

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4567 of 11 April, 2019

LEGAL NOTICE NO. 092 OF 2019.

EUROPEAN UNION (WITHDRAWAL) ACT 2019

EUROPEAN UNION (WITHDRAWAL) ACT 2019 (EXIT DAY) (AMENDMENT NO.2) REGULATIONS 2019

In exercise of the powers conferred on him by section 3(4) of the European Union (Withdrawal) Act 2019, and in order to implement European Council Decision (EU) 2019/584 taken in agreement with the United Kingdom of 11 April 2019 extending the period under Article 50(3) TEU, the Chief Minister has made these Regulations-

Title.

1. These Regulations may be cited as the European Union (Withdrawal) Act 2019 (Exit Day) (Amendment No.2) Regulations 2019.

Commencement.

2. These Regulations come into operation on the day of publication.

Amendment of the definition of “exit day”.

3.(1) Section 3 of the European Union (Withdrawal) Act 2019 is amended as follows.

(2) In subsection (1), in the definition of “exit day”, for the words from “means-” to “(and”, substitute “means midnight on 31 October 2019 (and”.

(3) In subsection (2), for the words from “Act-” to the end of the subsection, substitute “Act references to before, after or on exit day, or to beginning with exit day, are to be read as references to before, after or at midnight on 31 October 2019 or (as the case may be) to beginning with midnight on that day.”.

Dated 11th April, 2019.

F R PICARDO,
Chief Minister.

EXPLANATORY MEMORANDUM

These Regulations amend the definition of “exit day” in the European Union (Withdrawal) Act 2019 (“the 2019 Act”) and come into operation on the day of publication.

In accordance with the European Council decision on 22nd March 2019 (European Council Decision (EU) 2019/476, O.J. No. L 80 I, p.1), an extension to the period in Article 50(3) of the Treaty on European Union was agreed between the United Kingdom and the European Council.

As a result, the Treaties of the European Union (“the Treaties”) were due to cease to apply to Gibraltar at midnight on 12th April 2019.

On 11th April 2019 a further extension of the period in Article 50(3) was agreed between the United Kingdom and the European Council (European Council Decision (EU) 2019/584, O.J. No. L 101, p.1). As a result, the Treaties instead cease to apply to Gibraltar at midnight on 31st October 2019.

Regulation 2 amends the definition of “exit day” in section 3(1) and (2) of the 2019 Act to ensure that it reflects the new day and time that the Treaties cease to apply to Gibraltar in light of the further extension.