An Act to make provision in connection with the enlargement of the European Communities to include the United Kingdom, together with (for certain purposes) the Channel Islands, the Isle of Man and Gibraltar.

[17th October 1972]

Law In Force

1. — Short title and interpretation.
(1) This Act may be cited as the European Communities Act 1972.
(2) In this Act […]
“the EU” means the European Union, being the Union established by the Treaty on European Union signed at Maastricht on 7th February 1992 (as amended by any later Treaty),

“the Communities” means the European Economic Community, the [European Union] and the European Atomic Energy Community;

“the Treaties” or [“the EU Treaties”] means, subject to subsection (3) below, the pre-accession treaties, that is to say, those described in Part I of Schedule 1 to this Act, taken with—

(a) the treaty relating to the accession of the United Kingdom to the European Economic Community and to the European Atomic Energy Community, signed at Brussels on the 22nd January 1972; and

(b) the decision, of the same date, of the Council of the European Communities relating to the accession of the United Kingdom to the [European Union] ; [and ]

(c) the treaty relating to the accession of the Hellenic Republic to the European Economic Community and to the European Atomic Energy Community, signed at Athens on 28th May 1979; and

(d) the decision, of 24th May 1979, of the Council relating to the accession of the Hellenic Republic to the [European Union] ; [and ]

(e) the decisions of the Council of 7 May 1985, 24 June 1988, 31 October 1994, 29 September 2000 and 7 June 2007 on the Communities’ system of own resources, and the decision of the Council of 26 May 2014 on the EU’s system of own resources; and

(g) the treaty relating to the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community, signed at Lisbon and Madrid on 12th June 1985; and

(h) the decision, of 11th June 1985, of the Council relating to the accession of the Kingdom of Spain and the Portuguese Republic to the [European Union] ; [and ]

(j) the following provisions of the Single European Act signed at Luxembourg and The Hague on 17th and 28th February 1986, namely Title II (amendment of the treaties establishing the Communities) and, so far as they relate to any of the Communities or any Community institution, the preamble and Titles I (common provisions) and IV (general and final provisions); [and ]

(k) Titles II, III and IV of the Treaty on European Union signed at Maastricht on 7th February 1992, together with the other provisions of the Treaty so far as they relate to those Titles, and the Protocols adopted at Maastricht on that date and annexed to the Treaty establishing the European Community with the exception of the Protocol on Social Policy on page 117 of Cm 1934; [and ]

(l) the decision, of 1st February 1993, of the Council amending the Act concerning the election of the representatives of the European Parliament by direct universal suffrage annexed to Council Decision 76/787/ECSC, EEC, Euratom of 20th September 1976; [and ]

(m) the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 together with the Protocol adjusting that Agreement signed at Brussels on 17th March 1993; [and ]
(n) the treaty concerning the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union, signed at Corfu on 24th June 1994; [ and ]

(o) the following provisions of the Treaty signed at Amsterdam on 2nd October 1997 amending the Treaty on European Union, the Treaties establishing the European Communities and certain related Acts—
   (i) Articles 2 to 9,
   (ii) Article 12, and
   (iii) the other provisions of the Treaty so far as they relate to those Articles, and the Protocols adopted on that occasion other than the Protocol on Article J.7 of the Treaty on European Union; [ and ]

(p) the following provisions of the Treaty signed at Nice on 26th February 2001 amending the Treaty on European Union, the Treaties establishing the European Communities and certain related Acts—
   (i) Articles 2 to 10, and
   (ii) the other provisions of the Treaty so far as they relate to those Articles, and the Protocol adopted on that occasion;[...]

(q) the treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, signed at Athens on 16th April 2003; [ and ]

(r) the treaty concerning the accession of the Republic of Bulgaria and Romania to the European Union, signed at Luxembourg on 25th April 2005; ]

(s) the Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community signed at Lisbon on 13th December 2007 (together with its Annex and protocol), excluding any provision that relates to, or in so far as it relates to or could be applied in relation to, the Common Foreign and Security Policy;[...] ]

(t) the Protocol amending the Protocol (No. 36) on transitional provisions annexed to the Treaty on European Union, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community, signed at Brussels on 23 June 2010; [ and ]

(u) the treaty concerning the accession of the Republic of Croatia to the European Union, signed at Brussels on 9 December 2011; and
   (v) the Protocol on the concerns of the Irish people on the Treaty of Lisbon, adopted at Brussels on 16 May 2012; ]

and [ any other treaty entered into by the EU (except in so far as it relates to, or could be applied in relation to, the Common Foreign and Security Policy)] , with or without any of the member States, or entered into, as a treaty ancillary to any of the Treaties, by the United Kingdom; and any expression defined in Schedule 1 to this Act has the meaning there given to it.

(3) If Her Majesty by Order in Council declares that a treaty specified in the Order is to be regarded as one of [ the EU Treaties ], as herein defined, the Order shall be conclusive that it is to be so regarded; but a treaty entered into by the United Kingdom after the 22nd January 1972, other than a pre-accession treaty to which the United Kingdom accedes on terms settled on or before that date,
shall not be so regarded unless it is so specified, nor be so specified unless a draft of the Order in Council has been approved by resolution of each House of Parliament.

(4) For purposes of subsections (2) and (3) above, “treaty” includes any international agreement, and any protocol or annex to a treaty or international agreement.

Notes

1 Words repealed by Interpretation Act 1978 (c. 30), s. 25, Sch. 3
2 Definition inserted by European Union (Amendment) Act 2008 c. 7 s.3(1) (December 1, 2009)
4 Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
5 Word inserted by European Communities (Greek Accession) Act 1979 (c. 57), s. 1
6 S. 1(2)(c)(d) inserted by European Communities (Greek Accession) Act 1979 (c. 57), s. 1
7 Substituted by European Communities (Finance) Act 2001 c. 22 s.1 (December 4, 2001)
8 Substituted by European Union (Finance) Act 2015 c. 32 s.1(2) (September 21, 2015)
9 S. 1(2)(g)(h) inserted by European Communities (Spanish and Portuguese Accession) Act 1985 (c. 75), s. 1
10 Word inserted by European Communities (Amendment) Act 1986 (c. 58), s. 1
11 S. 1(2)(j) inserted by European Communities (Amendment) Act 1986 (c. 58), s. 1
12 Added by European Communities (Amendment) Act 1993 c. 32 s.1(1) (July 23, 1993)
13 Added by European Parliamentary Elections Act 1993 c. 41 s.3(2) (November 5, 1993)
14 Added by European Economic Area Act 1993 c. 51 s.1 (November 5, 1993)
15 Added by European Union (Accessions) Act 1994 c. 38 s.1 (November 3, 1994)
16 Added by European Communities (Amendment) Act 1998 c. 21 s.1 (June 11, 1998)
17 Added by European Communities (Amendment) Act 2002 c. 3 s.1(1) (February 26, 2002)
18 Added by European Union (Accessions) Act 2006 c. 2 s.1(1) (February 16, 2006)
19 Added by European Union (Accessions) Act 2003 c. 35 s.1(1) (November 13, 2003)
20 Added by European Union (Amendment) Act 2008 c. 7 s.2 (June 19, 2008)
21 Added by European Union (Croatian Accession and Irish Protocol) Act 2013 c. 5 s.3 (January 31, 2013)
22 Added by European Union Act 2011 c. 12 Pt 2 s.15(2) (July 19, 2011)

Proposed Bill Amendments

Pt I s. 1: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Pt I s. 1: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Pt I s. 1(1)-(4): United Kingdom
2.— General implementation of Treaties.

(1) All such rights, powers, liabilities, obligations and restrictions from time to time created or arising by or under the Treaties, and all such remedies and procedures from time to time provided for by or under the Treaties, as in accordance with the Treaties are without further enactment to be given legal effect or used in the United Kingdom shall be recognised and available in law, and be enforced, allowed and followed accordingly; and the expression [“enforceable EU right”]¹ and similar expressions shall be read as referring to one to which this subsection applies.

(2) Subject to Schedule 2 to this Act, at any time after its passing Her Majesty may by Order in Council, and any designated Minister or department may [by order, rules, regulations or scheme]², make provision—

(a) for the purpose of implementing any [EU obligation]¹ of the United Kingdom, or enabling any such obligation to be implemented, or of enabling any rights enjoyed or to be enjoyed by the United Kingdom under or by virtue of the Treaties to be exercised; or

(b) for the purpose of dealing with matters arising out of or related to any such obligation or rights or the coming into force, or the operation from time to time, of subsection (1) above;

and in the exercise of any statutory power or duty, including any power to give directions or to legislate by means of orders, rules, regulations or other subordinate instrument, the person entrusted with the power or duty may have regard to the [objects of the EU]¹ and to any such obligation or rights aforesaid.

In this subsection “designated Minister or department” means such Minister of the Crown or government department as may from time to time be designated by Order in Council in relation to any matter or for any purpose, but subject to such restrictions or conditions (if any) as may be specified by the Order in Council.

(3) There shall be charged on and issued out of the Consolidated Fund or, if so determined by the Treasury, the National Loans Fund the amounts required to meet any [EU obligation]¹ to make payments to any of the Communities or member States, or any [EU obligation]¹ in respect of contributions to the capital or reserves of the European Investment Bank or in respect of loans to the Bank, or to redeem any notes or obligations issued or created in respect of any such [EU obligation]¹; and, except as otherwise provided by or under any enactment,—

(a) any other expenses incurred under or by virtue of the Treaties or this Act by any Minister of the Crown or government department may be paid out of moneys provided by Parliament; and

(b) any sums received under or by virtue of the Treaties or this Act by any Minister of the Crown or government department, save for such sums as may be required for disbursements permitted by any other enactment, shall be paid into the Consolidated Fund or, if so determined by the Treasury, the National Loans Fund.

(4) The provision that may be made under subsection (2) above includes, subject to Schedule 2 to this Act, any such provision (of any such extent) as might be made by Act of Parliament, and any enactment passed or to be passed, other than one contained in this part of this Act, shall be construed and have effect subject to the foregoing provisions of this section; but, except as may be provided by any Act passed after this Act, Schedule 2 shall have effect in connection with the powers conferred by this and the following sections of this Act to make Orders in Council [or orders, rules, regulations or schemes]³.
(5) [...] and the references in that subsection to a Minister of the Crown or government department and to a statutory power or duty shall include a Minister or department of the Government of Northern Ireland and a power or duty arising under or by virtue of an Act of the Parliament of Northern Ireland.

(6) A law passed by the legislature of any of the Channel Islands or of the Isle of Man, or a colonial Law (within the meaning of the Colonial Laws Validity Act 1865) passed or made for Gibraltar, if expressed to be passed or made in the implementation of the Treaties and of the obligations of the United Kingdom thereunder, shall not be void or inoperative by reason of any inconsistency with or repugnancy to an Act of Parliament, passed or to be passed, that extends to the Island or Gibraltar or any provision having the force and effect of an Act there (but not including this section), nor by reason of its having some operation outside the Island or Gibraltar; and any such Act or provision that extends to the Island or Gibraltar shall be construed and have effect subject to the provisions of any such law.

Notes

1 Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
2 Words substituted by Legislative and Regulatory Reform Act 2006 c. 51 Pt 3 s.27(1)(a) (January 8, 2007)
3 Words substituted by Legislative and Regulatory Reform Act 2006 c. 51 Pt 3 s.27(1)(b) (January 8, 2007)
4 Words repealed by Northern Ireland Constitution Act 1973 (c. 36), Sch. 6 Pt 1

Proposed Bill Amendments

Pt I s. 2: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.8(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Pt I s. 2: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Pt I s. 2(1)-(6): United Kingdom

Law In Force

3.— Decisions on, and proof of, Treaties and [ EU instruments ] etc.

(1) For the purposes of all legal proceedings any question as to the meaning or effect of any of the Treaties, or as to the validity, meaning or effect of any [ EU instrument ], shall be treated as a question of law (and, if not referred to the European Court, be for determination as such in accordance with the principles laid down by and any relevant [ decision of [ the European Court ] ] ).
Judicial notice shall be taken of the Treaties, of the [Official Journal of the European Union]\(^1\) and of any decision of, or expression of opinion by, [the European Court]\(^1\) on any such question as aforesaid; and the Official Journal shall be admissible as evidence of any instrument or other act thereby communicated of [the EU]\(^1\) or of any [EU institution]\(^1\).

Evidence of any instrument issued by a [EU institution]\(^1\), including any judgment or order of [the European Court]\(^1\), or of any document in the custody of a [EU institution]\(^1\), or any entry in or extract from such a document, may be given in any legal proceedings by production of a copy certified as a true copy by an official of that institution; and any document purporting to be such a copy shall be received in evidence without proof of the official position or handwriting of the person signing the certificate.

Evidence of any [EU instrument]\(^1\) may also be given in any legal proceedings—
(a) by production of a copy purporting to be printed by the Queen’s Printer;
(b) where the instrument is in the custody of a government department (including a department of the Government of Northern Ireland), by production of a copy certified on behalf of the department to be a true copy by an officer of the department generally or specially authorised so to do;

and any document purporting to be such a copy as is mentioned in paragraph (b) above of an instrument in the custody of a department shall be received in evidence without proof of the official position or handwriting of the person signing the certificate, or of his authority to do so, or of the document being in the custody of the department.

In any legal proceedings in Scotland evidence of any matter given in a manner authorised by this section shall be sufficient evidence of it.

Notes
1 Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
2 Words substituted by European Communities (Amendment) Act 1986 (c. 58), s. 2(a)

Proposed Bill Amendments
Pt I s. 3: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement
Pt I s. 3: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent
Pt I s. 3(1)-(5): United Kingdom
Part II

AMENDMENT OF LAW

Law In Force

4.— General provision for repeal and amendment.

(1) The enactments mentioned in Schedule 3 to this Act (being enactments that are superseded or to be superseded by reason of [EU obligations]¹ and of the provision made by this Act in relation thereto or are not compatible with [EU obligations]¹) are hereby repealed, to the extent specified in column 3 of the Schedule, with effect from the entry date or other date mentioned in the Schedule; and in the enactments mentioned in Schedule 4 to this Act there shall, subject to any transitional provision there included, be made the amendments provided for by that Schedule.

(2) Where in any Part of Schedule 3 to this Act it is provided that repeals made by that Part are to take effect from a date appointed by order, the orders shall be made by statutory instrument, and an order may appoint different dates for the repeal of different provisions to take effect, or for the repeal of the same provision to take effect for different purposes; and an order appointing a date for a repeal to take effect may include transitional and other supplementary provisions arising out of that repeal, including provisions adapting the operation of other enactments included for repeal but not yet repealed by that Schedule, and may amend or revoke any such provisions included in a previous order.

(3) Where any of the following sections of this Act, or any paragraph of Schedule 4 to this Act, affects or is construed as one with an Act or Part of an Act similar in purpose to provisions having effect only in Northern Ireland, then—

(a) unless otherwise provided by Act of the Parliament of Northern Ireland, the Governor of Northern Ireland may by Order in Council make provision corresponding to any made by the section or paragraph, and amend or revoke any provision so made; and

(b) [...].²

(4) Where Schedule 3 or 4 to this Act provides for the repeal or amendment of an enactment that extends or is capable of being extended to any of the Channel Islands or the Isle of Man, the repeal or amendment shall in like manner extend or be capable of being extended thereto.

Notes

1 Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
2 Repealed by Northern Ireland Constitution Act 1973 (c. 36), Sch. 6 Pt. I

Proposed Bill Amendments

Pt II s. 4: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union ( Withdrawal) Bill 2017-19 s.22(5) and
Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37

Commencement
Pt II s. 4(1): October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2) for purposes of Sch.4 paras.1, 3(1) and (2), 4-6, 9 and 10; January 1, 1973 for purposes of Sch.4 paras 2, 7 and 8, February 1, 1973 for repeals specified in SI 1973/135 art.2 and Sch.1; July 1, 1973 for repeals specified in SI 1973/1019 art.2 and Sch.1; January 1, 1974 for repeals specified in SI 1973/2176 art.2 and Sch.1; August 1, 1975 for repeals specified in SI 1975/1164 art.2 and Sch.1; from the end of 1975 or any earlier date appointed by order made by statutory instrument for purposes of Sch.4 para.3(3); May 5, 1976 for repeals specified in SI 1976/548 art.2 and Sch.1; September 1, 1976 for repeals specified in SI 1976/1304 art.2 and Sch.1 and SI 1976/1304 art.2 and Sch.1; December 1, 1976 for repeals specified in SI 1976/2028 art.2 and Sch.1; January 1, 1978 for repeals specified in SI 1977/2028 art.2 and Sch.1; September 1, 1978 for repeals specified in SI 1978/1003 art.2; 1 September 1981 for repeals specified in SI 1981/1192 art.2 and Sch.1; August 16, 1982 for repeals specified in SI 1982/1048 art.2 (1972 c. 68 Sch. 4 para. 2(2), Sch. 4 para. 3(3), Sch. 4 para. 7, Sch. 4 para. 8; SI 1973/135 art. 2, Sch. 1 para. 1; SI 1973/1019 art. 2, Sch. 1 para. 1; SI 1973/2176 art. 2, Sch. 1 para. 1; SI 1975/1164 art. 2, Sch. 1 para. 1; SI 1976/548 art. 2, Sch. 1 para. 1; SI 1976/1304 art. 2, Sch. 1 para. 1; SI 1976/2028 art. 2, Sch. 1 para. 1; SI 1978/1003 art. 2; SI 1981/1192 art. 2, Sch. 1 para. 1; SI 1982/1048 art. 2)

Pt II s. 4(2)-(4): October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent
Pt II s. 4(1)-(4): United Kingdom

5.— Customs duties.

(1) Subject to subsection (2) below, on and after the relevant date there shall be charged, levied, collected and paid on goods imported into the United Kingdom such [EU customs duty]¹, if any, as is for the time being applicable in accordance with the Treaties or, if the goods are not within the common customs tariff of the [EU]¹ and the duties chargeable are not otherwise fixed by any directly applicable [EU provision]¹, such duty of customs, if any, as the Treasury, on the recommendation of the Secretary of State, may by order specify.

For this purpose “the relevant date”, in relation to any goods, is the date on and after which the duties of customs that may be charged thereon are no longer affected under the Treaties by any temporary provision made on or with reference to the accession of the United Kingdom to the Communities.

(2) Where as regards goods imported into the United Kingdom provision may, in accordance with the Treaties, be made in derogation of the common customs tariff or of the exclusion of customs duties as between member States, the Treasury may by order make such provision as to the customs duties chargeable on the goods, or as to exempting the goods from any customs duty, as the Treasury may on the recommendation of the Secretary of State determine.

(3) Schedule 2 to this Act shall also have effect in connection with the powers to make orders conferred by subsections (1) and (2) above. ²

(4) […]³
(5) [...]⁴
(6) [...]⁴
(6A) [...]⁴
(7) [...]⁵
(8) [...]⁵
(9) [...]⁵

Notes
1 Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para. 1 (December 1, 2009)
2 S. 5(3) substituted by Customs and Excise Duties (General Reliefs) Act 1979 (c. 3), s. 19(1), Sch. 2 para. 3
3 Repealed by Customs and Excise Management Act 1979 (c. 2), s. 177, Sch. 6 Pt. I, Sch. 7 para. 5
4 Repealed by Customs and Excise Duties (General Reliefs) Act 1979 (c. 3), s. 19(2), Sch. 3 Pt. I
5 Repealed by Customs and Excise Management Act 1979 (c. 2), s. 177, Sch. 6 Pt. I

Proposed Bill Amendments
Pt II s. 5: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement
Pt II s. 5: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent
Pt II s. 5(1)-(9): United Kingdom

Law In Force

6.— The common agricultural policy.
(1)-(2) [...]¹

(3) Sections 5 and 7 of the Agriculture Act 1957 (which make provision for the support of arrangements under section 1 of that Act for providing guaranteed prices or assured markets) shall apply in relation to any [EU arrangements]² for or related to the regulation of the market for any agricultural produce as if references, in whatever terms, to payments made by virtue of section 1 were references to payments made by virtue of the [EU arrangements]² by or on behalf of [the relevant Minister and as if for every reference in section 5 to the Minister there were substituted a reference to the relevant Minister]³.
Agricultural levies of the [EU], so far as they are charged on goods exported from the United Kingdom or shipped as stores, shall be paid to and recoverable by [the relevant Minister]; and the power of [the relevant Minister] to make orders under section 5 of the Agriculture Act 1957, as extended by this section, shall include power to make such provision supplementary to any directly applicable [EU provision] as [the relevant Minister considers] necessary for securing the payment of any agricultural levies so charged, including provision for the making of declarations or the giving of other information in respect of goods exported, shipped as stores, or otherwise dealt with.

[(4A) Section 9 of the Agriculture Act 1957 shall apply in relation to an order made under section 5 of that Act as extended by this section as if—

(a) in the case of an order made by the Scottish Ministers—

(i) for the references in subsection (3) of section 9 to Parliament and each House of Parliament there were substituted references to the Scottish Parliament; and

(ii) for the reference in that subsection to section 7(1) of the Statutory Instruments Act 1946 there were substituted a reference to article 13(1) of the Scotland Act 1998 (Transitory and Transitional Provisions) (Statutory Instruments) Order 1999;

(b) in the case of an order made by the National Assembly for Wales, subsection (3) of section 9 were omitted;

(c) in the case of an order made by the Department of Agriculture and Rural Development, for subsection (3) of section 9 there were substituted the following subsection—

“(3) Any order under any provision of this Part of this Act shall be laid before the Northern Ireland Assembly as soon as may be after it is made, and shall cease to have effect (without prejudice to anything previously done thereunder or to the making of a new order) on the expiration of the period of forty days beginning with the day on which it comes into force unless within that period it has been approved by resolution passed by the Northern Ireland Assembly.”

; and

d) in subsection (4) of section 9 for the reference to the Minister there were substituted a reference to the relevant Minister.

(4B) Section 35(2) of the Agriculture Act 1957 shall not apply in relation to an order made by the Department of Agriculture and Rural Development under section 5 of that Act as extended by this section.

(4C) Section 3(2) of the Agriculture Act 1967 shall apply in relation to section 5(1)(d) of the Agriculture Act 1957 as extended by this section as if the references in section 3(2) of the Act of 1967 to the Minister were references to the relevant Minister.

(5) Except as otherwise provided by or under any enactment, agricultural levies of the [EU], so far as they are charged on goods imported into the United Kingdom, shall be levied, collected and paid, and the proceeds shall be dealt with, as if they were [EU customs duties], and in relation to those levies the following enactments shall apply as they would apply in relation to [EU customs duties], that is to say:

[(a) the Customs and Excise Management Act 1979 (as for the time being amended by any later Act) and any other statutory provisions for the time being in force relating generally to customs or excise duties on imported goods; and]

[(b) sections 1, 3, 4, 5, 6 (including Schedule 1), 7, 8, 9, 12, 13, 15, 17 and 18 of the Customs and Excise Duties (General Reliefs) Act 1979 but so that—]
(i) any references in sections 1, 3 and 4 to the Secretary of State shall include the Ministers; and
(ii) the reference in section 15 to an application for an authorisation under regulations made under section 2 of that Act shall be read as a reference to an application for an authorisation under regulations made under section 2(2) of this Act;

and, if, in connection with any such EU arrangements as aforesaid, the Commissioners of Customs and Excise are charged or entrusted with the performance [...]

of any duties in relation to the payment of refunds or allowances on goods exported or to be exported from the United Kingdom, then in relation to any such refund or allowance section 133 (except subsection (3) and the reference to that subsection in subsection (2)) and section 159 of the Customs and Excise Management Act 1979 shall apply as they apply in relation to a drawback of excise duties, and other provisions of that Act shall have effect accordingly.

(6) The enactments applied by subsection (5)(a) above shall apply subject to such exceptions and modifications, if any, as the Commissioners of Customs and Excise may by regulations prescribe, and shall be taken to include section 10 of the Finance Act 1901 (which relates to changes in customs import duties in their effect on contracts), but shall not include section 126 of the Customs and Excise Management Act 1979 (charge of duty on manufactured or composite articles).

(7) [...]

(8) Expressions used in this section shall be construed as if contained in Part I of the Agriculture Act 1957; and in this section EU arrangements shall include any tax not being a customs duty, but of equivalent effect, that may be chargeable in accordance with any such Community arrangements as aforesaid, and “statutory provision” includes any provision having effect by virtue of any enactment and, in subsection (2), any enactment of the Parliament of Northern Ireland or provision having effect by virtue of such an enactment.

(9) In this section “the relevant Minister” means —
(a) in relation to England, the Secretary of State;
(b) in relation to Scotland, the Scottish Ministers;
(c) in relation to Wales, the National Assembly for Wales; and
(d) in relation to Northern Ireland, the Department of Agriculture and Rural Development;

and, in the case of goods exported or to be exported from the United Kingdom or shipped or to be shipped as stores, the identity of the relevant Minister is determined by reference to the territory from which the goods are, or are to be, exported or shipped.

Notes
1 Repealed by Intervention Board for Agricultural Produce (Abolition) Regulations 2001/3686 reg.3(a) (November 15, 2001)
2 Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
3 Words substituted by Intervention Board for Agricultural Produce (Abolition) Regulations 2001/3686 reg.3(b) (November 15, 2001)
4 Words substituted by Intervention Board for Agricultural Produce (Abolition) Regulations 2001/3686 reg.3(c)(i) (November 15, 2001)
5 Words substituted by Intervention Board for Agricultural Produce (Abolition) Regulations 2001/3686 reg.3(c)(ii) (November 15, 2001)
6 Words substituted by Intervention Board for Agricultural Produce (Abolition) Regulations 2001/3686 reg.3(c)(iii) (November 15, 2001)
Proposed Bill Amendments

Pt II s. 6: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Pt II s. 6: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Pt II s. 6(1)-(9)(d): United Kingdom

7. Repealed
   (1) [...]
   (2) [...]
   (3) [...]
   (4) [...]

Notes

1. Repealed by Agriculture (Miscellaneous Provisions) Act 1976 (c. 55), Sch. 4 Pt. I
2. Repealed by Food Act 1984 (c. 30), Sch. 11
Note

1 Repealed by Films Act 1985 (c. 21), s. 74, Sch. 2

Repealed

9. [...]¹

Notes

¹ Repealed by Companies Consolidation (Consequential Provisions) Act 1985 (c. 9), s. 29, Sch. 1

Repealed

10. [...]¹

Notes

¹ Repealed by Restrictive Trade Practices Act 1976 (c. 34), Sch. 6

Law In Force

11.— [EU offences]¹.

(1) A person who, in sworn evidence before [the European Court]¹, makes any statement which he knows to be false or does not believe to be true shall, whether he is a British subject or not, be guilty of an offence and may be proceeded against and punished—

(a) in England and Wales as for an offence against section 1(1) of the Perjury Act 1911; or

(b) in Scotland as for an offence against [section 44(1) of the Criminal Law (Consolidation) (Scotland) Act 1995]²; or

(c) in Northern Ireland as for an offence against [Article 3(1) of the Perjury (Northern Ireland) Order 1979]³.

Where a report is made as to any such offence under the authority of [the European Court]¹ then a bill of indictment for the offence may, [...]¹ in Northern Ireland, be preferred as in a case where a prosecution is ordered under[...]¹[Article 13 of the Perjury (Northern Ireland) Order 1979]³, but the report shall not be given in evidence on a person's trial for the offence.

(2) Where a person (whether a British subject or not) owing either—

(a) to his duties as a member of any Euratom institution or committee, or as an officer or servant of Euratom; or

(b) to his dealings in any capacity (official or unofficial) with any Euratom institution or installation or with any Euratom joint enterprise; has occasion to acquire, or obtain cognisance of, any classified information, he shall be guilty of a misdemeanour if, knowing or having reason to be believe that it is classified information, he
communicates it to any unauthorised person or makes any public disclosure of it, whether in the United Kingdom or elsewhere and whether before or after the termination of those duties or dealings; and for this purpose “classified information” means any facts, information, knowledge, documents or objects that are subject to the security rules of a member State or of any Euratom institution. This subsection shall be construed, and the Official Acts 1911 to 1939 shall have effect, as if this subsection were contained in the Official Secrets Act 1911, but so that in that Act sections 10 and 11, except section 10(4), shall not apply.

(3) This section shall not come into force until the entry date.

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**Notes**

1. Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
2. Words substituted by Criminal Procedure (Consequential Provisions) (Scotland) Act 1995 c. 40 Sch.4 para.8 (April 1, 1996 subject to transitional provisions, transitory modifications and savings specified in 1995 c.40 Sch.3)
3. Words substituted by S.I. 1979/1714 (N.I. 19), Sch. 1
4. Words repealed by Prosecution Offences Act 1985 (c.23), s. 31(6), Sch. 2

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**Proposed Bill Amendments**

Pt II s. 11: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

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**Commencement**

Pt II s. 11: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

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**Extent**

Pt II s. 11(1)-(3): United Kingdom

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The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to: [England and Wales](http://example.com) | [Scotland](http://example.com)

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Law In Force

England and Wales

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12. **Furnishing of information to [EU]¹**

Estimates, returns and information that may under section 9 of the Statistics of Trade Act 1947 or section [3 of theAgricultural Statistics Act 1979]² be disclosed to a government department or
Minister in charge of a government department may, in like manner, be disclosed in pursuance of a [EU obligation] to a [EU institution].

Notes
1. Word substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
2. Words substituted by Agricultural Statistics Act 1979 (c. 13), s. 7(1), Sch. 1 para. 4
3. Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)

[12. Furnishing of information to [EU].
Estimates, returns and information that may under section 9 of the Statistics of Trade Act 1947 or section 3 of the Agricultural Statistics Act 1979 be disclosed to a government department, the Scottish Ministers or Minister in charge of a government department may, in like manner, be disclosed in pursuance of a [EU obligation] to a [EU institution].

Notes
1. Added by Scotland Act 1998 (Consequential Modifications) (No.2) Order 1999/1820 Sch.2(I) para.52(3) (July 1, 1999 the principal appointed day for 1998 c.46)
2. Word substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
3. Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)

Proposed Bill Amendments
Pt II s. 12: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement
Pt II s. 12: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent
Pt II s. 12: United Kingdom
SCHEDULE 1
DEFINITIONS RELATING TO [EU]¹

Section 1

Notes
¹ Word substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)

PART I
THE PRE-ACCESSION TREATIES

Law In Force

1. The “E.C.S.C. Treaty”, that is to say, the Treaty establishing the European Coal and Steel Community, signed at Paris on the 18th April 1951.

Proposed Bill Amendments
Sch. 1(I) para. 1: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement
Sch. 1(I) para. 1: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent
Sch. 1(I) para. 1: United Kingdom

2. The “E.E.C. Treaty”, that is to say, the Treaty establishing the European Economic Community, signed at Rome on the 25th March 1957.
Proposed Bill Amendments

Sch. 1(I) para. 2: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 1(I) para. 2: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 1(I) para. 2: United Kingdom

Proposed Bill Amendments

Sch. 1(I) para. 3: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 1(I) para. 3: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 1(I) para. 3: United Kingdom

Law In Force

3. The “Euratom Treaty”, that is to say, the Treaty establishing the European Atomic Energy Community, signed at Rome on the 25th March 1957.

Proposed Bill Amendments

Sch. 1(I) para. 4: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 1(I) para. 4: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 1(I) para. 4: United Kingdom

5. The Treaty establishing a single Council and a single Commission of the European Communities, signed at Brussels on the 8th April 1965.

Proposed Bill Amendments

Sch. 1(I) para. 5: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 1(I) para. 5: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 1(I) para. 5: United Kingdom

Proposed Bill Amendments

Sch. 1(I) para. 6: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 1(I) para. 6: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 1(I) para. 6: United Kingdom

7. Any treaty entered into before the 22nd January 1972 by any of the Communities (with or without any of the member States) or, as a treaty ancillary to any treaty included in this Part of this Schedule, by the member States (with or without any other country).

Proposed Bill Amendments

Sch. 1(I) para. 7: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and
PART II

OTHER DEFINITIONS

Law In Force

“Economic Community”, “Coal and Steel Community” and “Euratom” mean respectively the European Economic Community, the European Coal and Steel Community and the European Atomic Energy Community.

[“EU customs duty”] means, in relation to any goods, such duty of customs as may from time to time be fixed for those goods by directly applicable [EU provision] as the duty chargeable on importation into member States.

[“EU institution” means any institution of the EU.]²

[“EU instrument”] means any instrument [issued by an EU institution]¹.

[“EU obligation”] means any obligation created or arising by or under the Treaties, whether an [enforceable EU obligation] or not.

[“Enforceable EU right”] and similar expressions shall be construed in accordance with section 2(1) of this Act.

“Entry date” means the date on which the United Kingdom becomes a member of the Communities.

[“European Court” means the Court of Justice of the European Union.]²

“Member”, in the expression “member State”, refers to [membership of the EU].¹

Notes

¹ Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)
² Definition substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)

Proposed Bill Amendments

Sch. 1(II) para. 1: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and
Commencement

Sch. 1(II) para. 1: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 1(II) para. 1 definition of "Economic Community"- definition of "Member": United Kingdom

SCHEDULE 2

PROVISIONS AS TO SUBORDINATE LEGISLATION

Section 2

The text of this provision varies depending on jurisdiction or other application. See parallel texts relating to:

England, Scotland and Wales | Other Application

Law In Force With Amendments Pending

England, Scotland and Wales

1.—

(1) The powers conferred by section 2(2) of this Act to make provision for the purposes mentioned in section 2(2) (a) and (b) shall not include power—

(a) to make any provision imposing or increasing taxation; or

(b) to make any provision taking effect from a date earlier than that of the making of the instrument containing the provision; or

(c) to confer any power to legislate by means of orders, rules, regulations or other subordinate instrument, other than rules of procedure for any court or tribunal; or

(d) to create any new criminal offence punishable with imprisonment for more than two years or punishable on summary conviction with imprisonment for more than three months or with a fine of more than ] level 5 on the standard scale]1 (if not calculated on a daily basis) or with a fine of more than ] £100 a day]2 .

(2) Sub-paragraph (1)(c) above shall not be taken to preclude the modification of a power to legislate conferred otherwise than under section 2(2), or the extension of any such power to purposes of the like nature as those for which it was conferred; and a power to give directions as to matters of administration is not to be regarded as a power to legislate within the meaning of sub-paragraph (1)(c).
In relation to a criminal offence triable either on indictment or summarily:

1.—

(1) The powers conferred by section 2(2) of this Act to make provision for the purposes mentioned in section 2(2) (a) and (b) shall not include power—

(a) to make any provision imposing or increasing taxation; or

(b) to make any provision taking effect from a date earlier than that of the making of the instrument containing the provision; or

(c) to confer any power to legislate by means of orders, rules, regulations or other subordinate instrument, other than rules of procedure for any court or tribunal; or

(d) to create any new criminal offence punishable with imprisonment for more than two years or punishable on summary conviction with imprisonment for more than three months or with a fine of more than [the statutory maximum]¹ (if not calculated on a daily basis) or with a fine of more than [£100 a day]².

(2) Sub-paragraph (1)(c) above shall not be taken to preclude the modification of a power to legislate conferred otherwise than under section 2(2), or the extension of any such power to purposes of the like nature as those for which it was conferred; and a power to give directions as to matters of administration is not to be regarded as a power to legislate within the meaning of sub-paragraph (1)(c).

Notes

1 Words substituted (E.W.) by virtue of Criminal Justice Act 1982 (c.48), ss. 38, 40, (S.) by Criminal Procedure (Scotland) Act 1975 (c. 21), ss. 289F, 289G and (N.I.) by S.I. 1984/703 (N.I. 3), arts. 5, 6

2 Words substituted by Criminal Law Act 1977 (c. 45), s. 32(3)
Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

**Commencement**

Sch. 2 para. 1: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

**Extent**

Sch. 2 para. 1(1)-(3)(c): United Kingdom

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**Law In Force**

**[1A**

(1) Where–

(a) subordinate legislation makes provision for a purpose mentioned in section 2(2) of this Act,

(b) the legislation contains a reference to a EU instrument or any provision of a EU instrument, and

(c) it appears to the person making the legislation that it is necessary or expedient for the reference to be construed as a reference to that instrument or that provision as amended from time to time,

the subordinate legislation may make express provision to that effect.

(2) In this paragraph “subordinate legislation” means any Order in Council, order, rules, regulations, scheme, warrant, byelaws or other instrument made after the coming into force of this paragraph under any Act, Act of the Scottish Parliament, Measure or Act of the National Assembly for Wales or Northern Ireland legislation passed or made before or after the coming into force of this paragraph.

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**Notes**

1 Added by Legislative and Regulatory Reform Act 2006 c. 51 Pt 3 s.28 (January 8, 2007)
2 Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1(1) para.1 (December 1, 2009)

**Proposed Bill Amendments**

Sch. 2 para. 1A: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force; repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)
2.—

(1) Subject to paragraph 3 below, where a provision contained in any section of this Act confers power to make any order, rules, regulations or scheme (otherwise than by modification or extension of an existing power), the power shall be exercisable by statutory instrument.

(2) Any statutory instrument containing an Order in Council or any order, rules, regulations or scheme made in the exercise of a power so conferred, if made without a draft having been approved by resolution of each House of Parliament, shall be subject to annulment in pursuance of a resolution of either House.

Notes

1 Word substituted by Legislative and Regulatory Reform Act 2006 c. 51 Pt 3 s.27(2)(a) (January 8, 2007)

Proposed Bill Amendments

Sch. 2 para. 2: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.1(2) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 2 para. 2: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 2 para. 2(1)-(2): United Kingdom
(2) The conditions referred to in sub-paragraph (1)(b) above are that—
(a) the instrument, so far as containing the provision referred to in sub-paragraph (1)(a) above, is by virtue of any enactment subject to annulment in pursuance of a resolution of either House of Parliament;
(b) the instrument so far as containing that provision is by virtue of any enactment required to be laid before Parliament after being made and to be approved by resolution of each House of Parliament in order to come into or remain in force;
(c) in a case not falling within paragraph (a) or (b) above, the instrument so far as containing that provision is by virtue of any enactment required to be laid before Parliament after being made;
(d) the instrument or a draft of the instrument so far as containing that provision is not by virtue of any enactment required at any time to be laid before Parliament.

(3) Where this paragraph applies in relation to the draft of a statutory instrument—
(a) the instrument, so far as containing the provision referred to in sub-paragraph (1)(a) above, may not be made unless the draft is approved by a resolution of each House of Parliament;
(b) in a case where the condition in sub-paragraph (2)(a) above is satisfied, the instrument so far as containing that provision is not subject to annulment in pursuance of a resolution of either House of Parliament;
(c) in a case where the condition in sub-paragraph (2)(b) above is satisfied, the instrument is not required to be laid before Parliament after being made (and accordingly any requirement that the instrument be approved by each House of Parliament in order for it to come into or remain in force does not apply); and
(d) in a case where the condition in sub-paragraph (2)(c) above is satisfied, the instrument so far as containing that provision is not required to be laid before Parliament after being made.

(4) In this paragraph, references to an enactment are to an enactment passed or made before or after the coming into force of this paragraph.

Notes
1 Added by Legislative and Regulatory Reform Act 2006 c. 51 Pt 3 s.29 (January 8, 2007)

Proposed Bill Amendments
Sch. 2 para. 2A: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Extent
Sch. 2 para. 2A(1)-(4): United Kingdom
[2B]

(1) This paragraph applies where, pursuant to paragraph 2(2) above, a statutory instrument containing provision made in exercise of the power conferred by section 2(2) of this Act is laid before Parliament under section 5 of the Statutory Instruments Act 1946 (instruments subject to annulment) and—

(a) the instrument also contains provision made in exercise of a power conferred by any other enactment; and

(b) apart from this paragraph, either of the conditions in sub-paragraph (2) below applies in relation to the instrument so far as containing that provision.

(2) The conditions referred to in sub-paragraph (1)(b) above are that—

(a) the instrument so far as containing the provision referred to in sub-paragraph (1)(a) above is by virtue of any enactment required to be laid before Parliament after being made but—

(i) is not subject to annulment in pursuance of a resolution of either House of Parliament; and

(ii) is not by virtue of any enactment required to be approved by resolution of each House of Parliament in order to come into or remain in force;

(b) the instrument or a draft of the instrument so far as containing that provision is not by virtue of any enactment required at any time to be laid before Parliament.

(3) Where this paragraph applies in relation to a statutory instrument, the instrument, so far as containing the provision referred to in sub-paragraph (1)(a) above, is subject to annulment in pursuance of a resolution of either House of Parliament.

(4) In this paragraph, references to an enactment are to an enactment passed or made before or after the coming into force of this paragraph.

1

Notes

1 Added by Legislative and Regulatory Reform Act 2006 c. 51 Pt 3 s.29 (January 8, 2007)

Proposed Bill Amendments

Sch. 2 para. 2B: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Extent

Sch. 2 para. 2B(1)-(4): United Kingdom
Paragraphs 2A and 2B above apply to a Scottish statutory instrument containing provision made in the exercise of the power conferred by section 2(2) of this Act (and a draft of any such instrument) as they apply to any other statutory instrument containing such provision (or, as the case may be, any draft of such an instrument), but subject to the following modifications—

(a) references to Parliament and to each or either House of Parliament are to be read as references to the Scottish Parliament;
(b) references to an enactment include an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament; and
(c) the reference in paragraph 2B(1) to section 5 of the Statutory Instruments Act 1946 is to be read as a reference to [section 28 of the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10)]².

Notes
1 Added by Legislative and Regulatory Reform Act 2006 c. 51 Pt 3 s.29 (January 8, 2007)
2 Words substituted by Interpretation and Legislative Reform (Scotland) Act 2010 (Consequential, Savings and Transitional Provisions) Order 2011/396 (Scottish SI) art.11 (November 11, 2011)

Proposed Bill Amendments
Sch. 2 para. 2C: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Extent
Sch. 2 para. 2C(a)-(c): United Kingdom

3.
Nothing in paragraph 2 above shall apply to any Order in Council made by the Governor of Northern Ireland or to any regulation made by a Minister or department of the Government of Northern Ireland; but where a provision contained in any section of this Act confers power to make such an Order in Council or [order, rules, regulations or scheme]¹, then any Order in Council or [order, rules, regulations or scheme]¹ made in the exercise of that power, if made without a draft having been approved by resolution of each House of the Parliament of Northern Ireland, shall be subject to negative resolution within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954 as if the Order or [order, rules, regulations or scheme]¹ were a statutory instrument within the meaning of that Act.
Notes

1 Word substituted by Legislative and Regulatory Reform Act 2006 c. 51 Pt 3 s.27(2)(b) (January 8, 2007)

Proposed Bill Amendments

Sch. 2 para. 3: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.1(2) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 2 para. 3: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 2 para. 3: United Kingdom

Law In Force

[4.—

(1) The power to make orders under section 5(1) or (2) of this Act shall be exercisable in accordance with the following provisions of this paragraph.

(2) The power to make such orders shall be exercisable by statutory instrument and includes power to amend or revoke any such order made in the exercise of that power.

(3) Any statutory instrument containing any such order shall be subject to annulment in pursuance of a resolution of the House of Commons except in a case falling within sub-paragraph (4) below.

(4) Subject to sub-paragraph (6) below, where an order imposes or increases any customs duty, or restricts any relief from customs duty under the said section 5, the statutory instrument containing the order shall be laid before the House of Commons after being made and, unless the order is approved by that House before the end of the period of 28 days beginning with the day on which it was made, it shall cease to have effect at the end of that period, but without prejudice to anything previously done under the order or to the making of a new order. In reckoning the said period of 28 days no account shall be taken of any time during which Parliament is dissolved or prorogued or during which the House of Commons is adjourned for more than 4 days.

(5) Where an order has the effect of altering the rate of duty on any goods in such a way that the new rate is not directly comparable with the old, it shall not be treated for the purposes of sub-paragraph (4) above as increasing the duty on those goods if it declares the opinion of the Treasury to be that, in the circumstances existing at the date of the order, the alteration is not calculated to raise the general level of duty on the goods.
(6) Sub-paragraph (4) above does not apply in the case of an instrument containing an order which
states that it does not impose or increase any customs duty or restrict any relief from customs duty
otherwise than in pursuance of a EU obligation.] 1

Notes

1 Sch. 2 paras. 4, 5 added by Customs and Excise Duties (General Reliefs) Act 1979 (c. 3), s. 19(1), Sch. 2 para. 5

2 Words substituted by European Union (Amendment) Act 2008 c. 7 Sch.1 para. 1 (December 1, 2009)

Proposed Bill Amendments

Sch. 2 para. 4: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading,
May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union
(Wr) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on
and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in
s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal)
Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and
Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19
s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Extent

Sch. 2 para. 4(1)-(6): United Kingdom

Law In Force

[ 5.
As soon as may be after the end of each financial year the Secretary of State shall lay before each
House of Parliament a report on the exercise during that year of the powers conferred by section
5(1) and (2) of this Act with respect to the imposition of customs duties and the allowance of
exemptions and reliefs from duties so imposed (including the power to amend or revoke orders
imposing customs duties or providing for any exemption or relief from duties so imposed).

Notes

1 Sch. 2 paras. 4, 5 added by Customs and Excise Duties (General Reliefs) Act 1979 (c. 3), s. 19(1), Sch. 2 para. 5

Proposed Bill Amendments

Sch. 2 para. 5: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading,
May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union
(Wr) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on
and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in
s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal)
Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and
Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19
s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Extent

Sch. 2 para. 5: United Kingdom
SCHEDULE 3 […]¹

Notes
¹ Species enactments repealed by s. 4(1) and, repealed in part by Finance Act 1978 (c. 42), ss. 6(9), 80(5), Sch. 13 Pt. I

SCHEDULE 4
ENACTMENTS AMENDED

Section 4

Repealed
1. […]¹

Notes
¹ Repealed by Customs and Excise Duties (General Reliefs) Act 1979 (c. 3), s. 19(2), Sch. 3 Pt. I

Repealed
2. […]¹

Notes
¹ Repealed by Customs and Excise Management Act 1979 (c. 2), s. 177, Sch. 6 Pt. I, Sch. 7

Repealed
3. […]¹

Notes
¹ Repealed by Food Act 1984 (c. 30), Sch. 11

Law In Force
4.

(a) […]¹
(b) […]²
(c) […]³
Notes

1. Adds s. 11(3) to Agriculture and Horticulture Act 1964 (c. 28)
2. Amends Agriculture and Horticulture Act 1964 (c. 28), s. 22(3)
3. Amends Agriculture and Horticulture Act 1964 (c. 28), s. 24
4. Amends Trade Descriptions Act 1968 (c. 29), s. 2(4)

Proposed Bill Amendments

Sch. 4 para. 4: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 4 para. 4: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 4 para. 4(1)-(2): United Kingdom

Law In Force

5.

1. […]
2. […]
3. […]
4. […]
5. […]
6. […]

Notes

1. Amends Plant Varieties and Seeds Act 1964 (c. 14), s. 10(1), ss. 16(1)(7)(8), 18(2), 25(7), 29, 30(1), 38(1), Sch. 4 para. 5(1) and inserts s. 16(1A) in that Act; adds s. 16(8), s. 29(2)(3) to Plant Varieties and Seeds Act 1964 (c. 14)
2. Amends Plant Varieties and Seeds Act 1964 (c. 14), ss. 16(1)(7)(8), 18(2), 25(7) and inserts s. 16(1A) in that Act
3. Adds s. 16(8) to Plant Varieties and Seeds Act 1964 (c. 14)
4. Amends Plant Varieties and Seeds Act 1964 (c. 14), ss. 29, 30(1), 38(1) and adds s. 29(2)(3) to that Act
5. Amends Plant Varieties and Seeds Act 1964 (c. 14), s. 10(1), Sch. 4 para. 5(1)
6. Repealed by House of Commons Disqualification Act 1975 (c. 24), Sch. 3 and Northern Ireland Assembly Disqualification Act 1975 (c. 25), Sch. 3 Pt. I
Proposed Bill Amendments

Sch. 4 para. 5: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 4 para. 5: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 4 para. 5(1)-(6): United Kingdom

6. [...]

Notes

1 Inserts s. 74A in Agriculture Act 1970 (c. 40)

Proposed Bill Amendments

Sch. 4 para. 6: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords’ Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 4 para. 6: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent

Sch. 4 para. 6: United Kingdom

7. [...]
Notes

1 Repealed by Animal Health Act 1981 (c. 22), s. 97(2), Sch. 6

Law In Force

8.

(1) […]¹
(2) […]²
(3) […]³
(4) […]⁴

Notes

1 Amends Plant Health Act 1967 (c. 8), ss. 1(1), 2(1), 3(1)(5), 3(2), 4(1), 6(1)
2 Amends Plant Health Act 1967 (c. 8), ss. 1(1), 2(1), 3(1)(5)
3 Amends Plant Health Act 1967 (c. 8), ss. 3(2), 4(1)
4 Amends Plant Health Act 1967 (c. 8), s. 6(1)

Proposed Bill Amendments

Sch. 4 para. 8: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.2(1) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement

Sch. 4 para. 8: January 1, 1973

Extent

Sch. 4 para. 8(1)-(4): United Kingdom

Law In Force

9.

(1) […]¹
(2) […]²
(3) […]³
(4) […]⁴
Notes
1. Repealed with savings by Road Traffic (Drivers' Ages and Hours of Work) Act 1976 (c. 3), Sch. 2, Sch. 3 Pt. I
2. Amends Transport Act 1968 (c. 73), ss. 98(2)(4)(5), 99(1)(3)(5), 103(1) and inserts section 96(11A) in that Act
3. Repealed by Road Traffic (Drivers' Ages and Hours of Work) Act 1976 (c. 3), Sch. 3 Pt. II
4. Amends Road Traffic (Foreign Vehicles) Act 1972 (c. 27), Sch. 2: repealed in part by Wages Council Act 1979 (c. 12), Sch. 7 and by Employment Act 1980 (c. 42), Sch. 2

Proposed Bill Amendments
Sch. 4 para. 9: repealed by European Union (Withdrawal) Bill 2017-19 (HL Bill 102) s. 1(2) (Lords' Third Reading, May 16, 2018) (Not yet in force: repeal has effect on exit day if, and only if, the condition specified in European Union (Withdrawal) Bill 2017-19 s.1(3) is met; EU-derived domestic legislation continues to have effect in domestic law on and after exit day as specified in European Union (Withdrawal) Bill 2017-19 s.2 subject to the exceptions specified in s.6 and Sch.1; also subject to savings for rights etc. under 1972 c.68 s.1(2) as specified in European Union (Withdrawal) Bill 2017-19 s.5, general consequential provision specified in European Union (Withdrawal) Bill 2017-19 s.22(5) and Sch.8 Part 1 and transitional, transitory and saving provision specified in European Union (Withdrawal) Bill 2017-19 s.22(7), Sch.8 Part 3 and Sch.8 Part 4 paras 36 and 37)

Commencement
Sch. 4 para. 9: October 17, 1972 but generally with practical effect from January 1, 1973, the date on which the UK became a member of the Communities, as defined in 1972 c.68 s.1(2)

Extent
Sch. 4 para. 9(1)-(4): United Kingdom

Repealed

10. […]¹

Notes
¹. Repealed by Transport Act 1980 (c. 34), Sch. 9 Pt. I
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