



# European Communities (Amendment) Act 1986

## 1986 CHAPTER 58

An Act to amend the European Communities Act 1972 so as to include in the definition of " the Treaties " and " the Community Treaties " certain provisions of the Single European Act signed at Luxembourg and The Hague on 17th and 28th February 1986 and extend certain provisions relating to the European Court to any court attached thereto; and to amend references to the Assembly of the European Communities and approve the Single European Act. [7th November 1986]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### **1 Extended meaning of " the Treaties " and " the Community Treaties ".**

In section 1(2) of the European Communities Act 1972, in the definition of " the Treaties " and " the Community Treaties ", after paragraph (h) (inserted by the European Communities (Spanish and Portuguese Accession) Act 1985) there shall be inserted the words "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);".

### **2 Extension of provisions to courts attached to European Court.**

In the European Communities Act 1972—

- (a) in section 3(1) (which requires certain questions, if not referred to the European Court, to be determined in accordance with the principles laid down

by and any relevant decision of the European Court), for " decision of the European Court) " there shall be substituted " decision of the European Court or any court attached thereto) " ; and

- (b) in sections 3(2) and (3) and 11(1) (which, as regards the European Court, provide for judicial notice to be taken of its pronouncements, for proof of its judgments and orders, and for the trial and punishment of persons who in sworn evidence before it make statements which they know to be false or do not believe to be true), after " the European Court ", wherever occurring, there shall be inserted " or any court attached thereto " .

### **3 Provisions relating to European Assembly.**

- (1) Subject to subsection (2) below and to the repeals and revocations made by section 4(3) below, any enactment or instrument passed or made before the day on which the Single European Act enters into force shall have effect on and after that day with the substitution—
  - (a) of a reference to the (or, as the case may be, a) European Parliament for any reference (however worded) to the (or an) Assembly of the European Communities; and
  - (b) of the words " European Parliamentary " for the word " Assembly " and for the words " European Assembly " wherever that word or those words are used adjectivally with reference to the European Assembly (together with, where necessary, the consequential substitution of " a " for " an ").
- (2) The provisions on which subsection (1) above operates do not include that subsection itself or subsection (3) below or the long title of this Act but, subject to those exceptions, include—
  - (a) the long titles of Acts passed before the day mentioned in subsection (1) above;
  - (b) any provision of an Act or instrument passed or made before that day specifying how that Act or instrument may be cited; and
  - (c) so much of any Act or instrument so passed or made as uses a mode of citation authorised by another such Act or instrument to refer to that other Act or instrument.
- (3) On and after the day mentioned in subsection (1) above the enactments and instruments amended by this section shall have effect as if the Assembly of the European Communities ha always been named the European Parliament.
- (4) For the purpose of section 6 of the European Assembly Elections Act 1978 the Single European Act is hereby approved

### **4 Short title, interpretation and repeals.**

- (1) This Act may be cited as the European Communities (Amendment) Act 1986.
- (2) In this Act " the Single European Act " means the Single European Act signed at Luxembourg and The Hague on 17th and 28th February 1986.
- (3) The enactments and instruments mentioned in the Schedule to this Act are hereby repealed or revoked to the extent specified in the third column of that Schedule as from the day mentioned in section 3(1) above.

## SCHEDULE

Section 4(3).

## REPEALS

## ACTS

<i>Chapter</i>	<i>Short Title</i>	<i>Extent of Repeal</i>
1978 c. 10.	European Assembly Elections Act 1978.	In section 1, the words " (in this Act referred to as the Assembly)".
1979 c. 50.	European Assembly (Pay and Pensions) Act 1979.	In section 8(1), the definition of " the Assembly ".
1985 c. 50.	Representation of the People Act 1985.	In section 27(1), the definition of " the Assembly ".

## INSTRUMENTS

<i>Reference</i>	<i>Title</i>	<i>Extent of Revocation</i>
S.I. 1979 No. 521.	European Assembly Election Petition Rules 1979.	In Rule 2(1), the definition of " Assembly ".
S.R. (N.I.) 1979 No. 179.	European Assembly Election Petition Rules (Northern Ireland) 1979.	In Rule 2(1), the definition of " Assembly ".
S.I. 1984 No. 137.	European Assembly Elections Regulations 1984.	In Regulation 2(1), the definition of " Assembly ".
S.I. 1984 No. 198.	European Assembly Elections (Northern Ireland) Regulations 1984.	In Regulation 2(1), the definition of " Assembly ".