omitted (31.12.2020) by virtue of European Union (Withdrawal Agreement) Act 2020 (c. 1), s. 42(7), **Sch. 5 para. 48(3)(a)(ii)** (with s. 38(3), Sch. 5 para. 66); S.I. 2020/1622, reg. 5(j)
- F3** Words in Sch. 5 para. 3(2) omitted (31.12.2020) by virtue of European Union (Withdrawal Agreement) Act 2020 (c. 1), s. 42(7), **Sch. 5 para. 48(3)(b)** (with s. 38(3), Sch. 5 para. 66); S.I. 2020/1622, reg. 5(j)

#### Commencement Information

- I1** Sch. 5 para. 3 in force at 31.12.2020 by S.I. 2020/1622, **reg. 3(m)**

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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.)