

**Changes to legislation:** European Union (Withdrawal) Act 2018, Paragraph 11B is up to date with all changes known to be in force on or before 21 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 8

#### CONSEQUENTIAL, TRANSITIONAL, TRANSITORY AND SAVING PROVISION

##### PART 1

##### GENERAL CONSEQUENTIAL PROVISION

##### *Future powers to make subordinate legislation*

[<sup>F1</sup>11B —

- (1) This paragraph applies to a power to make, confirm or approve subordinate legislation which is conferred on or after the day on which [section 9](#) of the Retained EU Law (Revocation and Reform) Act 2023 comes into force.
- (2) The power is to be read, so far as applicable and unless the contrary intention appears, as being capable of being exercised to modify (or, as the case may be, result in the modification of) any [<sup>F2</sup>assimilated direct] legislation <sup>F3</sup>....
- (3) But [sub-paragraph \(2\)](#) enables a power in [<sup>F4</sup>assimilated direct minor] legislation to be exercised to modify (or result in the modification of) any [<sup>F5</sup>assimilated direct principal] legislation <sup>F6</sup>... only if—
  - (a) the modification is—
    - (i) consistent with any [<sup>F4</sup>assimilated direct principal] legislation <sup>F6</sup> ..., and
    - (ii) supplementary, incidental or consequential in connection with any modification of any [<sup>F4</sup>assimilated direct minor] legislation, or
  - (b) the power is a power to make, confirm or approve transitional, transitory or saving provision.
- (4) For the purposes of [sub-paragraph \(2\)](#), there is no contrary intention merely because a power is expressed as being capable of being exercised—
  - (a) to modify all enactments or a particular category of enactments, or
  - (b) to make a particular category of modifications to all enactments or to a particular category of enactments.]

#### Textual Amendments

- F1** Sch. 8 paras. 11A, 11B inserted (29.6.2023) by [Retained EU Law \(Revocation and Reform\) Act 2023](#) (c. 28), [ss. 9\(6\)](#), [22\(1\)\(d\)](#)
- F2** Words in Sch. 8 para. 11B(2) substituted (1.1.2024) by [Retained EU Law \(Revocation and Reform\) Act 2023](#) (c. 28), s. 22(3), [Sch. 2 para. 8\(15\)\(b\)](#) (with s. 22(6)); S.I. 2023/1363, reg. 3(e)

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- F3** Words in Sch. 8 para. 11B(2) omitted (1.1.2024) by virtue of The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 89(6)(c)**
- F4** Words in Sch. 8 para. 11B(3) substituted (1.1.2024) by Retained EU Law (Revocation and Reform) Act 2023 (c. 28), s. 22(3), **Sch. 2 para. 8(15)(d)(i)** (with s. 22(6)); S.I. 2023/1363, reg. 3(e)
- F5** Words in Sch. 8 para. 11B(3) substituted (1.1.2024) by Retained EU Law (Revocation and Reform) Act 2023 (c. 28), s. 22(3), **Sch. 2 para. 8(15)(d)(ii)** (with s. 22(6)); S.I. 2023/1363, reg. 3(e)
- F6** Words in Sch. 8 para. 11B(3) omitted (1.1.2024) by virtue of The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 89(6)(c)**

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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.)