



Department for
Business & Trade

Retained EU Law Parliamentary Report June 2023 – December 2023

Ordered by the House of Commons to be printed on 22 January 2024



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Presented to Parliament pursuant to Section 17 of the Retained EU Law
(Revocation and Reform) Act 2023

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ISBN 978-1-5286-4650-5

E03045717 01/24

Printed on paper containing 40% recycled fibre content minimum

Printed in the UK by HH Associates Ltd. on behalf of the Controller of His Majesty's Stationery Office

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Introduction

On 29 June 2023 the Retained EU Law (Revocation and Reform) Bill 2023 (the ‘REUL Act’) received Royal Assent. This Act paved the way for significant regulatory reforms, enabling the removal of retained EU law (‘REUL’) from the UK statute book.

The Brexit vote was the beginning of a new chapter for the UK, enabling us to seize our own future and prioritise the best interests of the British people. The enactment of the REUL Act was a platform for execution of that ambition. It created powers to streamline the process of amending the EU laws that we had retained after our 40-year membership and ensures that, for the first time in a generation, the supremacy of EU law and EU general principles have been removed from our statute book.

Taking back control of our laws is about ensuring the law serves the national interest by reducing the regulatory burden and controlling the flow of new regulation. I understand that when governments tie business up in red tape it holds them back, reducing their global competitiveness and impeding growth.

The REUL Act speeds up the process of removing years of burdensome EU regulation in favour of a more agile regulatory approach that benefits the UK. New regulatory approaches will be designed to give businesses more opportunity to innovate, experiment, and capitalise on the UK’s global leadership in areas such as technology, life sciences, and digital services.

But the Government’s ambitions for reform do not begin and end with the REUL Act. The Financial Services and Markets Act 2023 and the Procurement Act 2023 will together revoke some 600 pieces of REUL. And in addition to identifying and reviewing the laws we inherited from the EU, my department has initiated the Smarter Regulation programme. This programme will apply the same scrupulous lens to wider domestic regulation.

Taken together these measures are reducing the number of new regulations and ensuring the wider regulatory landscape is effective and fit for purpose.

While much has been achieved, there is still much to do. Brexit has given us an opportunity to examine how we run our country. By looking again at how we regulate, we can build a more agile and innovative economy that gives us a competitive edge on the global stage.

This Report sets out our progress so far and our plans to remove more burdensome REUL in the months and years ahead, including our roadmap to revoke or reform over half of all REUL by June 2026. I look forward to updating Parliament on progress of our reforms every six months until that date.

**Secretary of State for Business and Trade
January 2024**

Executive Summary

The REUL Bill received Royal Assent on 29 June 2023. Section 17 of the Act requires the Secretary of State to report to Parliament on REUL at six-monthly intervals until June 23 2026. The purpose of this report is to set out the progress that has been made in revoking and reforming REUL during the period since the Act was passed and to set out plans to revoke and reform REUL in subsequent reporting periods.

The reform of REUL is part of the Government's wider ambitions for regulatory reform. The Report begins by setting out the three pillars of the Smarter Regulation programme and explaining how REUL reform fits into this wider programme. The three pillars of Smarter Regulation are: minimising the regulatory burden and future proofing the UK's regulations; making regulation the last resort; and ensuring a well-functioning landscape of regulators.

The Report then summarises the data on the updated REUL Dashboard. The Dashboard provides the public with information on the amount of REUL and where it sits across departments. It also provides data on the progress Government is making in accelerating REUL reform. Since the previous update to the Dashboard over 1000 REUL instruments have been either revoked or reformed, meaning that over 2000 instruments have already been revoked or reformed in total.

Next, the Report sets out the progress made in revoking and reforming REUL in the current reporting period, building on the nearly 600 pieces of REUL revoked by the REUL Act itself. This includes revocations and reforms using the powers contained within the REUL Act. 26 SIs have been laid since June, including important reforms to wine and employment regulations which will benefit business. The powers have also been used to remove over 100 further instruments from the statute book by SI. Additional revocations and reforms of REUL have been made by or under other primary legislation. For example, the Financial Services and Markets Act 2023 and the Procurement Act 2023 will revoke some 600 pieces of REUL.

The Report then sets out the Government's immediate plans. In 2024 the Government will revoke or reform approximately 500 instruments. For example, the Department of Health and Social Care is proposing reforms to UK clinical trials legislation, which will assist growth, and both DfT and Defra have suites of reform

planned which will support UK businesses.

Looking further forward, this Report provides a roadmap for Government's ambitious proposals to revoke and reform further REUL. The Government is on track to reform or revoke over half of the entire stock of REUL accrued in the more than 40 years that the UK was a member of the EU by June 2026.

Future Reports will track the Government's progress in implementing these plans and meeting these ambitions.

Finally, the Report details actions which have been taken to preserve so-called "section 4 rights" as well as future plans for those rights.

Understanding this Report

Section 17 of the REUL Act requires the Secretary of State to publish and lay before Parliament a report on the revocation and reform of REUL. This first REUL Act Report covers the period from Royal Assent to 23 December 2023. The subsequent reporting periods are every six months up to June 2026. Reports are required to be laid within 30 days of the end of the reporting period at six-monthly intervals. As a result, this first Report must be published by 22 January 2024. The final Report will be due by 22 July 2026.

What is REUL?

REUL was a type of UK domestic law. It was created by the EU (Withdrawal) Act 2018 (EUWA) and came into effect at the end of the UK's post-Brexit transition period (which ended on 31 December 2020).

The primary objective of REUL was to provide legal continuity and certainty. It sought to minimise any substantive changes in UK domestic law at the point the transition period (and dynamic alignment with EU law) ended. This was achieved by preserving domestic legislation that had implemented EU obligations and by taking a “snapshot” of directly applicable EU legislation (EU Regulations, tertiary legislation and decisions) which formed “retained direct EU legislation” (also known as RDEUL). Once that post-transition “starting point” had been implemented, it would then be for Parliament and the devolved legislatures to decide whether, how, and to what extent, domestic law and policy should then diverge from that of the EU. Future (mostly primary) domestic legislation would either adapt EU policy frameworks for domestic needs or replace them entirely.

What is 'assimilated law'?

Under the REUL Act, REUL which had not been revoked by the end of 2023 became ‘assimilated law’ after the end of 2023. Assimilated law is domestic law which was previously REUL. Unlike REUL, assimilated law is not interpreted in line with EU principles of interpretation. These principles of interpretation of EU law were removed from domestic law by the REUL Act with effect from 1 January 2024.

In general, references to REUL in this Report should be understood to mean assimilated law when referring to the law as it is after the end of 2023.

Smarter Regulation

The REUL Act creates an opportunity for at-pace reform of REUL. This will ensure that REUL is revoked where it is no longer needed. Remaining REUL, now known as assimilated law, will be reformed so that it is tailored to the UK context.

Many major REUL reforms have and will be delivered through the Smarter Regulation Programme, which the Government launched on 10 May 2023 with the publication of 'Smarter Regulation to Grow the Economy'. This programme is concerned with reforming both REUL and wider domestic regulation, to ensure that the Government and Regulators offer a world-class service to business. This will mean that regulation is only used where necessary, is implemented well, is used proportionately, and it is future proof.

The Smarter Regulation programme comprises three pillars, each of which is essential to ensuring the UK regulatory system delivers the best outcomes. These are:

- minimising regulatory burden and future-proofing regulations;
- making regulation a last resort, not a first choice; and
- ensuring a well-functioning landscape of regulators.

Our approach to each of these pillars is set out below.

Minimising regulatory burden and future-proofing regulations

This pillar of the Smarter Regulation programme spans both reforms to REUL using the powers in the REUL Act, as well as wider domestic regulations. Regulations that are not needed will be removed, while those that are needed must be proportionate, contemporary and forward-looking.

A huge amount has already been delivered to realise our ambitions for this pillar. The REUL Act itself contained a list of nearly 600 pieces of REUL which were revoked at the end of 2023, removing unnecessary regulations and allowing prioritisation of meaningful reform in the SI programme, whilst maintaining continuity for business.

Our successes relating to this pillar are the focus of this report. Most notably we have:

- revoked the unnecessary Port Services Regulations which were designed for the EU's publicly owned ports and were unsuited to the UK economy;
- delivered reform of REUL on employment regulations including streamlining regulations to make them easier for businesses to follow, and reducing administrative requirements to save industry around £1bn a year;

- reformed regulations on the production and marketing of wine. These reforms have removed burdens and provided support to our wine-making industry, allowing it to grow and innovate;
- launched consultations on reforming further elements of REUL (now known as assimilated law). For example:
 - we have launched a consultation on options for reforming the airport slot allocation system to make it more efficient, transparent and dynamic – which could contribute to lower fares, more destinations, and other service innovations by airlines and airports;
 - we have consulted on reforming the Provision of Services Regulations 2009. Our proposals will make life easier for business, giving them more flexibility (e.g. to apply for licences throughout the year). We are also seeking to make improvements for non-UK businesses so that the UK can attract and support innovation;
 - we have announced proposals that will increase flexibility for business who manufacture and sell products on the GB market. This includes continued recognition of CE rules alongside the introduction of UKCA rules, which are less burdensome for new businesses. Additionally, we are announcing our intention to introduce an option to use digital labelling.

These reforms are only the beginning, and the Government has an ambitious programme planned for 2024, For example, we have planned reforms to product safety regulations to make sure they work better for businesses and consumers, and changes to clinical trials legislation to support the safe development of innovative medicines here in the UK. These and other proposals are set out later in this Report.

[Making regulation a last resort, not a first choice](#)

This means putting downward pressure on the flow of new regulation, with alternatives deployed wherever possible. We launched our new Better Regulation Framework in the summer of 2023, to promote wider consideration of the impacts of regulation and encourage alternatives where possible.

The new Framework aims to:

- increase the consideration and use of alternatives to regulation;
- encourage earlier and more holistic scrutiny of regulatory proposals through consideration of wider impacts beyond direct costs to business; and
- ensure earlier and more consistent evaluation of whether implemented regulations are achieving their aims.

Ensuring a well-functioning landscape of regulators

Regulators have a significant footprint on the economy, and as such it is essential that their work is optimised for the UK. They should operate in an agile and outcome-driven fashion and help drive economic growth, while protecting consumers and ensuring that markets work as well as they can.

Amongst other things, to ensure the wider landscape of regulators works as well as it can, we have:

- published a consultation on strengthening economic regulation of water, energy and telecoms sectors (regulated by Ofwat, Ofgem and Ofcom);
- embarked on reforms to the existing Growth Duty on regulators, including committing at Autumn Statement (22 November 2023) to extending it to Ofgem, Ofcom and Ofwat in 2024, and launching the Regulating for Growth consultation;
- run a major Call for Evidence on the regulatory landscape covering key themes including regulator duties; the agility and proportionality with which regulators operate; governance and accountability; and overall performance.

The Government intends to provide a response to the Call for Evidence on the regulatory landscape and consultations on Regulating for Growth and Strengthening Economic Regulation in Spring 2024.

The above is only an overview of the Government's Smarter Regulation programme. More information on the Smarter Regulation programme and the announcements we have made since May, can be found on our [gov.uk page](#).

REUL Dashboard

In September 2021 Lord Frost, the then Minister of State in the Cabinet Office responsible for REUL, announced two Government reviews into the ‘status’ and ‘substance’ of REUL. The substance review sought to determine which pieces of REUL departments own, and the policy areas and sectors of the economy which contain the most REUL. This initial exercise culminated in the publication of the Retained EU Law Dashboard on gov.uk in June 2022, which catalogued 2417 individual pieces of REUL. The REUL Dashboard was created to provide the public with information on how much legislation is derived from the EU, and the progress the Government is making in accelerating its reform. It includes UK legislation which is reserved, and which has mixed competence or falls under devolved competence. However, it does not include any legislation made by the devolved institutions in Scotland, Northern Ireland or Wales.

Updating the REUL Dashboard

Since June 2022, departments have worked closely with the Brexit Opportunities Unit, The National Archives, and the law firm Hogan Lovells (who were contracted to assist with delivery of the REUL Reform programme) to identify additional pieces of REUL. The Dashboard has subsequently been updated in the months of January, May, September and November 2023, to include additional pieces of REUL. Alongside this work, the Department for Business and Trade is coordinating a cross-Government programme, with departments devising plans to either reform, revoke, or retain each piece of REUL, utilising either the powers granted under the REUL Act or other relevant primary and secondary legislation. This is an ongoing process, and the Dashboard will continue to be updated as further analysis continues.

The Dashboard was updated on 22 January 2024 and reflects the position as on 1 January 2024. The dashboard currently holds a total of 6757 instruments of REUL (now known as assimilated law) concentrated over approximately 400 unique policy areas. This is almost three times as many pieces of REUL as had been identified by the review which concluded in June 2022.

Since the previous update to the Dashboard over 1000 REUL instruments have been either revoked or reformed, meaning that over 2000 instruments have already been revoked or reformed in total.

Table 1 below outlines the current status of confirmed REUL (now known as assimilated law) provided by departments.¹ In some instances, REUL which has already been reformed is earmarked for further reform or revocation in the future.²

¹ All figures are correct as of 1 January 2024.

² Ibid.

Table 1 – Current status of REUL as of 1 January 2024

CURRENT STATUS OF TOTAL REUL	Total no. of REUL	% of Total REUL
Amended	759	11%
Repealed	1369	20%
Replaced	39	<1%
Expired	62	<1%
Unchanged³	4524	67%
To be confirmed	4	<1%
TOTAL	6757	100%

The Government has an ongoing programme to consider where further reforms and revocations can be made. In addition to the snapshot of these plans in Table 2 below, delivery on these reforms will form the basis of future REUL Act reports and REUL Dashboard updates.

[Link to the REUL dashboard](#)

<https://www.gov.uk/government/publications/retained-eu-law-dashboard>

³ Most REUL in the category “unchanged” was assimilated law on 1 January 2024. Assimilated law is not interpreted in line with the principles of interpretation of EU law, which were removed from domestic law by the REUL Act with effect from 1 January 2024. “Unchanged” here also includes 433 pieces of Financial Services REUL which will be repealed in due course by the Financial Services and Markets Act 2023.

The Government's roadmap for reform and revocation of REUL (now known as assimilated law)

Over 2000 REUL instruments have already been repealed or reformed. But this is only the beginning. As Table 2 below shows, in 2024 the Government's roadmap for REUL includes a further 500 reforms and revocations. Beyond that we are on track to repeal or reform over half of the entire stock of REUL accrued in the more than 40 years that the UK was a member of the EU by June 2026.

The information outlined in Table 2 below sets out the way forward for further revocations and reforms of REUL, informed by data provided by departments to the Department for Business and Trade. However, the process of identifying potential legislation and further reforms is an ongoing one. Future REUL Act reports will set out the detail of further reforms and revocations.

In some cases, revocations or reforms have already been delivered. Other reforms require longer time frames to deliver; for example, where there is a legal requirement to consult, and so reforms are subject to those processes.

Departments are continuing to review the remaining assimilated law on the statute book. In some instances, departments have determined that assimilated law is already optimised to meet the needs of the UK economy and in line with the principles of the Smarter Regulation programme. In other instances, assimilated law is necessary to ensure the UK continues to meet its international obligations.

Table 2: HMG roadmap for the stock of REUL

HMG APPROACH TO REUL	Total no. of REUL	% of Ttl
Assimilate permanently	3012	~44%
Revoke / removed	2385	~35%
Already removed (revoked or expired prior to 2023, and no further action was to be taken)	356	
Revoked via the REUL Act revocation schedule	576	
Revoked in 2023 (not on the REUL Act schedule)	125	
Propose to revoke in 2024	389	
Propose to revoke in 2025-26	162	
Financial Services REUL, to be repealed primarily by the Financial Services and Markets Act 2023 (and will be reviewed and where appropriate, replaced, under the Smarter Regulatory Framework for financial services)	<u>777</u>	
	<i>Repealed prior to 2023</i> (150)	
	<i>Repeal commenced under FSMA</i> (194)	
	<i>Unchanged</i> (433)	
Reform	1039	~15%
Already reformed (reformed or replaced prior to 2023, and no further action was to be taken)	35	
Reformed in 2023	22	
Propose to reform in 2024	197	
Propose to reform 2025-26	785	
Tax legislation	296	~4%
All required legislation relating to tax and (former) REUL will be made via a Finance Bill (or subordinate tax legislation)		
Approach to be determined by responsible departments	25	<1%
TOTAL	6757	100%

Progress with revocations and reforms

Significant progress has been made since the REUL Bill received Royal Assent. 26 Statutory Instruments (SIs) were made by the end of 2023 using powers under the REUL Act and other domestic legislation.

The tables below include details of the SIs made by the end of 2023 which revoked or reformed REUL, amended or restated REUL, or made amendments consequential on the REUL Act. All SIs made under the REUL Act 2023 are also published on the gov.uk page and more information can be found there.

Our key reforms include:

- The Department for Business and Trade (DBT) made The Retained EU Law (Revocation and Reform) Act 2023 (Revocation and Sunset Disapplication) Regulations 2023, revoking a further 93 pieces of REUL;
- The Department for Environment, Food, and Rural Affairs made The Wine (Revocation and Consequential Provision) Regulations 2023, revoking specified REUL relating to the marketing and production of wine products and by-products. It strengthens the UK wine industries potential for growth and innovation; and
- DBT also made The Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023 reforming REUL relating to the Working Time Regulations and the Transfer of Undertakings (Protection of Employment) Regulations (TUPE), simplifying annual leave and holiday pay calculations. These reforms streamline regulations, making them easier for businesses to follow, and reduce administrative requirements. Ultimately this will save industry around £1bn a year.

Department	Statutory Instrument	Detail	Made Date
Department for Business and Trade (DBT)	The Retained EU Law (Revocation and Reform) Act 2023 (Revocation and Sunset Disapplication) Regulations 2023.	This SI revoked 93 pieces of redundant REUL and “preserved” 7 pieces of REUL which were on the REUL Act’s Schedule for revocation at the end of 2023.	25/10/2023
Department for Business and Trade (DBT)	The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023.	This SI made consequential amendments to primary legislation required by the REUL Act.	19/12/2023
Department for Business and Trade (DBT)	The Employment Rights (Amendment, Revocation and Transitional Provision) Regulations 2023.	This SI reformed REUL relating to the Working Time Regulations and the Transfer of Undertakings (Protection of Employment) Regulations (TUPE) and simplified annual leave and holiday pay calculations.	19/12/2023

Department for Education (DfE)	The European University Institute Regulations 2023.	The SI restated income tax and work-related legal immunities derived from the European University Institute (EUI) Convention for certain EUI employees, typically those who are British nationals or have substantial ties to the UK.	24/10/2023
Department for Energy Security and Net Zero (DESNZ)	The Energy Savings Opportunity Scheme (Amendment) Regulations 2023.	This SI amended the Energy Savings Opportunity Scheme (ESOS) Regulations 2014. This requires participants of the scheme to report additional information concerning ESOS assessments/energy performance data and provide an action plan with annual progress updates.	07/11/2023
Department for Environment, Food, and Rural Affairs (Defra)	The Fluorinated Greenhouse Gases (Amendment) Regulations 2023.	This SI corrected a technical error in Article 16(3) of Regulation (EU) No. 517/2014 of the European Parliament and of the Council on fluorinated greenhouse gases (which is retained direct EU legislation), as amended.	30/10/2023
Department for Environment, Food, and Rural Affairs (Defra)	The Plant Protection Products (Miscellaneous Amendments) Regulations 2023.	This SI extended the provisions which allow the import, sale and use of certain seeds treated with a plant protection product (sometimes called 'pesticides').	6/12/2023
Department for Environment, Food, and Rural Affairs (Defra)	The Wine (Revocation and Consequential Provision) Regulations 2023.	This SI revoked specified REUL relating to the marketing and production of wine products and by-products to encourage industry growth and innovation.	12/12/2023
Department for Health and Social Care (DHSC)	The Classification, Labelling and Packaging of Substances and Mixtures (Amendment and Consequential Provision) Regulations 2023.	This SI made consequential amendments to Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, due to the revocation of Annex VIII to Regulation 1272/2008 by the Retained EU Law (Revocation and Reform) Act 2023.	06/12/2023
Department for Science, Innovation, and Technology (DSIT)	The Intellectual Property (Exhaustion of Rights) (Amendment) Regulations 2023.	This SI amended provisions in six separate pieces of Intellectual Property (IP) legislation to ensure that the UK's IP exhaustion regime	28/11/2023

		continued to operate after the end of 2023.	
Department for Science, Innovation, and Technology (DSIT)	The Design Right, Artist's Resale Right and Copyright (Amendment) Regulations 2023.	This SI amended provisions in 4 separate pieces of Intellectual Property (IP) legislation, primarily to better align certain aspects of the UK's IP framework with the aims of the Retained EU Law (Revocation and Reform) Act 2023.	28/11/2023
Department for Science, Innovation, and Technology (DSIT)	The Data Protection (Fundamental Rights and Freedoms) (Amendment) Regulations 2023.	This SI replaced references to "fundamental rights and freedoms" in the UK's data protection legislation so that these rights are provided for by domestic law.	18/12/2023
Department for Transport (DfT)	The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) (Amendment) Regulations 2023.	This SI made amendments to the Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999, including to postpone the deadline for reporting persons data on passenger ships electronically, and to expand the scope of the exemption provisions for persons counting; as well as to make consequential amendments.	17/07/2023
Department for Transport (DfT)	The Merchant Shipping (Inspections of Ro-Ro Passenger Ships and High-Speed Passenger Craft) Regulations 2023.	This SI revoked The Merchant Shipping (Mandatory Surveys for Ro-Ro Ferry and High-Speed Passenger Craft) Regulations 2001 (S.I. 2001/152) to simplify the safety inspection regime for ro-ro passenger ships and high-speed craft ensuring the UK's inspection regime for these ships will meet international requirements for the future benefit of the industry.	12/09/2023
Department for Transport (DfT)	The Aviation Statistics Regulations 2023.	This SI consolidated multiple pieces of REUL relating to the collection of aviation statistics by the Civil Aviation Authority into a single piece of domestic legislation. It removed legally unnecessary provisions to create a shorter set of clearer and more accessible regulations.	09/10/2023
Department for Transport (DfT)	The Airports Slot Allocation (Alleviation of Usage Requirements) (No. 2) Regulations 2023.	This SI temporarily amended airport slot usage rules (contained in retained Regulation 95/93) for slot coordinated airports (Birmingham, Bristol, Gatwick, Heathrow, London City, Luton, Manchester and Stansted) for the slot scheduling season, 29 October 2023 – 30 March 2024 (sometimes referred to	25/10/2023

		as the “Winter 2023” season), as a result of the lasting impact of the COVID-19 pandemic.	
Department for Transport (DfT)	The Public Service Obligations in Transport Regulations 2023.	This SI revoked and replaced EU Regulation 1370/2007 (R1370) to retain the powers of a competent authority to directly award Public Service Obligation (PSO) contracts (i.e. the delivery of services to fulfil public need) for rail passenger services, as well as PSO contracts for bus and tram concession services outside the general procurement and subsidy rules.	11/12/2023
Department for Transport (DfT)	The Aviation (Consumers) (Amendment) Regulations 2023.	This SI restated key principles of EU case law related to compensation and assistance for passengers in the event of denied boarding, cancellation, or long delay of flights.	13/12/2023
Department for Work and Pensions (DWP)	The Social Security (Widow's Benefit and Retirement Pensions) (Amendment) Regulations 2023.	This SI restated the effect of the CJEU's judgment in <i>Lucy Stewart V Secretary of State for Work and Pensions</i> – which allowed a Category D State Pension (for those over 80) to be claimed by those residing in an EEA State or Switzerland – for individuals covered by the Trade & Cooperation Agreement or one of the other agreements listed in the Regulations.	20/11/2023
Department for Work and Pensions (DWP)	The Pensions Act 2004 and the Equality Act 2010 (Amendment) (Equal Treatment by occupational pension schemes) Regulations 2023.	This SI restated REUL in two areas of equal treatment by occupational pension schemes, relating to the equalisation of guaranteed minimum pensions between men and women and the provision of survivor benefits for couples in same sex legal relationships.	04/12/2023
Department for Work and Pensions (DWP)	The Occupational Pension Schemes (Amendment) (Equal Treatment) (Northern Ireland) Regulations 2023.	This SI restated for Northern Ireland REUL in two areas of equal treatment by occupational pension schemes, relating to the equalisation of guaranteed minimum pensions between men and women and the provision of survivor benefits for couples in same sex legal relationships.	04/12/2023
Department for Work and Pensions (DWP)	The Pensions Act 2004 (Amendment) (Pension Protection Fund Compensation) Regulations 2023.	This SI restated the Court of Justice of the European Union Judgment in the Hampshire case (<i>C-17/17 Hampshire v Board of the Pension Protection Fund</i> [2019] ICR 327) so	04/12/2023

		that, in the event of employer insolvency, every former employee should receive no less than 50% of the value of their accrued old age benefits (as the minimum level).	
Department for Work and Pensions (DWP)	The Pensions (Pension Protection Fund Compensation) (Northern Ireland) Regulations 2023.	This SI restated the Court of Justice of the European Union Judgment in the Hampshire case (C-17/17 <i>Hampshire v Board of the Pension Protection Fund</i> [2019] ICR 327) for Northern Ireland, so that, in the event of employer insolvency, every former employee should receive no less than 50% of the value of their accrued old age benefits (as the minimum level).	04/12/2023
Equality Hub	The Equality Act 2010 (Amendment) Regulations 2023.	This SI restated certain interpretive effects of REUL to provide protection against discrimination in areas including equal pay and maternity and breastfeeding.	19/12/2023
HM Revenue & Customs (HMRC)	The Taxes (Base Erosion and Profit Shifting) (Country-by-Country Reporting) (Amendment) Regulations 2023.	This SI revoked the notification requirements in the Taxes (Base Erosion and Profit Shifting) (Country-by-Country Reporting) Regulations 2016. These were introduced in 2017 in response to an EU Directive and are now unnecessary.	04/07/2023
Ministry of Justice (MoJ)	The Civil Jurisdiction and Judgments (Saving Provision) Regulations 2023.	This SI maintained current savings provisions for certain legacy cases in relation to the Lugano Convention 2007. The Convention provided rules for determining which country's courts had jurisdiction to hear legal disputes and rules for the mutual recognition and enforcement of judgments between countries.	14/12/2023

REUL reforms and revocations made by other primary legislation

Beyond the REUL Act, the Government has used other primary legislation to amend, revoke or replace pieces of REUL. This section sets out significant examples of REUL reform carried out under other legislative schemes. Future REUL Act reports will also update on ongoing reforms in parallel legislative programmes.

Some reforms were made before the REUL Act, including:

- the Taxation (Cross-border Trade) Act 2018, which disapplied direct EU regulations in relation to customs duty, VAT and excise and introduced a UK tariff and domestic customs regime. The UK customs system includes a range of easements and facilitations that were not available under EU rules; and
- the Taxation (Post Transition Period) Act 2020, which modernised the VAT treatment for the import of low value goods, introducing changes six months ahead of the EU.

Other such legislation, implemented alongside or after the REUL Act, includes:

The Financial Services and Markets Act 2023 (FSMA 2023) repealed REUL relating to financial services. This enables the Government to deliver a Smarter Regulatory Framework for financial services, tailored to the UK. REUL will be repealed / revoked and replaced with rules set by the financial services regulators, operating within a framework set by Government and Parliament.

The repeal / revocation has been commenced for 194 pieces of REUL. A substantive reform programme is underway including:

- the repeal of the European Long-Term Investment Funds Regulation as the fund structure it regulates is now obsolete, with the UK's own Long Term Asset Fund in place designed with industry to help unlock investment;
- replacing the Prospectus Regulation with an entirely new framework for offers of securities to the public and admissions of securities trading on UK markets, delivering a simpler and more effective regime; and
- repealing unnecessary REUL requirements in the Payment Accounts Regulation, related to fee information placed on current account providers, creating the flexibility to tailor requirements to the UK market.

The Procurement Act 2023 will replace a number of existing procurement regulations. The Financial Services and Markets Act 2023 and the Procurement Act 2023 will together revoke some 600 pieces of REUL.

In addition to the REUL Act and these pieces of primary legislation further REUL reforms are being delivered by other pieces of legislation:

- the UK General Data Protection Regulation, and Privacy and Electronic Communications Regulations will be amended and reformed by The Data Protection and Digital Information Bill which is currently before Parliament.
- the Government is also overhauling the UK's duty regime to radically reform the way duty is charged on alcohol, the biggest change in 140 years. This is being delivered as part of the regular Budget and policy making process.

Forthcoming REUL (now known as assimilated law) reforms

To deliver our Smarter Regulation objectives, the UK Government will continue its ambitious programme of legislation to improve the regulations we inherited from the EU. These changes will spur innovation and growth, whilst maintaining and improving consumer protections.

The reforms listed below are part of this ambitious programme. They will be brought forward in 2024 and will help to ensure the UK can continue to seize the full benefits of Brexit.

Examples of proposed reforms include:

- Department of Health and Social Care (DHSC) plans to reform UK clinical trials legislation to grow the thriving clinical research environment in the UK, supporting the safe development of innovative medicines for the benefit of patients and public health;
- Department for Transport (DfT) plans to reform aviation, rail and road transport regulation – notably planning to reform the Driver Certificate of Professional Competence to increase flexibility and minimise barriers to driver recruitment and retention;
- Department for Environment Farming and Rural Affairs (DEFRA) plans to bring forward a range of reforms in 2024, including in relation to the wine sector, delisting invasive alien species of special concern, veterinary medicines and the removal of unnecessary assimilated law; and
- DBT, alongside DEFRA, Department for Energy Security and Net Zero (DESNZ) and Department for Work and Pensions (Health and Safety Executive) (DWP/HSE), plans to extend CE recognition beyond 2024 providing manufacturers with a choice to use either the CE marking or the UKCA marking to supply products in GB for certain product areas.

Departments are continuing to identify areas to make reforms and changes to this list are possible. In some cases, the reforms mentioned are subject to engagement with relevant stakeholders and consultation. The Government will continue to update Parliament on the progress of these reforms in accordance with its statutory reporting obligations.

Dept	Plans for reforms	Assimilated law (formerly REUL) which will be affected by these reforms.
DHSC	Reforms are planned in relation to a range of medical matters, in particular:	
	Point of care: To facilitate a new point of care manufacturing regulatory framework for medicines manufactured at or close to the place of administration, to promote	Human Medicines Regulations 2012 and the Medicines for Human Use (Clinical Trials) Regulations 2004.

	access to innovative treatments such as personalised medicines with a very short shelf life.	
	European Commission (EC) Decision Reliance Procedure: To remove the current power in the Human Medicines Regulations 2012 for the Medicines and Healthcare regulatory Products Agency (MHRA) to rely on the decision of the EC alone to approve a medicine in Great Britain without any further consideration.	Human Medicines Regulations 2012.
	Clinical trials: To reform UK clinical trials legislation to grow the thriving clinical research environment in the UK, supporting the safe development of innovative medicines for the benefit of patients and public health.	The Medicines for Human Use (Clinical Trials) Regulations 2004.
	Ionising radiation: Reform of the Ionising Radiation (Medical Exposure) Regulations (IRMER) made under the Health and Safety at Work Act to ensure that patients and their carers are protected from the risks associated with ionising radiation when undergoing medical exposures e.g. X-rays, CT scans and radiotherapy treatment. These changes will better reflect the UK healthcare delivery model and permit the use of artificial intelligence (AI).	Ionising Radiation (Medical Exposure) Regulations 2017.
	Reforms are also planned in Nutrition, Composition, Labelling and Standards (NCLS), in particular:	
	Enforcement: Reforms to provide enforcement authorities in England the power to issue improvement notices as a more proportionate response to specify	The Nutrition and Health Claims (England) Regulations 2007 (SI 2007/2080), which make provision for enforcement of the Nutrition and Health Claims

	measures to be taken where a breach of compliance with the nutrition and health claims regulations is identified.	Regulation 1924/2006; create offences; put in place penalties; and designate competent authorities for that enforcement.
	Health claims: Revocation of a range of Commission Regulations (tertiary legislation) which implement historical EU decisions to either reject or allow certain health claims to be added to the list of approved claims which were adopted as a GB list as we exited the EU.	The assimilated law (formerly REUL) affected will be determined by the forthcoming consultation.
DfT	Reforms are planned in relation to a variety of sectors in 2024.	
	<p>Rail and freight transport: The revocation of assimilated law through two SIs:</p> <p><i>The Railways and Freight Transport etc. (Revocation) Regulations 2024 (which were laid before Parliament on 11 January 2024).</i></p> <p>The SI revokes certain pieces of secondary assimilated law which have either expired or are no longer applicable to Great Britain following Brexit. This obsolete legislation includes expired contingency measures relating to COVID-19 and Brexit, as well as legislation on cross-border rail services within the EU, freight information, and spent EU negotiating positions for international organisations.</p> <p><i>The draft Railways (Revocation and Consequential Provision) Regulations 2024 (which will be laid before Parliament on 8 February).</i></p>	<p>The assimilated law (formerly REUL) revoked by the Railways and Freight Transport etc. (Revocation) Regulations 2024 is published https://www.gov.uk/government/publications/the-railways-and-freight-transport-etc-revocation-regulations-2024.</p> <p>The assimilated law (formerly REUL) revoked by the draft Railways (Revocation and Consequential Provision) Regulations 2024 is published https://www.gov.uk/government/publications/the-railways-revocation-and-consequential-provision-regulations-2024-2#:~:text=Statutory guidance-The Railways (Revocation and Consequential Provision) Regulations 2024,legislation consequential on those revocations.</p>

	<p>This SI revokes certain pieces of assimilated law which are viewed as being overly prescriptive, add superfluous administrative burdens to industry or are redundant. It will also make amendments to existing legislation consequential on those revocations. The revocations in this SI include legislation prescribing the format of rail accident investigation reports which is overly bureaucratic; provisions relating to EU rail technical standards which are no longer relevant following Brexit; as well as duplicative and overly prescriptive requirements that apply to the access arrangements which govern operator access to the track and rail facilities.</p>	
	<p>Aviation: Implementing the latest amendments (technical and editorial updates) to Volume I, Volume II, and Volume III of Annex 16 to the Convention on International Civil Aviation (the Chicago Convention). The volumes detail the Standards and Recommended Practices (SARPs) developed and agreed by the International Civil Aviation Organization (ICAO) on aircraft noise, aircraft engine emissions, and aeroplane CO2 emissions, respectively.</p>	Regulation (EU) No. 2018/1139.
	<p>Aviation: Expanding a statutory list of air cargo agents to ensure sufficient powers to direct them under the Aviation Security Act 1982. A limited number of provisions from EU Regulation 2015/1998 will be omitted to ensure consistency.</p>	Regulation (EU) No. 2015/1998.
	<p>Aviation: Repeals relevant chapter(s) of regulation EU 2015/1998 as part of an ongoing</p>	Regulation (EU) No. 2015/1998.

	programme of legislation on aviation security.	
	Aviation: Amends UK Regulation (EU) No. 965/2012 to introduce the necessary changes for compliance with ICAO Annex 6 in regard to All Weather Operations and Fuel/Energy Planning and Management.	Regulation (EU) No. 965/2012.
	Shipping: Changes to simplify and improve the operational effects of the Merchant Shipping (Accident Reporting and Investigation) Regulations 2012. These changes will aid clarity and therefore compliance, and better reflect real world operational experience.	The Merchant Shipping (Accident Reporting and Investigation) Regulations 2012.
	Roads: Reforms to the way in which the Driver Certificate of Professional Competence can be renewed for domestic commercial road transport to increase flexibility and minimise barriers to driver recruitment and retention. Existing qualifications will remain for international drivers.	The Vehicle Drivers (Certificates of Professional Competence) Regulations 2007.
	Roads: The Government is also removing unnecessary theoretical restrictions on the level of certain road user charges which can be levied on HGVs relative to other vehicles as these currently have no practical effect in the UK, and plan to lay the draft Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) (Revocation and Consequential Amendments) Regulations 2024 to achieve this.	The Heavy Goods Vehicles (Charging for the Use of Certain Infrastructure on the Trans-European Road Network) Regulations 2009 (as amended).
	International Vehicle Standards: Amend assimilated law (formerly REUL) on road	Regulation (EU) 2018/858. Regulation (EU) 1003/2010.

	<p>vehicle type approval, Regulation (EU) 2018/858, as amended, to incorporate recent developments in international regulations on vehicles. Recognise several United Nations Economic Commission for Europe Regulations (UN Regulations) in the Great Britain (GB) type approval scheme for road vehicles, to increase harmonisation. Amend Commission implementing Regulation (EU) 1003/2010, as amended, concerning the approval of rear registration plate space on vehicles, to recognise the equivalent technical requirements in Commission Implementing Regulation (EU) 2021/535 as it applies in EU law.</p>	
	<p>Decarbonisation: The revocation and amendment of assimilated law through The Vehicle Emissions Trading Schemes Order 2023. This Order implements the Zero Emission Vehicle (ZEV) mandate for new cars and vans in Great Britain. It replaces UK-wide CO2 emissions standards (retained from the EU after Brexit) for new cars and vans in GB only and cannot yet apply in Northern Ireland in the absence of the NI Assembly. It also makes amendments to assimilated law to ensure that, where it still applies in NI, it can continue to function in a Northern Ireland-only context.</p>	<p>The assimilated law (previously REUL) affected by the Vehicle Emissions Trading Schemes (VETS) Order 2023 is:</p> <p>For Great Britain:</p> <p>Regulation (EU) 63/2011. Regulation (EU) 114/2013. Regulation (EU) 1014/2010. Regulation (EU) 293/2012. Regulation (EU) 2019/631. Regulation (EU) 725/2011. Regulation (EU) 427/2014.</p> <p>UK-wide:</p> <p>Regulation (EU) 2017/1152. Regulation (EU) 2017/1153.</p>

DBT	DBT has several significant reforms planned in 2024 to help business and consumers in corporate reporting and the product regulation space. These will include:	
	Metrology: The reform looks to revoke and replace legislation to allow new quantities of prepacked still and sparkling wine to be sold – including a 568 ml ‘pint’ size. This will support the thriving UK wine sector by providing opportunities for innovation, increasing consumer choice, and bringing greater consistency to still and sparkling wine sizes. These products will be able to be sold in Northern Ireland under the Northern Ireland Retail Movement Scheme.	Weights and Measures (Intoxicating Liquor) Order 1988.
	Corporate Reporting Requirements: This will be the first of a programme of measures to reform assimilated law (formerly REUL), as part of a package of content that will change the accounting, reporting and audit regulatory framework within the UK. By removing onerous burdens and restrictions for UK businesses this will save time and money and create new opportunities for growth.	Section 1221 and Schedule 11 to the Companies Act 2006.
	Product Regulations: DBT is leading an SI alongside DEFRA, DESNZ and DWP (HSE) to indefinitely extend CE recognition in Great Britain. This reform looks to revoke and replace provisions in 21 pieces of assimilated law (formerly REUL). This will involve amending the existing provisions that currently specify that recognition of the CE marking will end on the 31 December 2024. Instead replacing this with a provision with no end date, extending CE recognition beyond	Equipment for use in potentially explosive atmospheres Regulations 2016/1107. Electromagnetic compatibility Regulations 2016/1091. Lifts Regulations 2016/1093. Electrical Equipment (Safety) Regulations 2016/1101. Pressure Equipment (Safety) Regulations 2016/1105.

	<p>2024 for placing products on the GB market. This will provide manufacturers with a choice to use either the CE marking or the UKCA marking to supply products in GB for certain product areas.</p>	<p>Pyrotechnic Articles (Safety) Regulations 2015/1553.</p> <p>Recreational Craft Regulations 2017/737.</p> <p>Radio Equipment Regulations 2017/1206.</p> <p>Simple Pressure Vessels (Safety) Regulations 2016/1092.</p> <p>Toys (Safety) Regulations 2011/1881.</p> <p>Aerosol Dispensers Regulations 2009/ 2824.</p> <p>Gas Appliances (EU Regulation) 2016/426.</p> <p>Supply of Machinery (Safety) Regulations 2008/1597.</p> <p>Noise Emission in the Environment by Equipment for use Outdoors Regulations 2001/1701.</p> <p>Personal Protective Equipment (EU Regulation) 2016/425.</p> <p>Measuring Instruments Regulations 2016/1153.</p> <p>Non-automatic weighing instruments Regulations 2016/1152.</p> <p>Measuring Container Bottles (EEC Requirements) Regulations 1977.</p> <p>Restriction on the Use of Certain Hazardous Substances in Electrical and Electronic Equipment Regulations 2012/3032 (RoHS).</p>
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		Explosives Regulations 2014/1638. The Ecodesign for Energy-Related Products Regulations 2010.
	Product Safety: Following the recent public consultation, the Government is keen to develop its product safety framework so that it works effectively for both consumers and business, ensuring obligations are proportionate and consumers are protected. Additionally, this explores the use of digital solutions, to reduce business costs. This reform looks to revoke and replace the current mandatory requirement for UK businesses to indelibly mark products. Planned changes will instead introduce a more proportionate system, including the option of e-labelling.	We anticipate using REUL Act revoke and replace powers to reform elements of the legal framework as needed and will identify individual items of legislation to be updated once plans are finalised.
DEFRA	DEFRA is bringing forward a range of reforms in 2024, including in relation to the wine sector, delisting invasive alien species of special concern, veterinary medicines and the removal of defunct assimilated law (formerly REUL). In particular:	
	Wine: Reform to update the list of approved oenological (wine and winemaking) practices, processes and restrictions. The proposed changes are trade-facilitative and intended to improve domestic consumer choice and quality without causing any confusion to consumers on the provenance of the wine.	Commission Delegated Regulation (EU) 2019/33. Commission Delegated Regulation (EU) 2019/934.

	<p>Invasive Alien Species of Special Concern: Following review (and recommended by the GB Non-Native Species Committee), ten species will be de-listed as Species of Special Concern because of their inability to establish in GB under foreseeable climate conditions.</p>	<p>Commission Implementing Regulation (EU) 2016/1141.</p>
	<p>Veterinary medicines: This reform updates the 2013 Veterinary Medicines Regulations, to modernise rules on how veterinary medicines should be marketed, manufactured, supplied and used. This reflects developments and technical advances and reduces regulatory burdens to support the industry. The reform will introduce measures to help reduce the risk of development and spread of antimicrobial resistance. Finally, the reform will more closely align regulatory frameworks between Great Britain and Northern Ireland.</p>	<p>Commission Regulation (EC) No 1234/2008.</p> <p>Veterinary Medicines Regulations 2013 (SI 2013/2033), in respect of Great Britain.</p>
	<p>Removal of redundant assimilated law (formerly REUL): Removal of 73 pieces of redundant, Defra-owned assimilated law (formerly REUL) from the statute book in early 2024 by means of a mass revocation SI.</p>	<p>Commission Implementing Decision (EU) 2016/1102.</p> <p>Commission Implementing Decision (EU) 2015/1084.</p> <p>The Landfill (Maximum Landfill Amount) Regulations 2011.</p> <p>Council Implementing Decision (EU) 2015/200.</p> <p>Commission Implementing Regulation (EU) 2020/918.</p> <p>Council Regulation (EU) 2016/2285.</p> <p>The Environmental Permitting (England and Wales) (Amendment) Regulations 2012.</p>

		<p>Landfill (Scheme Year and Maximum Landfill Amount) Regulations 2004.</p> <p>Council Regulation (EU) 2017/1398.</p> <p>Commission Implementing Decision of 31 October 2014 (notified under document C (2014) 7920).</p> <p>Commission Implementing Regulation (EU) 2018/1992.</p> <p>Commission Decision 26 November 2013 (C 346/03).</p> <p>Council Regulation (EU) 2016/1252.</p> <p>Council Decision of 8 November 2010 (2010/717/EU).</p> <p>The Environmental Permitting (England and Wales) Regulations 2007.</p> <p>The Environmental Permitting (England and Wales) Regulations 2010.</p> <p>The Large Combustion Plants (Transitional National Plan) Regulations 2015.</p> <p>The Veterinary Surgeons' Qualifications (Recognition) (Switzerland and Croatia) Regulations 2013.</p> <p>Commission Implementing Decision (EU) 2020/758 of 4 June 2020.</p> <p>Commission Decision of 29 January 2004 (2004/110/EC).</p>
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		<p>Commission Decision of 14 October 2004 (2004/696/EC).</p> <p>Commission Decision of 10 October 2003 (2003/724/EC).</p> <p>Commission Decision of 16 December 1997 (97/870/EC).</p> <p>Commission Decision of 24 June 1996 (96/385/EC).</p> <p>Commission Decision of 5 February 1991 (91/89/EEC).</p> <p>The Environmental Permitting (England and Wales) (Amendment) Regulations 2015.</p> <p>The Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2015.</p> <p>The Environmental Permitting (England and Wales) (Amendment) (England) Regulations 2014.</p> <p>The Environmental Permitting (England and Wales) (Amendment) Regulations 2011.</p> <p>The Environmental Permitting (England and Wales) (Amendment) (No. 2) Regulations 2009.</p> <p>The Environmental Permitting (England and Wales) (Amendment) Regulations 2009.</p> <p>Council Regulation (EC) No 882/2003.</p> <p>Commission Delegated Regulation (EU) 2017/1181.</p> <p>Council Decision (EU) 2017/938 of 23 September 2013.</p>
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		<p>Council Decision (EU) 2017/939 of 11 May 2017.</p> <p>Council Decision (EU) 2017/1138 of 19 June 2017.</p> <p>Council Decision (EU) 2018/1730 of 12 November 2018.</p> <p>Council Decision (EU) 2019/2119 of 21 November 2019.</p> <p>Council Decision (EU) 2019/2135 of 21 November 2019.</p> <p>93/98/EEC: Council Decision of 1 February 1993.</p> <p>Commission Regulation (EC) No 2680/1999.</p> <p>Council Regulation (EC) No 1420/1999.</p> <p>Commission Decision of 9 March 2001 (2001/199/EC).</p> <p>Commission Decision of 12 December 2000 (2001/5/EC).</p> <p>Council Decision (EU) 2019/638 of 15 April 2019.</p> <p>2011/854/EU: Commission Implementing Decision of 15 December 2011.</p> <p>Commission Regulation (EC) No 1208/2000 of 8 June 2000.</p> <p>2010/438/EU: Commission Decision of 10 August 2010.</p> <p>Commission Regulation (EC) No 105/2005 of 17 November 2004.</p> <p>Commission Regulation (EC) No 2118/2003 of 2 December 2003.</p>
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		<p>Commission Regulation (EC) No 2243/2001 of 16 November 2001.</p> <p>Commission Regulation (EC) No 1800/2001 of 13 September 2001.</p> <p>Commission Regulation (EC) No 77/2001 of 5 January 2001.</p> <p>Commission Regulation (EC) No 2630/2000 of 30 November 2000.</p> <p>Council Regulation (EU) 2019/529 of 28 March 2019.</p> <p>Council Regulation (EU) 2017/135 of 23 January 2017.</p> <p>Commission Regulation (EC) No 737/2008 of 28 July 2008.</p> <p>Commission Decision of 7 December 2001 (2001/872/EC).</p> <p>Commission Regulation (EU) 2018/455 of 16 March 2018.</p> <p>Commission Regulation (EC) No 997/2002 of 11 June 2002.</p> <p>Commission Implementing Decision of 24 April 2012 (2012/219/EU).</p> <p>Commission Decision of 30 October 2000 (2000/700/EC).</p> <p>Commission Decision of 18 January 2001 (2001/99/EC).</p> <p>Commission Decision of 29 May 2001 (2001/441/EC).</p> <p>Commission Decision of 29 April 2002 (2002/316/EC).</p>
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		<p>Commission Decision of 26 June 2002 (2002/499/EC).</p> <p>Commission Decision of 28 January 2003 (2003/63/EC).</p> <p>Commission Decision of 9 April 2003 (2003/250/EC).</p> <p>Commission Decision of 28 January 2004 (2004/96/EC).</p> <p>Commission Decision of 29 November 2004 (2004/827/EC).</p> <p>Commission Decision of 29 June 2005 (2005/477/EC).</p> <p>Commission Decision of 11 December 2006 (2006/916/EC).</p> <p>Commission Implementing Regulation (EU) 2020/1002 of 9 July 2020.</p>
DESNZ	<p>Amendments will be made to the scope of the Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013 to disapply their application in England only. This proposal was part of the “Decarbonisation Readiness” consultation published in March 2023 to move the Carbon Capture Readiness requirements from the planning regime to the Environmental Permitting regime in England only.</p> <p>The proposal is subject to the outcome of the consultation response. DESNZ intends to publish a response to the consultation in Q1 2024.</p>	<p>The Carbon Capture Readiness (Electricity Generating Stations) Regulations 2013.</p>
	<p>EURATOM: Revocation of six pieces of assimilated law (formerly REUL) which are rendered obsolete as the UK is no longer a member of Euratom.</p>	<p>Council Decision (Euratom) 2020/960 of 29 June 2020 on the adoption of the 2020-2023 high flux reactor supplementary research programme at Petten to</p>

	<p>Energy Renewables - Revocation of one piece of assimilated law (formerly REUL) which is deemed inoperable because it makes amendments to the Promotion of the Use of Energy from Renewable Sources Regulations 2011 (SI 2011/243), which was revoked via the Schedule of REUL that was sunset by the REUL Act at the end of 31 December 2023.</p>	<p>be implemented by the Joint Research Centre for the European Atomic Energy Community.</p> <p>Council Decision (Euratom) 2017/956 of 29 May 2017 on the adoption of the 2016-2019 high flux reactor supplementary research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community.</p> <p>Council Decision (Euratom) 2016/2116 of 12 February 2016 approving the conclusion by the European Commission, on behalf of the European Atomic Energy Community, of the Agreement extending the Framework Agreement for International Collaboration on Research and Development of Generation IV nuclear energy systems.</p> <p>Council Decision of 13 November 2012 on the adoption of the 2012-2015 High Flux Reactor supplementary research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community (2012/709/Euratom).</p> <p>Council Decision of 25 May 2009 on the adoption of a supplementary research programme to be implemented by the Joint Research Centre for the European Atomic Energy Community (2009/410/Euratom).</p> <p>Commission Decision of 10 April 1996 on the reorganization of the Joint Research Centre (96/282/Euratom).</p>
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		Promotion of the Use of Energy from Renewable Sources (Amendment) Regulations 2013 (SI 2013/829).
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Preservation of Section 4 Rights

The REUL Act ended the special status of REUL from the end of 2023. It abolished the principle of EU law supremacy⁴ and general principles of EU law as ways to interpret the law. The REUL Act also repealed section 4 of the European Union (Withdrawal) Act 2018 (EUWA), which means that rights previously preserved by that section (known as “section 4 rights”) are no longer recognised in domestic law, unless they have been restated using powers in the REUL Act.

Section 4 of the EUWA provided for legal continuity of certain rights at the point of the UK’s exit from the EU, but these were not intended to be maintained on the statute book indefinitely.

The REUL Act provides powers to codify retained case law, section 4 rights, and other interpretive effects into UK law that would otherwise cease to apply. This is needed in some circumstances where otherwise there would be a gap because a right or principle, currently derived from EU interpretive effects, is not already provided for in domestic legislation.

However, this is not needed in all cases. In some cases, we have concluded that existing domestic legislation already provides equivalent protections and would be likely to lead to the same outcome. In these instances, there is no need to restate. In other cases, some rights and obligations have been allowed to lapse due to being undesirable or ill-suited to the UK context. The impact of the REUL Act on particular section 4 rights is being kept under review.

The Government remains committed to upholding its high standards on equalities and rights and has taken steps to ensure that necessary rights are preserved after the end of 2023. All departments have undertaken extensive analysis to ensure that necessary rights are clearly stated in our domestic legislation and that the effects of case law are maintained where desired. This Report focuses on rights which have been reproduced or which were at risk of lapsing at the end of 2023. All other rights are adequately covered by domestic legislation.

The REUL Act’s restatement powers are available until 2026 and enable the Government to keep these decisions under continuous review within this timeframe.

As was announced when the REUL Act was introduced, changes in relation to tax are dealt with via Finance Bill or subordinate legislation and a bespoke solution has been put in place for VAT and excise. The Finance Bill clarifies how VAT and excise law should be interpreted in light of changes made by the REUL Act.

⁴ insofar as it still applied in relation to legislation made before the end of the implementation period.

Decisions have been made regarding Section 4 rights relating to the following:

Dept	Source of section 4 right	Description	Approach	Rationale
DfE	European University Institute (EUI) Convention.	Employment-related privileges established by the EUI Convention, which constitutes an EU Treaty, were preserved after EU Withdrawal for EUI staff who would otherwise lose them – typically UK nationals or those with substantial ties to the UK, and who were in post before November 2022. The privileges, which relate to income tax and work-related legal immunities, were due to fall away because of the repeal of section 4 EUWA.	These provisions have been restated.	The Government wished to maintain existing provisions for affected EUI staff.
DfT	<i>Lewis v Tindale, Motor Insurers' Bureau & Secretary of State for Transport</i> ([2019] EWCA Civ 909).	This judgment gave direct effect to Articles 3 and 10 of the Motor Insurance Directive 2009 (2009/103/EC), and the Motor Insurers' Bureau were found to be an Emanation of the State under the Directive and therefore the appropriate body to provide compensation to claims arising from non-Road Traffic Act 1988 liabilities.	The effect of the right recognised in this judgment has not been restated.	The Government considers that existing provisions in the Road Traffic Act 1988 and standing agreements between the MIB and the Department for Transport provide adequate recourse to claims for victims of crashes with uninsured or untraced drivers.

DLUHC	<i>R (Halebank Parish Council) v Halton Borough Council</i> [2012] EWHC 1889.	The Court held that the provisions of Article 6 of Directive 2011/92/EU (“EIA Directive”) (relating to rights of effective public participation in decision-making procedures) were directly effective, notwithstanding that minimum requirements (for instance time-limits for publication of documents) had been laid down in the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (“EIA Regulations”). The Court considered that compliance with the time-limits set in the EIA Regulations would not necessarily ensure compliance with the EIA Directive.	The effect of the right recognised in this judgment has not been restated.	The Government considers the public participation rights in the EIA regime will not be materially curtailed once individuals no longer have direct recourse to the EIA Directive. The EIA Regulations provide adequate public participation rights and individuals can still make an application to the Aarhus Convention Compliance Committee if they consider the public participation rights in the EIA Regulations are inadequate in particular cases.
DLUHC	<i>R (Lucas) v Oldham Metropolitan Borough Council.</i>	The Court held that Article 6(3)(b) of the EIA Directive, which provides that the public has a right to be provided, within	The effect of the right recognised in this judgment	The Government considers there is not a material gap between the

		reasonable timeframes, with the main reports and advice issued to the competent authority or authorities in respect of an EIA, was directly effective.	has not been restated.	requirements of the EIA Directive, and the EIA Regulations and The Town and Country Planning (Development Management Procedure) (England) Order 2015.
DWP	<i>Allonby vs Accrington and Rossendale College</i> (C-256/01).	This judgment established that where discrimination has arisen between men and women in an occupational pension scheme because of legislation about guaranteed minimum pensions, it is not necessary to identify a real-life comparator to demonstrate that discrimination. Instead, it was found that a notional or statistical comparator can be used.	The effect of the right recognised in this judgment has been restated.	The Government wished to maintain existing protections and ensure clarity in the law.
DWP	<i>Walker v Innospec Limited and others</i> (UKSC [2017] 47).	This judgment requires occupational pension schemes not to discriminate between same sex and opposite sex couples who are married or in a civil partnership regarding the payment of survivor benefits.	The effect of the right recognised in this judgment has been restated.	The Government wished to maintain existing protections and ensure clarity in the law.
DWP	<i>Grenville Hampshire v The Board of the Pension Protection Fund</i> (C-17/17).	This judgment entitles individual employees, without exception, to compensation corresponding to at least 50% of the value of their accrued pension benefits in the	The effect of the right recognised in this judgment has been restated.	The Government wished to maintain existing protections and ensure clarity in the law.

		event of their employer's insolvency.		
DWP	<i>Pensions-Sicherungs-Verein VVaG v Günther Bauer C (C-168/18).</i>	This judgment established that, even where the minimum levels of pension benefits are met, employer insolvency must not result in pension scheme members living in a household whose income falls below the Eurostat poverty threshold.	The effect of the right recognised in this judgment has not been restated.	The Government has not restated this judgment as the UK has alternative measures in place through the benefits system to address pensioner poverty, such as the contribution of the triple lock and state pension credit. Allowing <i>Bauer</i> to fall away enables the UK to continue to deliver assistance through the benefits system rather than the pension protection system, which was designed for a different purpose.
DWP	<i>Barber vs Guardian Royal Assurance Group (C-262/88).</i>	This judgment established that private pensions constitute deferred pay, and as such found that it is unlawful to discriminate between men and women in relation to benefits payable by occupational pension schemes.	The effect of the right recognised in this judgment has not been restated.	The Government has not restated this judgment because its effects have already been incorporated into domestic legislation

				including the Equality Act 2010.
DWP	<i>Lucy Stewart v Secretary of State for Work and Pensions</i> (C-503/09).	As a result of this judgment, the UK allowed claims for a Category D State Pension (i.e. a non-contributory pension for those aged 80 and over) to be made by those residents in an EEA state or Switzerland.	The effect of the right recognised in this judgment has not been restated using REUL Act powers. Instead, the DWP has laid regulations using powers in the Social Security Contributions and Benefits Act (1992) which maintain the effect of the Stewart Judgment by amending the legislation which established the residence conditions for claiming a Cat D State Pension.	The Government has laid Regulations which replicate the Judgment's effect, although not using powers provided by the REUL Act.
DWP	<i>MB v Secretary of State for Work and Pensions</i> (C-451/16).	This judgment established that a transgender person who married prior to transition could acquire a Gender Recognition Certificate without having to first divorce their spouse. This enabled married transgender women to obtain a Certificate and qualify for a State Pension at women's State Pension age. When the State Pension age was then	The effect of the right recognised in this judgment has not been restated.	The Government has not restated the effect of this judgment because the repeal of section 4 EUWA does not remove historic entitlement. The LEAP exercise relates only to historic

		equalised for men and women, the judgment led to an ongoing LEAP (Legal Entitlement and Administrative Practices) exercise covering individuals in MB's position for the period between the judgment and the equalisation of State Pension age.		entitlement and is unaffected by the repeal of section 4 EUWA.
DWP	<i>Gassmayr v Bundesminister für Wissenschaft und Forschung</i> (C-194/08).	This judgment established that Article 11(2)(b) and (3) of Council Directive 92/85 EEC has direct effect and creates a directly effective right to an adequate allowance for women on maternity leave.	The effect of the right recognised in this judgment has not been restated.	The Government has not restated the effect of this judgment because its effects have already been incorporated into domestic legislation via the Social Security Contributions and Benefits Act 1992 and consequent secondary legislation including SI 1994/1230 and SI 1994/1367.
Equality Hub	Article 157 TFEU as interpreted in <i>Lawrence v Regent Office Care Ltd</i> [2003] ICR 1092 (single source test).	Article 157 TFEU establishes the principle of equal pay for men and women for equal work or work of equal value. This has been interpreted by REUL caselaw to enable pay comparison between men and women working for different employers, providing those employers are	The effect of the right recognised in this judgment has been reproduced.	The Government wished to maintain existing protections and ensure clarity in the law.

		controlled by a "single source", for example a parent company.		
Equality Hub	<p>Caselaw relating to the definition of disability, in particular:</p> <p><i>Chacon Navas v Eurest Colectividades SA</i> (C-13/05)</p> <p><i>HK Danmark (acting on behalf of Ring) v Dansk almennyttigt Boligselskab</i> (Joined Cases C-335/11 and C-337/11) [2013] ICR 851</p> <p><i>Banaszczyk v Booker Ltd</i> [2016] IRLR 273</p> <p><i>Sobhi v Metropolitan Police Commissioner</i> (UKEAT/0518/12), [2013] EqLR 785</p> <p><i>Paterson v Commissioner of Police of the Metropolis</i> [2007] 7 WLUK 660.</p>	<p>This caselaw establishes that the definition of disability in the context of employment and occupation must be read as including a person's ability to participate fully and effectively in working life on an equal basis with other workers.</p>	<p>The effect of the right recognised in these judgments have been reproduced.</p>	<p>The Government wished to maintain existing protections and ensure clarity in the law.</p>
Equality Hub	<p>Caselaw relating to indirect discrimination, in particular:</p> <p><i>CHEZ Razpredelenie Bulgaria AD v Komisia za zashtita ot diskriminatsia</i> C-</p>	<p>The CHEZ judgment established that the principle of equal treatment must mean that a person who does not have the relevant protected characteristic is also indirectly discriminated against where they suffer alongside persons with the protected</p>	<p>The effect of the right recognised in this judgment has been reproduced.</p>	<p>The Government wished to maintain existing protections and ensure clarity in the law.</p>

	83/14, [2015] IRR 74.	characteristic from a particular disadvantage arising from a discriminatory policy, criterion, or practice.		
Equality Hub	<p>Caselaw relating to discrimination in access to employment, in particular:</p> <p><i>NH v Associazione Avvocatura per i diritti LGBTI — (Rete Lenford)</i> (Case-C 507/18) [2020] ICR 1124</p> <p><i>Associata ACCEPT v Consilul National pentru Combaterea Discriminariilor</i>, C-81/12, EU:C:2013:275, [2013] IRLR 660</p> <p><i>Centrum voor Gelijkheid van Kansen en voor Racismebestrijding v Firma Feryn NV</i> Case C-54/07 [2008].</p>	This caselaw establishes that protection against discrimination applies outside an active recruitment process and in respect of discriminatory public statements made by employers.	The effect of the right recognised in these judgments has been reproduced.	The Government wished to maintain existing protections and ensure clarity in the law.
Equality Hub	<p>Caselaw relating to breastfeeding, in particular:</p> <p><i>Otero Ramos v Servicio Galego de Sade and another</i> [2018] ICR 965.</p>	ECJ finding that any less favourable treatment of a woman because she is breastfeeding is related to pregnancy and therefore constitutes direct sex discrimination within the meaning of the Equal Treatment Directive. This includes within a work context.	The effect of the right recognised in this judgment has been reproduced.	The Government wished to maintain existing protections and ensure clarity in the law.

Equality Hub	<p>Caselaw relating to sex discrimination related to pregnancy and maternity, in particular:</p> <p><i>Brown v Rentokil</i> (C-384/96)</p> <p><i>Geldart v Commissioner of City of London Police</i> [2021] EWCA Civ 611.</p>	<p>The Brown judgment established that pregnancy and maternity protection extends to unfavourable treatment which occurs after the end of the protected period, but which is because of their pregnancy and relating to the protected period.</p> <p>The Geldart judgment established that a woman who does not have a right to maternity leave under the Employment Rights Act 1996 but has an equivalent right under an alternative occupational scheme does not need a male comparator in order to bring a claim for sex discrimination relating to maternity leave.</p>	<p>The effect of the right recognised in these judgments has been reproduced.</p>	<p>The Government wished to maintain existing protections and ensure clarity in the law.</p>
Equality Hub	<p>Caselaw relating to the discrimination of students on work placements, in particular:</p> <p><i>Blackwood v Birmingham and Solihull Mental Health NHS Foundation Trust</i> [2016 EWCA Civ 607].</p>	<p>This caselaw interpreted section 56(5) of the Equality Act 2010 consistently with the Equal Treatment Directive to ensure that a student on a work placement was able to bring a claim against the work placement provider in a situation where they were not able to claim against the educational institution that arranged the placement.</p>	<p>The effect of this judgment has not been restated.</p>	<p>The Government will keep this area under review and will bring forward amendments under the REUL Act's restatement powers if needed.</p>
Equality Hub	<p>Article 157 TFEU as interpreted in <i>Allonby v Accrington and Rossendale</i></p>	<p>This caselaw has established that Article 157 could lead to the disapplication of domestic legislation</p>	<p>The effect of this judgment has not been restated.</p>	<p>The REUL Act means that the UK is ending the supremacy of</p>

	<p><i>College and others</i> (C-256/01) [2004] and <i>Thukalil v Puthenveetil</i> [2023] EAT 47 (unequal pay caused by legislation).</p>	<p>where it was found to be indirectly discriminatory and cause unequal pay as between men and women.</p>	<p>EU law. Reproducing the principle of the supremacy of EU law, whereby an Act of Parliament can be disapplied by a Court or Tribunal if it is incompatible with EU law, is impermissible under the powers of the REUL Act. In the specific case of equal pay, the Government is committed to upholding the principle of equal pay for work of equal value in all legislation it brings forward and has legislated to ensure the single source test is reproduced in full. DWP have restated certain elements of the Allonby case only as it relates to pensions which are permissible</p>
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				under the REUL Act.
HMRC	<p>CJEU and UK retained caselaw establishing 0% charges under Stamp Duty and Stamp Duty Reserve Tax on issues (and certain related transfers) of securities onto foreign markets.</p> <p><i>HSBC Holdings PLC and Vidacos Nominee Ltd v Commissioners for HM Revenue & Customs (HMRC) (C569/07)</i></p> <p><i>HSBC Holdings PLC and the Bank of New York Mellon Corporation v Commissioners for HM Revenue & Customs (TC/2009/16584)</i></p> <p><i>Air Berlin plc v the Commissioners for Revenue and Customs (C-573/16).</i></p>	<p>This caselaw established a 0% charge under Stamp Duty and Stamp Duty Reserve Tax on issues (and certain related transfers) of securities onto foreign markets, and a 0% charge on issues of bearer instruments. Draft legislation was published for technical consultation on 14 September. The changes took effect from 1 January 2024.</p>	<p>The effect of this right has been restated.</p>	<p>Treatment is being provided for in domestic legislation (announced at Autumn Statement) and legislation included in Finance Bill 2023/2024 which came into effect on 1 January 2024.</p>
HSE	<p><i>Soll vs Tetra GmbH (C-420/10)</i></p> <p><i>Darie BV v Staatssecretaris van Infrastructuur en Milieu (C-592/18).</i></p>	<p>The judgments concluded that the definition of biocidal products in Directive 98/8/EC included products which control harmful organisms in an indirect way.</p>	<p>The effect of these judgments has not been restated.</p>	<p>The Government does not consider it necessary to restate the effects of these judgments. HSE will continue to</p>

				<p>apply the principles they established as part of its decision-making process for biocidal products. The Directive has been succeeded by The Biocidal Products Regulation 528/2012 and contains a similar definition of biocidal products.</p>
MoJ	<p>Right to effective judicial protection – Article 47, Charter of Fundamental Rights (in relation to legal aid).</p>	<p>Article 47 may require the provision of legal aid funding in certain circumstances, having regard to the subject matter, applicable law and procedure, and the status of the individual in question.</p>	<p>These rights have not been restated.</p>	<p>The Government does not consider it necessary to codify this general principle of EU law in relation to legal aid because the operation of the legal aid framework does not rely on its application.</p> <p>The legal aid framework explicitly provides for the availability of services required to meet our obligations under the</p>

				Withdrawal Agreement and other international obligations.
MoJ	Lugano Convention 2007 (in relation to private international law).	The Convention provided rules for determining which country's courts had jurisdiction to hear legal disputes and rules for the mutual recognition and enforcement of judgments between participating countries. These rules were largely revoked in 2019 but were preserved for certain legacy cases and fell within the scope of section 4 of EUWA.	These rules have already been preserved for the legacy cases for which they were previously retained.	The Government wished to continue to preserve these rules, consistent with regulation 92 of SI 2019/479, to continue to minimise disruption to litigants and provide predictable outcomes, as well as to ensure continuing compliance with a bilateral treaty with Norway.
DSIT	Directly effective rights in relation to the exhaustion of intellectual property (IP) rights under the free movement of goods articles that are found in the Treaty on the Functioning of the European Union ("TFEU"), in particular from Articles 34 and	UK law on the exhaustion of IP rights is set out in domestic IP legislation which all rely in part on directly effective rights that were saved by section 4 EUWA for their operation.	The effect of these rights has been restated.	Without replacing the effect of these rights, our exhaustion regime would not operate effectively from the end of 2023. This could create uncertainty about the operability of rules for IP-

	36, and the Agreement on the European Economic Area (“EEA Agreement”), which were saved by section 4 EUWA.			protected goods, which may impact on supply chains and create a chilling effect on commerce and investment in the UK. The Government is ensuring continuity of the current exhaustion regime without any substantial changes to this policy area while it is considering what the UK’s future exhaustion regime should be.
FCDO	Protocol No 7 on the privileges and immunities of the EU.	Provides certain privileges and immunities to some EU related bodies and personnel. This includes Members of the European Commission (including its President) and the President of the European Council, who may not receive immunities by other means.	This will not be restated.	The Government chose not to restate this.
HMT	TFEU Art 63 right of free movement of capital (FMOC).	Fundamental freedom of the EU Single Market stating that all restrictions on the movement of capital	These will not be restated.	The Government will not be restating this as the policy

		between Member States and between Member States and third countries shall be prohibited.		effect is provided via other legislative means.
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