



# European Union (Withdrawal Agreement) Act 2020

## 2020 CHAPTER 1

### PART 5

#### GENERAL AND FINAL PROVISION

##### *Supplementary and final*

#### **40 Regulations**

Schedule 4 contains provision about regulations under this Act (including provision about procedure).

#### **41 Consequential and transitional provision etc.**

- (1) A Minister of the Crown may by regulations make such provision as the Minister considers appropriate in consequence of this Act.
- (2) The power to make regulations under subsection (1) may (among other things) be exercised by modifying any provision made by or under an enactment.
- (3) In subsection (2) “enactment” does not include primary legislation passed or made after IP completion day.
- (4) Parts 1 and 2 of Schedule 5 contain minor and consequential provision.
- (5) A Minister of the Crown may by regulations make such transitional, transitory or saving provision as the Minister considers appropriate in connection with the coming into force of any provision of this Act (including its operation in connection with exit day or IP completion day).
- (6) Part 3 of Schedule 5 contains transitional, transitory and saving provision.

**42 Extent, commencement and short title**

- (1) Subject to subsections (2) to (5), this Act extends to England and Wales, Scotland and Northern Ireland.
- (2) Any provision of this Act which amends or repeals an enactment has the same extent as the enactment amended or repealed.
- (3) Accordingly, section 1 (but not section 2) also extends to the Isle of Man, the Channel Islands and Gibraltar.
- (4) The power in section 36 of the Immigration Act 1971 or (as the case may be) section 60(4) of the UK Borders Act 2007 may be exercised so as to extend (with or without modifications) to the Isle of Man or any of the Channel Islands the modifications made to that Act by section 10 above.
- (5) Paragraphs 1 and 2 of Schedule 5, so far as they relate to the modification of any provision in subordinate legislation which extends outside England and Wales, Scotland and Northern Ireland, also extend there.
- (6) The following provisions—
  - (a) sections 3 and 4,
  - (b) sections 11, 16 and 17,
  - (c) sections 20, 29 and 31 to 40 (including Schedule 4),
  - (d) section 41(1) to (3) and (5),
  - (e) the following provisions of Schedule 5—
    - (i) paragraphs 1(3) to (6) and 2,
    - (ii) paragraph 3(2) to (8),
    - (iii) paragraph 4,
    - (iv) paragraphs 5 and 7(a) and (b),
    - (v) paragraphs 8 and 12(a) and (b),
    - (vi) paragraphs 17, 20, 22, 24, 27 and 31,
    - (vii) paragraphs 32, 36(a) and (b) and 37(b) and (c),
    - (viii) paragraphs 38, 41(1) and (3)(a), 42, 44(1), (2)(a), (d) and (e) and (3), 47(1), (2), (4) and (6) and 50,
    - (ix) paragraphs 51 and 56(1) and (7)(b) for the purposes of making regulations under section 8A of, or Part 1A of Schedule 2 to, the European Union (Withdrawal) Act 2018,
    - (x) paragraphs 52(1) and (3) to (7) and 53(1) to (4), (6), (7)(a), (8)(a) and (9) to (13),
    - (xi) paragraph 56(1) and (6)(b) to (d), and
    - (xii) paragraphs 65 to 68,
 (and section 41(4) and (6) so far as relating to any provision so far as it falls within any of sub-paragraphs (i) to (xii)), and
  - (f) this section,
 come into force on the day on which this Act is passed.
- (7) The provisions of this Act, so far as they are not brought into force by subsection (6), come into force on such day as a Minister of the Crown may by regulations appoint; and different days may be appointed for different purposes.
- (8) This Act may be cited as the European Union (Withdrawal Agreement) Act 2020.