



Department for
Business & Trade

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Assimilated Law Parliamentary Report January 2024 – June 2024

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



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Introduction

On 22 January 2024, the Retained EU Law (REUL) Parliamentary Report was laid before Parliament. It detailed the previous Government's programme of revocation and reform of REUL, now known as assimilated law, since the Retained EU Law Act 2023 (the REUL Act) received royal assent on 29 June 2023 under the previous Government.

Section 17 of the REUL Act requires regular updates to the retained EU law dashboard and the publication of a Report on the revocation and reform of retained EU law. This Report fulfils that statutory requirement updating the House on the measures taken by the previous Government to revoke and reform assimilated law for the second reporting period, 24 December 2023 to 23 June 2024.

Secretary of State for Business and Trade, July 2024

Executive Summary

1. The Retained EU Law (Revocation and Reform) (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 / assimilated law at six-monthly intervals until 23 June 2026. Under the legislation, the Report must:
 - (a) provide a summary of the data on the REUL / assimilated law dashboard;
 - (b) set out the ‘progress that has been made in revoking and reforming’ REUL / assimilated law during the reporting period to which the Report relates;
 - (c) set out His Majesty’s Government’s plans to revoke and reform REUL / assimilated law in subsequent reporting periods.
2. The Report updates the House on the measures taken by the previous Government to revoke and reform assimilated law for the second reporting period, 24 December 2023 to 23 June 2024.
3. To begin with, this Report provides an update on the REUL and assimilated law dashboard. The dashboard provides the public with information on the amount of REUL / assimilated law and where it sits across departments. The dashboard was updated alongside publication of this Report and reflects the position as on 23 June 2024. There are a total of 6,735 instruments of REUL / assimilated law concentrated over approximately 400 unique policy areas on the dashboard.
4. It is notable that the amount of REUL / assimilated law has decreased slightly since the last dashboard update in January 2024. This is because departments undertook further analysis on the REUL / assimilated law they own and rectified errors. Since the previous update to the dashboard, 132 assimilated law instruments have either been revoked or reformed. As a result, 2,361 instruments have been revoked or reformed in total.
5. The Report then provides a list of revocations and reforms of assimilated law made during the reporting period by the previous Government. Since the publication of the last Parliamentary Report, the previous Government laid an additional 24 statutory instruments (SIs) using powers under the REUL Act 2023 and other domestic legislation amending assimilated law. These are detailed below.
6. This Government’s regulatory reform agenda will be guided by our manifesto commitments. We are committed to creating a pro-business environment with a regulatory framework that supports innovation, investment, and high-quality jobs. We will take the necessary action to deliver roads, railways, reservoirs and other nationally significant infrastructure faster and cheaper, while maintaining environmental protections.

7. We will make changes to national planning policy to make it easier to build laboratories, digital infrastructure and gigafactories, whilst also simplifying the procurement process to support innovation and reduce micromanagement.
8. The Department for Business and Trade will continue to lead work across Whitehall to determine how best to proceed with regulatory reform to deliver our priorities.
9. Finally, the Report contains information on so-called “section 4 rights”. Since the previous REUL Act Report, no further restatements or codifications related to section 4 rights have been made.

Understanding this Report

10. 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 assimilated law. This second REUL Act Report covers the period from 24 December 2023 to 23 June 2024. Reports are required to be laid within 30 days of the end of each reporting period. As a result, this second Report was required to be published by 23 July 2024.

What was REUL?

11. 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.
12. 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 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’?

13. 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.
14. 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. Similarly, references to assimilated law in this Report should be understood to mean REUL when referring to the law as it was before 2024.

REUL and assimilated law dashboard

15. Following a review of the substance and status of REUL by the previous Government, the dashboard was first published in June 2022 and catalogued 2,417 individual pieces of REUL identified by UK government departments. The REUL and assimilated law dashboard provides the public with information on how much legislation is derived from the EU, and the actions the Government has taken to either reform, revoke or retain it.
16. 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 Northern Ireland, Scotland or Wales. Over the subsequent months and years additional REUL was identified – now amounting to 6,735 individual pieces. The dashboard continues to provide a useful resource for tracking the ongoing status of assimilated law.

Updating the REUL and assimilated law dashboard

17. From June 2022, departments have worked closely, initially with the Brexit Opportunities Unit and now with the Smarter Regulation Directorate within the Department for Business and Trade, The National Archives, and the law firm Hogan Lovells, which was contracted to assist with the delivery of the REUL Reform programme, to identify additional pieces of assimilated law. The dashboard has subsequently been updated in the months of January, May, September and November 2023 and January 2024, to include additional pieces of REUL / assimilated law.
18. The dashboard was updated alongside publication of this Report and reflects the position as on 23 June 2024. The dashboard currently holds a total of 6,735 instruments of REUL / 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. The amount of REUL / assimilated law has decreased slightly since the last update to the dashboard in January 2024, due to departments undertaking further analysis on the REUL / assimilated law they own. Since the previous update to the dashboard 132 assimilated law instruments have either been revoked or reformed, meaning that 2,361 were revoked or reformed by the previous Government.

19. Table 1 below outlines the current status of confirmed REUL (now known as assimilated law) provided by departments.¹

Table 1 – Current status of REUL / assimilated law as of 23 June 2024

Current Status of Total REUL	Total No. of REUL	Percentage of Total REUL
Amended	798	~12%
Repealed	1,461	~22%
Replaced	41	<1%
Expired	61	<1%
Unchanged²	4,370	~65%
To be confirmed	4	<1%
TOTAL	6,735	100%

20. Link to the REUL and assimilated law dashboard

www.gov.uk/government/publications/retained-eu-law-dashboard

¹ All figures are correct as of 23 June 2024.

² This category includes 423 pieces of Financial Services REUL/assimilated law which will be repealed in due course by the Financial Services and Markets Act 2023.

Detailed list of revocations and reforms

21. Since the publication of the last Parliamentary Report the previous Government laid an additional 24 statutory instruments (SIs) using powers under the REUL Act 2023 and other domestic legislation revoking or reforming assimilated law. Further amendments were also introduced in the Finance Act 2024.

Section 1. Assimilated law reforms that were mentioned in the last Parliamentary Report			
Dept	Statutory Instrument	Detail	Progress made
DfT	The Vehicle Emissions Trading Schemes Order 2023	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 Great Britain only and could not be applied in Northern Ireland at the time the SI was laid in the absence of the Northern Ireland Assembly.	Laid 16/10/2023 and came into force on 03/01/2024
DfT	The Railways and Freight Transport etc. (Revocation) Regulations 2024	Revokes 24 pieces of assimilated law which either expired or were no longer applicable following EU exit. This includes expired contingency measures related to COVID-19 and EU exit, cross-border rail services within the EU, freight information, and spent EU negotiating positions for international organisations. Made under the REUL Act.	Laid 11/01/2024 and came into force 06/02/2024
DfT	The Railways (Revocation and Consequential Provision) Regulations 2024	Revokes 11 pieces of rail assimilated law across a range of rail policy areas, including rail interoperability, rail accident investigation reporting and rail markets legislation. Made under the REUL Act.	Laid 08/02/2024 and came into force 04/03/2024
DfT	The Road Vehicles (Type Approval) (Amendment) Regulations 2024	Reforms assimilated law on road vehicle type approval to incorporate recent developments in international regulations on vehicles. Principally, this recognises several United Nations Economic Commission for Europe Regulations in the GB type approval scheme for road vehicles to increase harmonisation. It also makes amendments to regulations concerning the approval of rear registration plate space on vehicles, to recognise the equivalent technical requirements as it applies in EU law.	Laid 15/02/2024 and came into force 07/03/24 and 26/03/24

DHSC	The Nutrition and Health Claims (England) (Amendment) Regulations 2024	Provides enforcement authorities in England the power to issue improvement notices to specify measures to be taken where a breach of compliance with the nutrition and health claims regulations is identified.	Laid 20/02/2024 and comes into force 01/10/2024
DfT	Aviation Security (Air Cargo Agents) Regulations 2024	Expands a statutory list of air cargo agents to ensure sufficient powers to direct them under the Aviation Security Act 1982 and revokes some related provisions.	Laid 28/02/2024 and came into force 21/03/24
DEFRA	The Veterinary Medicines (Amendment etc.) Regulations 2024	Updates the 2013 Veterinary Medicines Regulations 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. It also introduces measures to help reduce the risk of development and spread of antimicrobial resistance.	Laid 04/03/2024 and came into force 17/05/2024
DfTt	The Civil Aviation (Environmental Standards) (Amendment) Regulations 2024	Implements 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 developed and agreed by the International Civil Aviation Organization on aircraft noise, aircraft engine emissions, and aeroplane CO2 emissions, respectively.	Laid 25/03/2024 and came into force 19/04/2024
DBT	Product Safety and Metrology etc. (Amendment) Regulations 2024	Provides for continued recognition of current EU product requirements, including the CE marking. This allows businesses to use either the UKCA or CE marking to place a wide range of products on the GB market. This SI also introduces a voluntary 'Fast-Track UKCA' measure, which will allow manufacturers to use the UKCA marking to demonstrate compliance in GB with either UKCA requirements or recognised EU product requirements. This means that where products are covered by multiple regulations, a mixture of both UKCA and CE conformity assessment procedures can be used. Made under the REUL Act.	Laid 16/04/2024 and comes into force 01/10/2024

DEFRA	The Retained EU Law (Revocation and Reform) Act 2023 (Environment, Food and Rural Affairs) (Revocation) Regulations	Removes 73 pieces of redundant assimilated law from the statute book. Made under the REUL Act.	Laid 16/04/2024 and came into force 10/05/2024
DfT	The Merchant Shipping (Anti Fouling Systems) Regulations 2024	Revokes and replaces, with modifications, Regulation (EC) No. 782/2003 and the Merchant Shipping (Anti-Fouling Systems) Regulations 2009, to incorporate the prohibition in the International Convention on the Control of Harmful Anti-fouling Systems on Ships of the use of cybutryne in anti-fouling systems.	Laid 18/04/2024 and came into force 10/05/2024
DHSC	<i>The Health Claims (Revocation) Regulations 2024</i>	<i>Revokes of a range of Commission Regulations 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 following EU exit.</i>	<i>The SI was sent to the sifting committees on 19/04/2024 but has not yet been laid</i>
DfT	Aviation Security (Amendment) Regulations 2024	Reforms assimilated law to allow flexibility to adjust UK aviation security requirements as needed in the future. Repeals relevant chapter(s) of Regulation EU 2015/1998.	Laid 02/05/2024 and came into force 01/06/2024
DfT	<i>The Vehicle Drivers (Certificates of Professional Competence) (Amendment) Regulations 2024</i>	<i>Implements a National Driver Certificate of Professional Competence qualification for HGV operators driving within the United Kingdom. The existing international qualification will continue to be offered and recognised for UK drivers operating internationally or EU drivers operating in the UK. Reforms include more flexible courses and an accelerated pathway for returning drivers. Laid under the REUL Act.</i>	<i>The SI was laid on 16/05/2024 and is awaiting debates in both Houses before approval but did not proceed to debates before the election. The Government is considering its approach to this SI and will decide on next steps in due course</i>

DBT	Weights and Measures (Intoxicating Liquor) (Amendment) Regulations 2024	Revokes and replaces assimilated law to allow new quantities of prepacked still and sparkling wine to be sold. These products will be able to be sold by retailers in Northern Ireland when moved under the Northern Ireland Retail Movement Scheme. Made under the REUL Act.	Laid 16/05/2024 and comes into force 19/09/2024
DfT	The Merchant Shipping (Carriage of Dangerous and Harmful Substances) Regulations 2024	Revokes legislation to implement an updated version of Chapter VII (Carriage of Dangerous Goods) in the International Convention for the Safety of Life at Sea and in Annex III and Protocol I to the International Convention for the Prevention of Pollution from Ships.	Laid 20/05/2024 and came into force 11/06/2024
DBT	<i>The Companies Act 2006 (Recognition of Third Country Qualifications and Practical Training) (Amendment) Regulations 2024</i>	<i>These regulations amend the two frameworks in the Companies Act 2006 that can each enable the recognition of overseas audit qualifications. First, they amend framework for the Financial Reporting Council to put in place Mutual Recognition Arrangements with an overseas audit authority on the audit qualifications of that jurisdiction. Second, the framework removes the preferential treatment of EEA auditors, as compared to other overseas auditors, as providers of practical training for a UK qualification.</i>	<i>The SI was sent to the sifting committees on 20/05/2024</i>

Section 2. Additional assimilated law reforms that have been completed in the last reporting period but were not mentioned in the previous Parliamentary Report

Dept	Statutory Instrument	Detail	Progress made
DEFRA	Official Controls (Extension of Transitional Periods) (Miscellaneous Amendments) Regulations 2024	Implements the first part of the Border Target Operating Model (BTOM), to protect biosecurity and support trade between Great Britain and third countries.	Laid 09/01/2024 and came into force 31/01/2024

DBT	The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Provision) Regulations 2024	Makes consequential amendments to secondary legislation to implement the re-labelling of REUL (and related terms) as “assimilated law” (and related terms) in secondary legislation. Also makes provision to remove references in secondary legislation to rights retained under section 4 of the European Union (Withdrawal) Act 2018, which were removed by the REUL Act. These modifications aim to enhance legal clarity of the statute book, ultimately increasing the accessibility and comprehensibility of the law. Made under the REUL Act.	Laid 24/01/2024 and came into force 01/03/2024
DEFRA	The Official Controls (Fees and Charges) (Amendment) Regulations 2024	The SI enables fees and charges to be administered in a way which reflects the changes to the sanitary and phytosanitary border official controls regime, as laid out in the Border Target Operating Model (BTOM). Made under the REUL Act.	Laid 26/02/2024 and came into force 30/04/2024
DEFRA	The Plant Health (Fees) (England) and Official Controls (Frequency of Checks) (Amendment) Regulations 2024	To continue the implementation of the Border Target Operating Model (BTOM) by establishing import checks (documentary, identity and physical) on certain goods imported from countries including EU member states, Liechtenstein and Switzerland, and ensuring that the fees charged for checks on goods imported into England reflect the frequency of checks made on them.	Laid 04/03/2024 and came into force 30/04/2024
DEFRA	The Official Controls (Location of Border Control Posts) (England) Regulations 2024	To continue the implementation of the Border Target Operating Model (BTOM) and to extend the circumstances in which Border Control Posts can be located away from the point of entry.	Laid 22/03/2024 and came into force 13/04/2024
DBT	The Pressure Equipment (Safety) (Amendment) Regulations 2024	The Department for Business and Trade made the Pressure Equipment (Safety) (Amendment) Regulations 2024 to change the essential safety requirements for placing UKCA marked pressure equipment on the GB market, allowing certification of personnel and materials in the early stages of manufacturing by qualified EEA-based certification bodies in addition to UK-based bodies.	Laid 11/04/2024 and came into force 22/04/2024

DEFRA	The Official Controls (Miscellaneous Amendments) Regulations 2024	To continue the implementation of the Border Target Operating Model (BTOM), such as by removing low-risk goods from checks, and allowing documentary checks to be conducted away from Border Control Posts (BCPs).	Laid 22/04/2024 and came into force 30/04/2024
DEFRA	The Phytosanitary Conditions (Amendment) Regulations 2024	This reform addresses plant health threats by amending Commission Implementing Regulation (EU) 2019/2072. This is a regular update to ensure that our phytosanitary measures actively reflect the current biosecurity threat from pests to GB plant health.	Laid 09/05/2024. First set of provisions came into force 31/05/2024, second set comes into force on 09/11/2024
HMRC	Finance Act 2024 (Schedule 3 – part 1)	Reforms to Theatre Tax Relief, including replacement of EEA expenditure with UK expenditure.	Laid 29/11/23 and came into force on 01/04/2024
HMRC	Finance Act 2024 (Schedule 4- part 1)	Reforms to Orchestral Tax Relief, including replacement of EEA expenditure with UK expenditure.	Laid 29/11/23 and came into force on 01/04/2024
HMRC	Finance Act 2024 (Schedule 5 – part 1)	Reforms to Museum and Gallery Exhibitions Tax Relief, including replacement of EEA expenditure with UK expenditure.	Laid 29/11/23 and came into force on 01/04/2024

Future plans to revoke and reform assimilated law

22. This Government is committed to creating a pro-business environment with a regulatory framework that supports innovation, investment, and high-quality jobs and will reform assimilated law, where applicable, to deliver that vision. We are currently in the process of formulating our detailed legislative plans and priorities.
23. This Government is ambitious to deliver planning reform. We are proposing targeted reforms to build 1.5 million homes over the next five years. Alongside this, we will support our growth and clean energy mission; and will also take the necessary action to deliver roads, railways, reservoirs and other nationally significant infrastructure faster and cheaper, while maintaining environmental protections. We will also make changes to national planning policy to make it easier to build laboratories, digital infrastructure and gigafactories.
24. We recognise that the health sector needs reform. As part of this Government's plan for health and the NHS, we will create an innovation and adoption strategy. This will include a plan for procurement, giving a clearer route to get products into the NHS, coupled with reformed incentive structures to drive innovation and faster regulatory approval for new technology and medicines. In consultation with business, trade unions and civil society, this Government will take a new approach to employment legislation and make work pay. We will boost wages, make work more secure and support working people to thrive – delivering a genuine living wage, banning exploitative zero-hour contracts, and ending fire and rehire. We will reform parental leave, sick pay, and ensure there is protection from unfair dismissal. We will create a single enforcement body to ensure employment rights are upheld.
25. We will implement a new Industrial Strategy, working in partnership with industry to seize opportunities and remove barriers to growth now and for the future. We will take a sectoral approach recognising what needs reform in areas such as research, professional services, advanced manufacturing, and creative industries. It will also be underpinned by a statutory industrial strategy council to provide expert advice. In addition, we will simplify the procurement process to further support innovation and reduce micromanagement.
26. We have also committed to creating a new Regulatory Innovation Office, bringing together existing functions across government. This office would help regulators update current regulation, speed up approval timelines, and co-ordinate issues that span existing boundaries.

Preservation of Section 4 Rights

27. The REUL Act abolished the principle of EU law supremacy and general principles of EU law as ways to interpret UK 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 their effect has been restated using powers in the REUL Act.
28. The REUL Act provides powers to codify retained case law, section 4 rights, and other interpretive effects into UK law that would otherwise have ceased to apply at the end of 2023. This codification 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. As was announced when the REUL Act was introduced, changes in relation to tax are dealt with via a finance bill or subordinate legislation and a bespoke solution has been put in place for VAT and excise. The Finance Act 2024 clarifies how VAT and excise law should be interpreted in light of changes made by the REUL Act.
29. Since the previous REUL Report, no further restatements or codifications related to section 4 rights have been made.
30. The REUL Act’s restatement powers are available until 23 June 2026, and enable the Government to keep these decisions under continuous review within this timeframe.
31. This Government is committed to upholding and strengthening workers’ rights. To that end we will redouble efforts to ensure that we codify any section 4 rights which should be preserved, and we will take any steps necessary to ensure that all rights are strengthened and not undermined.

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