

SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4800 GIBRALTAR Thursday 24th December 2020

LEGAL NOTICE NO. 523 OF 2020.

EUROPEAN UNION (WITHDRAWAL) ACT 2019

CROSS-BORDER MEDIATION (EU EXIT) REGULATIONS 2020

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

Title.

1. These Regulations may be cited as the Cross-Border Mediation (EU Exit) Regulations 2020.

Commencement.

2. These Regulations come into operation on 1 January 2021.

Revocation of Part XIA of the Supreme Court Act.

3.(1) Part XIA of the Supreme Court Act is repealed.

(2) *Deleted.*

(3) Delete section 73 and the heading to that Part.

Amendment of the Employment Act.

4. Delete section 83A of the Employment Act.

Amendment of the Equal Opportunities Act 2006.

5. Delete section 68A of the Equal Opportunities Act 2006.

Amendment of the Limitation Act.

6. Delete section 33A of the Limitation Act.

Amendment of the Employment Tribunal (Extension of Jurisdiction) Order 2016.

7.(1) The Employment Tribunal (Extension of Jurisdiction) Order 2016 is amended in accordance with the provisions of this regulation.

(2) In article 1(2) of delete the following definitions-

- (a) “cross-border dispute”;
- (b) “Mediation Directive”;
- (c) “mediation”;
- (d) “mediator”;
- (e) “relevant dispute”.

(3) In article 6-

- (a) delete the words “Subject to paragraph 8”;
- (b) delete paragraph (c).

(4) Delete article 8.

Saving: application of Article 69 of the withdrawal agreement- mediations begun before 1 January 2021.

8. Nothing in these Regulations affects the application of paragraph 1(b) of Article 69 of the withdrawal agreement and legislation amended or revoked by these Regulations continues to have effect for the purposes of that paragraph as if the amendments or revocations had not been made.

Dated: 24th December 2020.

S SACRAMENTO,
Minister with responsibility for Justice.

EXPLANATORY MEMORANDUM

These Regulations are made in exercise of the powers in section 11 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 the United Kingdom from the European Union.

These Regulations revoke the domestic law provisions giving effect to Directive 2008/52/EC of the European Parliament and of the Council of 21 May 2008 on certain aspects of mediation in civil and commercial matters (“the Mediation Directive”).

These Regulations make transitional and saving provisions to ensure that the relevant domestic legislation will continue to apply to EU cross-border mediations that started before 1 January 2021.