

Chapter 2A

Interpreting the Handbook
and other documents during the
implementation period

2A.2 Interpreting the Handbook and other documents during the implementation period

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- (1) During the implementation period *rules*, directions (including *waivers*), guidance, statements of policy and/or procedure, and any other instrument or document made or issued by the *FCA* under an enactment should be read in light of section 1B of the *EUWA*.
- (2) This means that, until IP completion day, those things should be read as far as the context permits or requires as if:
 - (a) any reference to the “Treaties” or the “EU Treaties” as defined in section 1(2) to (4) (Interpretation) of the European Communities Act 1972, includes Part 4 of the withdrawal agreement (implementation period), other than that Part so far as it relates to, or could be applied in relation to, the Common Foreign and Security Policy;
 - (b) the *United Kingdom* were a member State of the *EU*;
 - (c) any reference to:
 - (i) *EU* law;
 - (ii) any particular *EU* Treaty or part of it;
 - (iii) any *EU* instrument, or other document of an *EU* entity or of the *EU*, or any part of any such instrument or document;
 - (iv) any part of *EU* law not falling within the (b) or (c);
 - (v) any tax, duty, levy or interests of the *EU*; or
 - (vi) any arrangement involving, or otherwise relating to, the *EU* of a kind not mentioned above,
were a reference to any such thing so far as it is applicable to and in the *United Kingdom* by virtue of Part 4 of the withdrawal agreement;
 - (d) any reference (however expressed and subject to paragraph (a) of section 1B(3)(a) of the *EUWA*) to the European Communities Act 1972 were, or (as the case may be) included, a reference to that act as it continues to have effect by virtue of section 1A(2) to (4) of the *EUWA*;
 - (e) any reference (however expressed) to the area of the *EU* or of the *EEA* included the *United Kingdom*; and

- (f) any reference (however expressed) to a citizen of the *EU* or a national of the *EEA* included a *United Kingdom* national (within the meaning given by article 2(d) of the withdrawal agreement).
- (3) Such things should also be read in light of any additional modifications referred to in section 1B(3)(f) of the EUWA.