



Retained EU Law (Revocation and Reform) Act 2023

2023 CHAPTER 28

Assimilation of retained EU law

3 Abolition of supremacy of EU law

- (1) In section 5 of the European Union (Withdrawal) Act 2018 (exceptions to savings and incorporation), before subsection (1) insert—

“(A1) The principle of the supremacy of EU law is not part of domestic law.

This applies after the end of 2023, in relation to any enactment or rule of law (whenever passed or made).

(A2) Any provision of retained direct EU legislation—

- (a) must, so far as possible, be read and given effect in a way which is compatible with all domestic enactments, and
- (b) is subject to all domestic enactments, so far as it is incompatible with them.

(A3) [Subsection \(A2\)](#) is subject to—

- (a) section 186 of the Data Protection Act 2018 (data subject’s rights and other prohibitions and restrictions);
- (b) regulations under [section 7\(1\)](#) of the Retained EU Law (Revocation and Reform) Act 2023.”

- (2) In that section, at the end insert—

“(8) In this section “domestic enactment” means an enactment other than one consisting of retained direct EU legislation.”

- (3) In consequence of [subsection \(1\)](#), the European Union (Withdrawal) Act 2018 is amended as follows—

- (a) in section 5—

Changes to legislation: There are currently no known outstanding effects for the Retained EU Law (Revocation and Reform) Act 2023, Section 3. (See end of Document for details)

- (i) omit subsections (1) to (3);
- (ii) in subsection (7), for “(1)” substitute “(A1)”;
- (b) in section 7(5)(a), for “(1) to (3)” substitute “(A1) to (A3)”;
- (c) in Schedule 1 omit paragraph 5(2).

Commencement Information

- I1** S. 3 not in force at Royal Assent, see [s. 22\(3\)](#)
- I2** [S. 3](#) in force at 1.1.2024 by [S.I. 2023/1363](#), [reg. 3\(a\)](#)

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