



ST HELENA

REVISED EDITION OF THE LAWS, 2017

CONSTITUTIONAL & ADMINISTRATIVE LAW

EUROPEAN UNION WITHDRAWAL AGREEMENT (LIMITED APPLICATION) ORDINANCE, 2020¹

Ordinance 1 of 2020

In force 31 January 2020 at 11:00pm²

No subsidiary legislation has been issued under this Ordinance

EUROPEAN UNION WITHDRAWAL AGREEMENT (LIMITED APPLICATION) ORDINANCE, 2020

ARRANGEMENT OF SECTIONS

1. Short title and commencement
2. Interpretation
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AN ORDINANCE only to the extent applicable, to give effect to the agreement which ensures the orderly withdrawal of the United Kingdom from the European Union; and for matters connected therewith or incidental thereto.

Short title and commencement

1. (1) This Ordinance may be cited as the European Union Withdrawal Agreement (Limited Application) Ordinance, 2020, and comes into force on a date or dates fixed by the Governor by Order.

- (2) An Order under subsection (1) may—
- (a) appoint different dates for different provisions or for different purposes of the same provision;
 - (b) contain such transitional or consequential provisions as appear to the Governor to be necessary or convenient; and
 - (c) be a retrospective provision.

¹ Under section 10 of the Revised Edition of the Laws Ordinance, 1999 this text is authoritative and is the sole authentic edition in respect of the law contained in it as at 31 January 2020.

² Commencement Order published as L.N. 4/2020

Interpretation

2. In this Ordinance, unless the context otherwise indicates—
“**the EU**” means the European Union, being the Union established by the Treaty on European Union signed at Maastricht on 7th February 1992 (as amended by any later Treaty);
“**exit day**” is the date prescribed by the Governor by Order (*31 January 2020 at 11:00pm*);³
“**retrospective provision**”, means a provision taking effect from a date earlier than the date on which this Ordinance comes into force; and
“**withdrawal agreement**” means an agreement (whether or not ratified) between the United Kingdom and the EU under Article 50(2) of the Treaty on European Union which sets out the arrangements for the United Kingdom's withdrawal from the EU.

Saving of rights

3. For the purposes of the withdrawal agreement, any rights, powers, liabilities, obligations, restrictions, remedies and procedures which, immediately before exit day—
(a) are recognised and available in domestic law by virtue of section 2(1) of the European Communities Act 1972, and
(b) are enforced, allowed and followed accordingly,
continue on and after exit day to be recognised and available in domestic law (and to be enforced, allowed and followed accordingly) for such period or until such date that the Governor in Council may by Order prescribe.

Regulations

4. (1) The Governor in Council may make regulations under this section generally for carrying into effect the provisions of this Ordinance.

(2) A Regulation made under subsection (1) may so far as necessary to give effect to subsection (1) be a retrospective provision.

³ *Exit Day prescribed by L.N. 5/2020*