

**Changes to legislation:** European Union (Withdrawal) Act 2018, Paragraph 40 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 4

#### SPECIFIC TRANSITIONAL, TRANSITORY AND SAVING PROVISION

##### *Main powers in connection with withdrawal*

- 40 The prohibition on making regulations under section [F16(5A),] 8, [F28A]<sup>F3</sup> ... or 23(1) or [F4Part 1 or 1A of] Schedule 2 after a particular time does not affect the continuation in force of regulations made at or before that time (including the exercise after that time of any power conferred by regulations made at or before that time).

#### Textual Amendments

- F1** Word in Sch. 8 para. 40 inserted (19.5.2020) by European Union (Withdrawal Agreement) Act 2020 (c. 1), s. 42(7), **Sch. 5 para. 56(6)(a)** (with s. 38(3), Sch. 5 para. 66); S.I. 2020/518, reg. 2(p)(iii)
- F2** Word in Sch. 8 para. 40 inserted (23.1.2020) by European Union (Withdrawal Agreement) Act 2020 (c. 1), s. 42(6)(e)(xi), **Sch. 5 para. 56(6)(b)** (with s. 38(3), Sch. 5 para. 66)
- F3** Word in Sch. 8 para. 40 omitted (23.1.2020) by virtue of European Union (Withdrawal Agreement) Act 2020 (c. 1), s. 42(6)(e)(xi), **Sch. 5 para. 56(6)(c)** (with s. 38(3), Sch. 5 para. 66)
- F4** Words in Sch. 8 para. 40 inserted (23.1.2020) by European Union (Withdrawal Agreement) Act 2020 (c. 1), s. 42(6)(e)(xi), **Sch. 5 para. 56(6)(d)** (with s. 38(3), Sch. 5 para. 66)

#### Commencement Information

- I1** Sch. 8 para. 40 in force at 4.7.2018 by S.I. 2018/808, **reg. 3(h)**

**Changes to legislation:**

European Union (Withdrawal) Act 2018, Paragraph 40 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.

[View outstanding changes](#)

**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.)