

**2019-34** European Union Withdrawal (Application of  
International Agreements)

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Subsidiary Legislation made under s.5(1).

**Andean Countries Trade Continuity Regulations 2021**

**LN.2021/002**

*Commencement* **1.1.2021**

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**ARRANGEMENT OF REGULATIONS.**

Regulation

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## **2019-34** European Union Withdrawal (Application of International Agreements)

### **2021/002** Andean Countries Trade Continuity Regulations 2021

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*In the exercise of powers conferred on him by section 5(1) of the European Union Withdrawal (Application of International Agreements) Act 2019, and all other enabling powers, and for the purposes of further implementing the Trade Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the Republic of Colombia, the Republic of Ecuador and the Republic of Peru, of the other part, done at Quito on 15 May 2019, the Chief Minister has made these Regulations-*

#### **Title.**

1. These Regulations may be cited as the Andean Countries Trade Continuity Regulations 2021.

#### **Commencement.**

2. These Regulations come into operation on the 1<sup>st</sup> day of January 2021.

#### **Definitions and interpretation.**

3. In these Regulations, unless the context otherwise so requires-

“Andean Countries” means the Republic of Colombia, the Republic of Ecuador and the Republic of Peru;

“EU-Andean Countries Agreement” means the Trade Agreement between the European Union and its Member States, of the one part, and Colombia, Peru and Ecuador of the other part, done at Brussels, on 26 June 2012, as amended by its Protocols on 30 June 2015 and 11 November 2016;

“Government” means Her Majesty’s Government of Gibraltar;

“mutatis mutandis” means with the technical changes necessary to apply the EU-Andean Countries Agreement as if it had been concluded between Gibraltar and the Andean Countries, taking into account the object and purpose of the UK-Andean Countries Agreement, and any reference to a European Union body, office or institution shall in particular be read as a reference to the Gibraltar equivalent, and any reference to the European Commission shall be read as a reference to the Government;

“UK-Andean Countries Agreement” means the Trade Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the Republic of Colombia, the Republic of Ecuador and the Republic of Peru, of the other part, done at Quito on 15 May 2019.

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**Purpose.**

4. The purpose of these Regulations is to preserve the rights and obligations of Gibraltar, the Republic of Colombia (“Colombia”), the Republic of Ecuador (“Ecuador”), and the Republic of Peru (“Peru”) as provided for by the EU-Andean Countries Agreement after it ceased to apply to Gibraltar.

**Source of application.**

5. The UK-Andean Countries Agreement applies to Gibraltar under Article 3(a) of that Agreement.

**Incorporation and modification.**

6.(1) The EU-Andean Countries Agreement is incorporated, mutatis mutandis, into these Regulations to the extent that, and under the conditions under which, that Agreement applied to Gibraltar immediately before it ceased to do so, subject to subregulation (2).

(2) The EU-Andean Countries Agreement is incorporated into these Regulations except as modified by the UK-Andean Countries Agreement and regulations 7, 8, 9 and 10.

**Continuation of time periods.**

7.(1) A period set out in an incorporated provision that confers a right or establishes an obligation must be counted from the following dates-

- (a) 1 January 2017, between Gibraltar and the Republic of Ecuador,
- (b) 1 August 2013, between Gibraltar and the Republic of Colombia,
- (c) 1 March 2013, between Gibraltar and the Republic of Peru.

(2) For greater certainty, any other period set out in an incorporated provision related to a procedure or other administrative matter (such as a review, committee procedure or notification), must be counted from the date of entry into force of UK-Andean Countries Agreement.

**References to the euro.**

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8. Any references to the euro (including “EUR”) and to the ECU (the European Currency Unit) in the EU-Andean Countries Agreement are incorporated as such in these Regulations.

**References to European Union law.**

9. A reference in the UK-Andean Countries Agreement or these Regulations to European Union law is to be read as a reference to that European Union law in force as incorporated or implemented in the law of Gibraltar as retained European Union law on the day after Gibraltar ceases to be bound by the relevant European Union law.

**References to approximation to European Union law.**

10. An obligation in the EU-Andean Countries Agreement regarding the convergence, harmonisation, integration or approximation of Gibraltar law or practice to the laws of the European Union is not appropriate for application and is not incorporated into these Regulations.