



# Retained EU Law (Revocation and Reform) Act 2023

## 2023 CHAPTER 28

### *Powers relating to retained EU law and assimilated law*

#### **13 Powers to restate or reproduce: general**

- (1) [This section](#) applies for the purposes of [sections 11](#) and [12](#).
- (2) A restatement may use words or concepts that are different from those used in the law being restated.
- (3) A restatement may make any change which the relevant national authority considers appropriate for one or more of the following purposes—
  - (a) resolving ambiguities;
  - (b) removing doubts or anomalies;
  - (c) facilitating improvement in the clarity or accessibility of the law (including by omitting anything which is legally unnecessary).
- (4) Regulations under [section 11](#) or [12](#)—
  - (a) may make provision about the relationship between what is restated and a relevant enactment specified in the regulations, but
  - (b) subject to that, may not make express provision about the relationship between what is restated and other enactments.
- (5) Regulations under [section 11](#) or [12](#) may not codify or reproduce the principle of the supremacy of EU law or a retained general principle of EU law.
- (6) Nothing in [subsection \(5\)](#)—
  - (a) prevents regulations under [section 11](#) or [12](#) from codifying or reproducing, in relation to a particular enactment, an effect equivalent to an effect which is produced, or would but for [sections 2](#) to [4](#) be produced, in relation to the enactment by virtue of the principle of supremacy of EU law or retained general principles of EU law, or

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*Changes to legislation:* There are currently no known outstanding effects for the Retained EU Law (Revocation and Reform) Act 2023, Section 13. (See end of Document for details)

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- (b) prevents regulations under [section 11](#) or [12](#) which codify or reproduce anything which is or was retained EU law by virtue of section 4 of the European Union (Withdrawal) Act 2018 from producing an effect equivalent to an effect which is produced, or would but for sections [2](#) to [4](#) be produced, in relation to that thing by virtue of the principle of supremacy of EU law or retained general principles of EU law.
- (7) The provision that may be made by regulations under [section 11](#) or [12](#) may be made by modifying any enactment.
- (8) In [sections 11](#) and [12](#), references to producing an effect that is equivalent to another effect are to doing so by express provision or otherwise.
- (9) In [subsection \(4\)\(a\)](#) “relevant enactment” means—
- (a) if the provision made by the regulations is made by modifying [<sup>F1</sup>assimilated direct] legislation, any [<sup>F1</sup>assimilated direct] legislation;
  - (b) otherwise, any domestic enactment (as defined by section 5 of the European Union (Withdrawal) Act 2018).
- (10) In [subsections \(5\)](#) and [\(6\)](#) “retained general principles of EU law” has the same meaning as in [section 11](#) or [12](#) (as the case may be).
- (11) In this section “restatement”—
- (a) in relation to [section 11](#), has the same meaning as in that section;
  - (b) in relation to [section 12](#), has the same meaning as in that section but also includes reproduction;
- and similar references are to be read accordingly.

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#### Textual Amendments

**F1** Words in [s. 13\(9\)\(a\)](#) substituted (1.1.2024) by [Retained EU Law \(Revocation and Reform\) Act 2023](#) (c. 28), [s. 22\(3\)](#), [Sch. 2 para. 11\(3\)](#) (with [s. 22\(6\)](#)); S.I. 2023/1363, reg. 3(e)

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#### Commencement Information

**I1** S. 13 in force at Royal Assent, see [s. 22\(1\)\(d\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Retained EU Law (Revocation and Reform) Act 2023, Section 13.