



European Union (Withdrawal) Act 2018

2018 CHAPTER 16

Main powers in connection with withdrawal

[^{F1}8C Power in connection with Ireland/Northern Ireland Protocol in withdrawal agreement

- (1) A Minister of the Crown may by regulations make such provision as the Minister considers appropriate—
 - (a) to implement the Protocol on Ireland/Northern Ireland in the withdrawal agreement,
 - (b) to supplement the effect of section 7A in relation to the Protocol, or
 - (c) otherwise for the purposes of dealing with matters arising out of, or related to, the Protocol (including matters arising by virtue of section 7A and the Protocol).
- (2) Regulations under subsection (1) may make any provision that could be made by an Act of Parliament (including modifying this Act).
- (3) Regulations under subsection (1) may (among other things) make provision facilitating the access to the market within Great Britain of qualifying Northern Ireland goods.
- (4) Such provision may (among other things) include provision about the recognition within Great Britain of technical regulations, assessments, registrations, certificates, approvals and authorisations issued by—
 - (a) the authorities of a member State, or
 - (b) bodies established in a member State,in respect of qualifying Northern Ireland goods.
- (5) Regulations under subsection (1) may (among other things) restate, for the purposes of making the law clearer or more accessible, anything that forms part of domestic law by virtue of section 7A and the Protocol.

Changes to legislation: European Union (Withdrawal) Act 2018, Section 8C is up to date with all changes known to be in force on or before 16 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

- [Regulations under subsection (1) may not amend, repeal or otherwise modify the ^{F2}(5A) operation of section 47 of the United Kingdom Internal Market Act 2020 (“the 2020 Act”), except by making—
- (a) provision of the sort that is contemplated by section 47(2) of the 2020 Act (permitted checks);
 - (b) provision under subsection (6);
 - (c) provision of the sort described in paragraph 21(b) of Schedule 7 (supplementary and transitional provision etc) in connection with—
 - (i) provision within either of the preceding paragraphs;
 - (ii) Articles 5 to 10 of the Northern Ireland Protocol ceasing to apply (and the resulting operation of section 55(1) of the 2020 Act).]
- (6) A Minister of the Crown may by regulations define “qualifying Northern Ireland goods” for the purposes of this Act.
- (7) In this section any reference to the Protocol on Ireland/Northern Ireland includes a reference to—
- (a) any other provision of the withdrawal agreement so far as applying to the Protocol, and
 - (b) any provision of EU law which is applied by, or referred to in, the Protocol (to the extent of the application or reference),
- but does not include the second sentence of Article 11(1) of the Protocol (which provides that the United Kingdom and the Republic of Ireland may continue to make new arrangements that build on the provisions of the Belfast Agreement in other areas of North-South cooperation on the island of Ireland).]

Textual Amendments

- F1** S. 8C inserted (19.5.2020) by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\)](#), ss. **21**, 42(7) (with s. 38(3), Sch. 5 para. 66); S.I. 2020/518, reg. 2(i)
- F2** S. 8C(5A) inserted (31.12.2020) by [United Kingdom Internal Market Act 2020 \(c. 27\)](#), ss. **55(3)**, 59(3) (with s. 55(1)); S.I. 2020/1621, reg. 2(l)

Changes to legislation:

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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.)