

Draft Order 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. XXXX

EUROPEAN UNION

**The European Union (Definition of Treaties)
(Republic of Korea Free Trade 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) (Republic of Korea Free Trade Agreement) Order 2011.
2. This Order comes into force on the date on which the agreement referred to in Article 3 enters into force for the United Kingdom(2).
3. The Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part, signed on 6th October 2010(3), is to be regarded as an EU Treaty as defined in section 1(2) of the European Communities Act 1972.

(1) 1972 c. 68. The references to "the EU" and "the EU Treaties" in sections 1(2) and (3) of the European Communities Act 1972 were inserted by the European Union (Amendment) Act 2008, s 3(1) and (3), Schedule Pt 1.

(2) This date will be notified in the London, Edinburgh and Belfast Gazettes. It will also be possible to find out the date on which the agreement referred to in Article 3 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.fco.gov.uk/en/treaties/treaties-landing/records/14400/14438>.

(3) OJ No L 127, 14.5.11, p6.

Judith Simpson
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

On 6th October 2010, the European Union and its Member States signed the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part (the “Agreement”). The Republic of Korea signed the Agreement on the same day. The Free Trade Agreement has been provisionally applied since 1st July 2011. It will enter into force 60 days after the Parties exchange written notifications certifying that they have completed their respective applicable legal requirements and procedures for ratification, or on such other date as the Parties may agree.

This Order declares the Agreement to be an EU Treaty as defined by section 1(2) of the European Communities Act 1972. The principal effect of declaring the Agreement to be an EU Treaty is that the provisions of section 2 of the European Communities Act 1972 (which provide for the implementation of EU Treaties) apply to it.

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