

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

Subsidiary Legislation made under s.5(1).

**Iceland and Kingdom of Norway Trade Continuity
Regulations 2021**

LN.2021/011

Commencement

1.1.2021

ARRANGEMENT OF REGULATIONS.

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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 Agreement on Trade in Goods between the United Kingdom of Great Britain and Northern Ireland, Iceland and the Kingdom of Norway done at London on 8 December 2020, the Chief Minister has made these Regulations-

Title.

1. These Regulations may be cited as the Iceland and Kingdom of Norway 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-Iceland and Kingdom of Norway Agreements” means the Agreement on the European Economic Area of 2 May 1992; the Agreement between the European Economic Community and the Republic of Iceland of 22 July 1972; the Agreement between the European Economic Community and the Kingdom of Norway of 14 May 1973; the agreements and protocols between the European Union and Norway as mentioned in Articles 1 to 2 of Annex II in the UK-Iceland and Kingdom of Norway Agreement; and the agreements and protocols between the European Union and Iceland as mentioned in Articles 1 to 2 of Annex III in the UK-Iceland and Kingdom of Norway Agreement;

“geographical indication” means a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin;

“Iceland and Norway” and “Iceland and Kingdom of Norway” have the same meaning;

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

“mutatis mutandis” means with the technical changes necessary to apply the EU-Iceland and Kingdom of Norway Agreements as if they had been concluded between Gibraltar and Iceland and Norway, taking into account the object and purpose of the

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UK-Iceland and Kingdom of Norway 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-Iceland and Kingdom of Norway Agreement” means the Agreement on Trade in Goods between the United Kingdom of Great Britain and Northern Ireland, Iceland and the Kingdom of Norway done at London on 8 December 2020.

Purpose.

4. The purpose of these Regulations is to implement the UK-Iceland and Kingdom of Norway Agreement resulting from the EU-Iceland and Kingdom of Norway Agreement in respect of geographical indications.

Source of application.

5. The UK-Iceland and Kingdom of Norway Agreement applies to Gibraltar under Article 16 of that Agreement.

Incorporation and modification.

6.(1) The EU-Iceland and Kingdom of Norway Agreements are incorporated, mutatis mutandis, into these Regulations to the extent that, and under the conditions under which, they applied to Gibraltar immediately before they ceased to do so, subject to the qualification in subregulation (3).

(2) For greater certainty, the incorporation of the EU-Iceland and Kingdom of Norway Agreement is limited to geographical indications.

(3) The qualification referred to in subregulation (1) is that the EU-Iceland and Kingdom of Norway Agreement is incorporated into these Regulations as modified by the UK-Iceland and Kingdom of Norway Agreement and by regulations 7, 8, 9 and 10, and without prejudice to the Quality Assurance (Intellectual Property) (EU Exit) (No.2) Regulations 2019.

Continuation of time periods.

7.(1) Unless these Regulations provides otherwise-

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

(2) Notwithstanding subregulation (1), a reference in the EU-Iceland and Kingdom of Norway Agreements 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-Iceland and Kingdom of Norway Agreements are incorporated as such in these Regulations.

References to European Union law.

9. A reference in the UK-Iceland and Kingdom of Norway 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-Iceland and Kingdom of Norway Agreements 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.