

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

Subsidiary Legislation made under s.5(1).

Republic of Singapore Trade Continuity Regulations 2021

LN.2021/022

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 Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Singapore done at Singapore on 10 December 2020, the Chief Minister has made these Regulations-

Title.

1. These Regulations may be cited as the Republic of Singapore 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-Singapore Agreement” means the Free Trade Agreement between the European Union (“EU”) and the Republic of Singapore done at Brussels on 19 October 2018;

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

“mutatis mutandis” means with the technical changes necessary to apply the EU-Singapore Agreement as if it had been concluded between Gibraltar and Singapore, taking into account the objects and purposes of the UK-Singapore 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;

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

“UK-Singapore Agreement” means the Free Trade Agreement between the United Kingdom of Great Britain and Northern Ireland and the Republic of Singapore done at Singapore on 10 December 2020;

Purpose.

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4. The purpose of these Regulations is to preserve the preferential conditions relating to trade between Gibraltar and Singapore and the other links between them resulting from the EU-Singapore Agreement.

Source of application.

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

Incorporation and modification.

6.(1) The provisions of the EU-Singapore 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 (3).

(2) For greater certainty, incorporation of the EU-Singapore Agreement includes Chapter 8 (Services, Establishment and Electronic Commerce), Chapter 9 (Government Procurement) and Chapter 11 (Competition and Related Matters) but does not include Chapters or other provisions regarding trade in goods.

(3) The EU-Singapore Agreement is incorporated into these Regulations except as modified by the UK-Singapore 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-Singapore Agreement has not yet ended, the remainder of that period is incorporated into these Regulations, and
- (b) if a period in the EU-Singapore Agreement has ended, any resulting right or obligation in the EU-Singapore Agreement applies in Gibraltar and that period is incorporated into these Regulations.

(2) Notwithstanding subregulation (1), a reference in the EU-Singapore 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.

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

References to European Union law.

9. A reference in the UK-Singapore 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-Singapore 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.