**THESE STATEMENTS HAVE BEEN MADE FOR THE EXPLANATORY MEMORANDUM TO**

**THE OVERSEAS ASSOCIATION DECISION (REVOCATION) (EU EXIT) REGULATIONS 2019**

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1. Sifting statement(s)

The Minister of State for for the Commonwealth and the UN has made the following statement regarding use of legislative powers in the European Union (Withdrawal) Act 2018:

“In my view the Overseas Association Decision (Revocation) (EU Exit) Regulations 2019 should be subject to annulment in pursuance of a resolution of either House of Parliament (i.e. the negative procedure). This is the case because these Regulations satisfy the conditions under paragraph 1(3) of Schedule 7 to the European Union (Withdrawal) Act 2018.”

This is the case because none of the affirmative triggers specified in Schedule 7 of the European Union (Withdrawal) Act 2018 apply to this instrument.

 Signed: ­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Appropriateness statement

The Minister of State for for the Commonwealth and the UN has made the following statement regarding use of legislative powers in the European Union (Withdrawal) Act 2018:

“In my view the Overseas Association Decision (Revocation) (EU Exit) Regulations 2019 do no more than is appropriate. This is the case because, from exit day, the British overseas territories concerned will no longer be overseas countries or territories which are associated with the European Union. In addition, as the European Union (Withdrawal) Act 2018 does not extend to the relevant British overseas territories, it is considered that the Regulations would not be an appropriate vehicle through which to develop any system of mutual commitments between the UK and the British overseas territories. From exit day the retained EU law contained in the Overseas Association Decision is therefore no longer appropriate in respect of the United Kingdom and it is therefore appropriate that the Overseas Association Decision be deleted. See further paragraphs 2, 6 and 7 of the explanatory memorandum.”

This is the case because the instrument will revoke the OAD from retained EU law in order to correct deficiencies in the UK statute book.

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1. Good reasons

The Minister of State for for the Commonwealth and the UN has made the following statement regarding use of legislative powers in the European Union (Withdrawal) Act 2018:

“In my view there are good reasons for the provisions in the Overseas Association Decision (Revocation) (EU Exit) Regulations 2019, and I have concluded they are a reasonable course of action. These are that from exit day the retained EU law contained in the Overseas Association Decision is no longer appropriate in respect of the United Kingdom given that the British overseas territories concerned will no longer be overseas countries and territories associated with the European Union. In addition, as the European Union (Withdrawal) Act 2018 does not extend to the relevant British overseas territories, it is considered that the Regulations would not be an appropriate vehicle through which to develop any system of mutual commitments between the UK and the British overseas territories. See further paragraphs 2, 6 and 7 of the explanatory memorandum.”

These reasons are that the instrument will correct deficiencies contained in the retained EU law arising as a result of the UK no longer being a Member State of the EU and the British overseas territories no longer being overseas countries and territories of the EU.

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1. Equalities

The Minister of State for for the Commonwealth and the UN has made the following statement:

“The Overseas Association Decision (Revocation) (EU Exit) Regulations 2019 do not amend, repeal or revoke a provision or provisions in the Equality Act 2006 or the Equality Act 2010 or subordinate legislation made under those Acts.”

The Minister for State for Europe and the Americas has made the following statement regarding use of legislative powers in the European Union (Withdrawal) Act 2018:

“In relation to the Overseas Association Decision (Revocation) (EU Exit) Regulations 2019, I, the Minister for State for Europe and the Americas have had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.”

 Signed: ­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Explanations

The explanations statement has been made in paragraph 2 of the main body of the explanatory memorandum.