

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

Subsidiary Legislation made under s.5(1).

Palestinian Authority Trade Continuity Regulations 2021

LN.2021/021

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 Interim Political, Trade and Partnership Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, done at Ramallah on 18 February 2019, the Chief Minister has made these Regulations-

Title.

1. These Regulations may be cited as the Palestinian Authority 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-Palestinian Authority Interim Association Agreement” means the provisions of the EU-Palestinian Authority Interim Association Agreement, as amended by the Agreement in the form of an Exchange of Letters between the European Union, of the one part, and the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, providing further liberalisation of agricultural products, processed agricultural products and fish and fishery products and amending the Euro-Mediterranean Interim Association Agreement on Trade and Cooperation between the European Community, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part done at Brussels on 13th April 2011;

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

“mutatis mutandis” means with the technical changes necessary to apply the amended EU-Palestinian Authority Interim Association Agreement, as if it had been concluded between Gibraltar and the Palestinian Authority, taking into account the object and purpose of the UK-Palestinian Authority Partnership Agreement, and any reference to a European Union body, office or institution shall in particular be read

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as a reference to the Gibraltar equivalent, and any reference to the European Commission shall be read as a reference to the Government;

“UK-Palestinian Authority Partnership Agreement” means the Interim Political, Trade and Partnership Agreement between the United Kingdom of Great Britain and Northern Ireland, of the one part, and the Palestine Liberation Organization (PLO) for the benefit of the Palestinian Authority of the West Bank and the Gaza Strip, of the other part, done at Ramallah on 18 February 2019.

Purpose.

4. The purpose of these Regulations is to preserve the preferential conditions relating to trade between Gibraltar and the Palestinian Authority of the West Bank and the Gaza Strip and the other links between them resulting from the EU-Palestinian Authority Interim Association Agreement.

Source of application.

5. The UK-Palestinian Authority Interim Association Agreement applies to Gibraltar under Article 4 of that Agreement.

Incorporation and modification.

6.(1) The provisions of the EU-Palestinian Authority Interim Association 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 subregulation (2).

(2) The EU-Palestinian Authority Interim Association Agreement is incorporated into these Regulations except as modified by the UK-Palestinian Authority Interim Association 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-Palestinian Authority Interim Association Agreement has not yet ended, the remainder of that period is incorporated into these Regulations, and

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(b) if a period in the EU-Palestinian Authority Interim Association Agreement has ended, any ongoing right or obligation in the EU-Palestinian Authority Interim Association Agreement applies in Gibraltar and that period is not incorporated into these Regulations.

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

References to the euro.

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

References to European Union law.

9. A reference in the UK-Palestinian Authority Interim Association 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-Palestinian Authority Interim Association 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.