

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

Subsidiary Legislation made under s.5(1).

**Arab Republic of Egypt Trade Continuity
Regulations 2021**

LN.2021/008

Commencement

1.1.2021

ARRANGEMENT OF REGULATIONS.

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In 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 into the law of Gibraltar the Agreement establishing an Association between the United Kingdom of Great Britain and Northern Ireland and the Arab Republic of Egypt done at Cairo on 5 December 2020, the Chief Minister has made these Regulations-

Title.

1. These Regulations may be cited as the Arab Republic of Egypt Trade Continuity Regulations 2021.

Commencement.

2. These Regulations come into operation on the 1st day of January 2021.

Definitions and interpretation.

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

“EU-Arab Republic of Egypt Agreement” means the Euro-Mediterranean Agreement establishing an Association between the European Communities and their Member States, of the one part, and the Arab Republic of Egypt, of the other part, done at Luxembourg on 25 June 2001;

“Egypt” and “Arab Republic of Egypt” have the same meaning;

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

“mutatis mutandis” means with the technical changes necessary to apply the EU-Arab Republic of Egypt Agreement as if it had been concluded between Gibraltar and Egypt, taking into account the object and purpose of the UK-Arab Republic of Egypt 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-Arab Republic of Egypt Agreement” means the Agreement establishing an Association between the United Kingdom of Great Britain and Northern Ireland and the Arab Republic of Egypt done at Cairo on 5 December 2020.

Purpose.

4. The purpose of these Regulations is to implement the UK-Arab Republic of Egypt Agreement and preserve the preferential conditions relating to trade between Gibraltar and Egypt and the other links between them resulting from the EU-Arab Republic of Egypt Agreement as applicable to Gibraltar.

Source of application.

5. The UK-Arab Republic of Egypt Agreement applies to Gibraltar under Article 6(1)(a) of that Agreement.

Incorporation and modification.

6.(1) The provisions of the EU-Arab Republic of Egypt Agreement are 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 the qualification in subregulation (3).

(2) Incorporation of the EU-Arab Republic of Egypt Agreement includes Title III (Right of Establishment and Supply of Services) and Title IV (Capital Movements and other Economic Matters) but does not include Titles, Chapters or other provisions regarding trade in goods.

(3) The qualification referred to in subregulation (1) is that the EU-Arab Republic of Egypt Agreement is incorporated into these Regulations as modified by the UK-Arab Republic of Egypt Agreement and regulation 7, 8, 9 and 10.

Continuation of time periods.

7.(1) Unless these Regulations provides otherwise-

- (a) if a time period in the EU-Arab Republic of Egypt Agreement has not yet ended, the remainder of that period is incorporated into these Regulations, and
- (b) if a time period in the EU-Arab Republic of Egypt Agreement has ended, any ongoing right or obligation in the EU-Arab Republic of Egypt Agreement applies and that period is not incorporated into these Regulations.

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(2) Notwithstanding subregulation (1), a reference in the EU-Arab Republic of Egypt Agreement to a time period relating to a procedure or other administrative matter, such as review, committee procedure or notification, shall not be affected.

References to the euro.

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

References to European Union law.

9. A reference in the UK-Arab Republic of Egypt 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. Any obligations in the EU-Arab Republic of Egypt Agreement regarding the convergence, harmonisation, integration or approximation of Gibraltar law or practice to the laws of the European Union are not appropriate for application and are not incorporated into these Regulations.