

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

Subsidiary Legislation made under s.5(1).

Republic of Lebanon Trade Continuity Regulations 2021

LN.2021/016

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 Republic of Lebanon done at London on 19 September 2019, the Chief Minister has made these Regulations-

Title.

1. These Regulations may be cited as the Republic of Lebanon 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-Lebanon Agreements” mean the Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part, done at Luxembourg on 17 June 2002 and the agreement in the form of a Protocol between the European Community and the Republic of Lebanon establishing a dispute settlement mechanism applicable to disputes under the trade provisions of the EU-Lebanon Association Agreement, done at Brussels on 11 November 2010;

“Lebanon” and “Republic of Lebanon” have the same meaning;

“mutatis mutandis” means with the technical changes necessary to apply the EU-Lebanon Agreements as if they had been concluded between Gibraltar and Lebanon, taking into account the object and purpose of the UK-Lebanon 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-Lebanon Agreement” means the Agreement establishing an Association between the United Kingdom of Great Britain and Northern Ireland and the Republic of Lebanon done at London on 19 September 2019.

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Purpose.

4.(1) The purpose of these Regulations is to preserve the links between Gibraltar and Lebanon by the association created in Article 1 of the EU-Lebanon Agreements, and, in particular, to preserve the preferential conditions relating to trade between Gibraltar and Lebanon which resulted from the EU-Lebanon Agreements.

Source of application.

5. The UK-Lebanon Agreement applies to Gibraltar under Article 6.1(a)(i) of that Agreement.

Incorporation and modification.

6.(1) The EU-Lebanon Agreements are incorporated, mutatis mutandis, into these Regulations to the extent that, and under the conditions under which, those Agreements applied to Gibraltar immediately before they ceased to do so, subject to regulation (3).

(2) The incorporation of the EU-Lebanon Agreements includes Title III (Right of Establishment and Supply of Services) and Title IV (Payments, Capital, Competition and Other Economic Provisions), Title V (Economic and Sector Cooperation) but does not include Titles, Chapters or other provisions regarding trade in goods.

(3) The EU-Lebanon Agreements, including any Annexes and Protocols, are incorporated into these Regulations as modified by the UK-Lebanon Agreement and regulations 7, 8, 9 and 10.

Continuation of time periods.

7.(1) Unless these regulations provide otherwise-

- (a) if a period in the EU-Lebanon Agreements has not yet ended, the remainder of that period is incorporated into these Regulations, and
- (b) if a period in the EU-Lebanon Agreements has ended, any ongoing right or obligation in the EU-Lebanon Agreements applies between Gibraltar and Lebanon and that period is not incorporated into these Regulations.

(2) Notwithstanding subregulation (1), a reference in the EU-Lebanon Agreements to a period relating to a procedure or other administrative matter (such as a review, committee procedure or notification) shall not be affected.

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References to the euro.

8. Any reference to the euro (including “EUR”) and to the ECU (the European Currency Unit) in the EU-Lebanon Agreement is incorporated as such in these Regulations.

References to European Union law.

9. Any reference in the UK-Lebanon 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 reference in the EU-Lebanon Agreements to the convergence, harmonisation, integration or approximation of laws or practice to the laws of the European Union is not appropriate for application between Gibraltar and Lebanon and is not incorporated into these Regulations.