

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4789 GIBRALTAR Thursday 3rd December 2020

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LEGAL NOTICE NO. 431 OF 2020

## EUROPEAN UNION (WITHDRAWAL) ACT 2019

### EUROPEAN ECONOMIC INTEREST GROUPING (AMENDMENT) (EU EXIT) REGULATIONS 2020

In exercise of the powers conferred on the Minister by section 11 of, and paragraph 1 of Schedule 3 to, the European Union (Withdrawal) Act 2019, the Minister has made these Regulations-

#### **Title.**

1. These Regulations may be cited as the European Economic Interest Grouping (Amendment) (EU Exit) Regulations 2020.

#### **Commencement.**

2. These Regulations come into operation immediately before IP completion day.

#### **Amendment to the European Economic Interest Grouping (Amendment) (EU Exit) Regulations 2019.**

3.(1) The European Economic Interest Grouping (Amendment)(EU Exit) Regulations 2019 are amended in accordance with this regulation.

(2) In Part 2, in regulation 3(9), in substituted section 9-

- (a) in subsection (1), for “exit day”, in both places where it appears, substitute “IP completion day”;
- (b) in subsection (2), for “exit day”, substitute “IP completion day”;
- (c) in subsection (3), for “exit day”, substitute “IP completion day”;
- (d) in subsection (4)(b), for “exit day” substitute “IP completion day”;
- (e) in subsection (6), for “exit day”, in both places where it appears, substitute “IP completion day”;
- (f) in subsection (7), for “exit day”, in both places where it appears, substitute “IP completion day”; and

(g) in subsection (9), for “exit day” substitute “IP completion day”.

(3) In Part 3-

(a) in regulation 5(3), in substituted Article 1-

(i) in paragraph 1, for “exit day”, in each of the three places where it appears, substitute “IP completion day”;

(ii) in paragraph 2(b), for “exit day” substitute “IP completion day”;

(iii) in paragraph 4, for “exit day”, in both places where it appears, substitute “IP completion day”;

(iv) in paragraph 5, for “exit day” substitute “IP completion day”;

(b) in regulation 5(4), in paragraph 3(b) of inserted Article 1A, for “exit day” substitute “IP completion day”;

(c) in regulation 5(7)(a)-

(i) in subparagraph (i), before “or the law of Gibraltar” insert “ , the law of the United Kingdom,”;

(ii) in subparagraph (ii), before “or in Gibraltar” insert “ , the United Kingdom”;

(d) in regulation 5(7)(c) in the substituted paragraph 2-

(i) in paragraph (a)(ii), before “a Member State”, insert “the United Kingdom or”;

(ii) in paragraph (b)(ii), before “a Member State”, insert “the United Kingdom or”;

(iii) in paragraph (d)-

(A) before “Gibraltar and a natural person” insert “the United Kingdom or”; and

(B) after “administration in a Member State” insert “or the United Kingdom”;

(e) in regulation 5(8)(c), for “exit day”, in both places where it appears, substitute “IP completion day; and

(f) in regulation 5(16), in paragraph 2 of substituted Article 13, for “exit day” substitute “IP completion day”.

(4) In the Schedule-

(a) in Article 1-

- (i) in paragraph 1, for “exit day”, in each of the three places where it appears, substitute “IP completion day”;
- (ii) in paragraph 2(b), for “exit day” substitute “IP completion day”;
- (iii) in paragraph 4, for “exit day”, in both places where it appears, substitute “IP completion day”;
- (iv) in paragraph 5, for “exit day” substitute “IP completion day”;

(b) in paragraph 3(b) of Article 1A, for “exit day” substitute “IP completion day”;

(c) in Article 4-

(i) in paragraph 1(a)-

- (A) after “Member State”, both times it occurs, insert “, the law of the United Kingdom”;
- (B) after “Community”, both times it occurs, insert “, the United Kingdom”;

(ii) in paragraph 1(b), after “Community”, insert “, the United Kingdom”;

(iii) in paragraph 2(a)(ii), before “a Member State”, insert “the United Kingdom or”;

(iv) in paragraph 2(b)(ii), before “a Member State”, insert “the United Kingdom or”;

(v) in paragraph 2(d),-

- (A) before “Gibraltar and a natural person” insert “the United Kingdom or”;
- (B) after “(where the first body has its central administration in a Member State”, insert “or the United Kingdom”;

(d) in the second un-numbered paragraph of Article 5, for “exit day”, in both places where it appears, substitute “IP completion day”;

(e) in paragraph 2 of Article 13, for “exit day” substitute “IP completion day”.

Dated: 3<sup>rd</sup> December 2020.

DR J GARCIA,  
Deputy Chief Minister.

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**EXPLANATORY MEMORANDUM**

These Regulations are made in exercise of the powers in section 11(1) of the European Union (Withdrawal) Act 2019 in order to address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of Gibraltar from the European Union.

These Regulations amend references to exit day in legislation made in consequence of exiting the European Union. The amendments made by this instrument ensure that their effects begin from IP completion day rather than from exit day.