

Draft Order in Council laid before Parliament under section 1(3) of the European Communities Act 1972, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2011 No.

EUROPEAN UNION

The European Union (Definition of Treaties) (Second Agreement amending the Cotonou Agreement) Order 2011

Made - - - - 2011

Coming into force in accordance with Article 2

At the Court at Buckingham Palace, the *** day of *** 2011

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 1(3) of the European Communities Act 1972⁽¹⁾ a draft of this Order was laid before and approved by a resolution of each House of Parliament.

Accordingly, Her Majesty, in exercise of the powers conferred on Her by section 1(3) of the European Communities Act 1972, is pleased, by and with the advice of Her Privy Council, to order as follows:

1. This Order may be cited as the European Union (Definition of Treaties) (Second Agreement amending the Cotonou Agreement) Order 2011.
2. This Order shall come into force on the date upon which the treaty specified in the Schedule enters into force for the United Kingdom⁽²⁾.
3. The treaty specified in the Schedule is to be regarded as an EU Treaty as defined in section 1(2) of the European Communities Act 1972⁽³⁾.

(1) 1972 c.68; section 1(3) was amended by the European Union (Amendment) Act 2008, section 3(3), Schedule, Part 1.

(2) It will be possible to find out the date on which the treaty specified in the Schedule enters into force for the United Kingdom by referring to the relevant page on UK Treaties Online which is part of the Foreign & Commonwealth Office's public website. The link to that page is: <http://www.fc.gov.uk/en/treaties/treaties-landing/records/14400/14429>

(3) Section 1(2) was amended by the European Union (Amendment) Act 2008, section 3(3), Schedule, Part 1.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The European Union (Definition of Treaties) (Second Agreement amending the Cotonou Agreement) Order 2012 No. 797

Clerk of the Privy Council

SCHEDULE

Agreement amending for the second time the 2000 Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part, signed in Ouagadougou, Burkina Faso on 22 June 2010(4).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order declares the Agreement amending for the second time the 2000 Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part (the Cotonou Agreement(5)), signed in Ouagadougou, Burkina Faso on the 22nd of June 2010, to be an EU Treaty as defined in section 1(2) of the European Communities Act 1972.

The Agreement amending for the second time the Cotonou Agreement reflects changing political and security concerns, trade relations, and economic and development co-operation strategies between the parties to the original Agreement.

The principal effect of declaring the Agreement to be an EU Treaty as so defined is to bring into play, in relation to it, the provisions of section 2 of the European Communities Act 1972 which provide for the implementation of treaties specified in orders made under section 1(3) of that Act.

The Cotonou Agreement was signed on the 23rd of June 2000 and was concluded for a period of 20 years. It covers political and trade relations and development co-operation and has, as its central objective, the reduction and eventual eradication of poverty. The Cotonou Agreement is subject to review every five years and the first amendment entered into force on the 1st of July 2008. The Cotonou Agreement was specified as a Community Treaty (now an EU Treaty) by The European Communities (Definition of Treaties) (Partnership Agreement between the Members of the African, Caribbean and Pacific Group of States and the European Community and its Member States (The Cotonou Agreement)) Order [2001 No. 3935](#).

A full Impact Assessment has not been carried out for this Order as an initial assessment determined that the costs and benefits for business, the voluntary sector and public finances in the United Kingdom are expected to be negligible.

(4) Cm 8025.

(5) Cm 5882.