



# European Union Act 2011

## 2011 CHAPTER 12

### PART 1

#### RESTRICTIONS ON TREATIES AND DECISIONS RELATING TO EU

##### *Introductory*

#### <sup>F1</sup> Interpretation of Part 1

.....

##### **Textual Amendments**

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\), s. 25\(4\), Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\), 4](#) (with [reg. 8](#)) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

##### *Restrictions relating to amendments of TEU or TFEU*

#### <sup>F12</sup> Treaties amending or replacing TEU or TFEU

.....

##### **Textual Amendments**

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\), s. 25\(4\), Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\), 4](#) (with [reg. 8](#)) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

*Changes to legislation: There are currently no known outstanding effects  
for the European Union Act 2011. (See end of Document for details)*

**F13 Amendment of TFEU under simplified revision procedure**

.....

**Textual Amendments**

**F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

**F14 Cases where treaty or Article 48(6) decision attracts a referendum**

.....

**Textual Amendments**

**F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

**F15 Statement to be laid before Parliament**

.....

**Textual Amendments**

**F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

*Restrictions relating to other decisions under TEU or TFEU*

**F16 Decisions requiring approval by Act and by referendum**

.....

**Textual Amendments**

**F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

**F17 Decisions requiring approval by Act**

.....

---

*Changes to legislation: There are currently no known outstanding effects for the European Union Act 2011. (See end of Document for details)*

---

**Textual Amendments**

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

**F18 Decisions under Article 352 of TFEU**

.....

**Textual Amendments**

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

**F19 Approval required in connection with Title V of Part 3 of TFEU**

.....

**Textual Amendments**

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

**F110 Parliamentary control of certain decisions not requiring approval by Act**

.....

**Textual Amendments**

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

*Further provisions about referendums held in pursuance of section 2, 3 or 6*

**F111 Persons entitled to vote in referendum**

.....

**Textual Amendments**

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

*Changes to legislation: There are currently no known outstanding effects  
for the European Union Act 2011. (See end of Document for details)*

## <sup>F1</sup>12 Separate questions

.....

### Textual Amendments

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

## <sup>F1</sup>13 Role of Electoral Commission

.....

### Textual Amendments

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

## *Supplementary*

## 14 Consequential amendments and repeals relating to Part 1

<sup>F1</sup>(1) .....

- (2) In section 23 of the Constitutional Reform and Governance Act 2010 (section 20 of that Act not to apply to certain descriptions of treaties), in subsection (1)—
- (a) omit paragraph (a),
  - (b) in paragraph (b), for “founding Treaties” substitute “ Treaty establishing European Atomic Energy Community ”, and
  - (c) at the end insert—
    - “(c) a treaty that is subject to a requirement imposed by Part 1 of the European Union Act 2011 (restrictions on treaties and decisions relating to EU).”
- (3) The following enactments (which are superseded by the provisions of this Part) are repealed—
- (a) section 2 of the European Communities (Amendment) Act 1993,
  - (b) section 1(2) and (3) of the European Communities (Amendment) Act 2002,
  - (c) section 12 of the European Parliamentary Elections Act 2002, and
  - (d) section 6 of the European Union (Amendment) Act 2008.

### Textual Amendments

- F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); S.I. 2018/808, [regs. 3\(i\)](#), 4 (with reg. 8) (as amended by S.I. 2020/74, [reg. 3\(2\)\(3\)](#))

*Changes to legislation: There are currently no known outstanding effects for the European Union Act 2011. (See end of Document for details)*

**Commencement Information**

**II** S. 14 in force at 19.8.2011 by [S.I. 2011/1984](#), [art. 2](#)

**PART 2**

IMPLEMENTATION OF TRANSITIONAL PROTOCOL ON MEPS

**15 Protocol on MEPs: approval, and addition to list of treaties**

<sup>F1</sup>(1) .....

(2) In section 1(2) of the European Communities Act 1972, in the definition of “the Treaties”, after paragraph (s) insert—

“and

(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;”.

**Textual Amendments**

**F1** Act repealed (4.7.2018 for the repeal of ss. 1-13, 14(1), 15(1), Sch. 1 and on IP completion day in so far as not already in force) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, Sch. 8 para. 37); [S.I. 2018/808](#), [regs. 3\(i\)](#), 4 (with [reg. 8](#)) (as amended by [S.I. 2020/74](#), [reg. 3\(2\)\(3\)](#))

**16 Number of MEPs and electoral regions**

(1) Section 1 of the European Parliamentary Elections Act 2002 is amended as follows.

(2) In subsection (1) (number of members of the European Parliament) for “72” substitute “73”.

(3) In subsection (3) (electoral regions) for the entry relating to the West Midlands substitute—

“West Midlands	7”
----------------	----

**Commencement Information**

**I2** S. 16 in force at 19.9.2011 by [S.I. 2011/1985](#), [art. 2](#)

**17 Election of additional MEP**

(1) The additional seat allocated to the West Midlands electoral region by virtue of section 16 is to be filled by applying subsections (5) to (9) of section 2 of the 2002 Act (voting system in Great Britain and Gibraltar) to the results of the poll at the general

---

*Changes to legislation: There are currently no known outstanding effects for the European Union Act 2011. (See end of Document for details)*

---

election of members of the European Parliament held on 4 June 2009, as if the seat had been allocated to the region at that date.

- (2) Subsection (1) is subject to Schedule 2 which makes further provision about the filling of the additional seat.
- (3) This section and Schedule 2—
- (a) cease to have effect on the date appointed under section 4 of the 2002 Act as the date of the poll at the next general election of members of the European Parliament after the passing of this Act, and
  - (b) do not affect the procedure to be followed in accordance with regulations made under section 5 of the 2002 Act if, after being filled in accordance with this section and Schedule 2, the additional seat subsequently becomes vacant before that date.
- (4) In this section and in Schedule 2 “the 2002 Act” means the European Parliamentary Elections Act 2002.

**Commencement Information**

**I3** S. 17 in force at 19.9.2011 by S.I. 2011/1985, art. 2

**PART 3**

GENERAL

*Status of EU law*

**18 Status of EU law dependent on continuing statutory basis**

Directly applicable or directly effective EU law (that is, the rights, powers, liabilities, obligations, restrictions, remedies and procedures referred to in section 2(1) of the European Communities Act 1972) falls to be recognised and available in law in the United Kingdom only by virtue of that Act or where it is required to be recognised and available in law by virtue of any other Act.

*Final provisions*

**19 Financial provisions**

- (1) There is to be paid out of money provided by Parliament any increase attributable to this Act in the sums payable under any other Act out of money so provided.
- (2) There is to be charged on and paid out of the Consolidated Fund any increase attributable to this Act in the sums charged on and paid out of that Fund under any other Act.

**20 Extent**

- (1) This Act extends to the whole of the United Kingdom.

---

*Changes to legislation: There are currently no known outstanding effects  
for the European Union Act 2011. (See end of Document for details)*

---

- (2) Part 2 (and this section and sections 21 and 22 so far as relating to that Part) extend also to Gibraltar.

## **21 Commencement**

- (1) The following provisions come into force on the day on which this Act is passed—
- (a) section 15;
  - (b) this Part.
- (2) The other provisions of this Act come into force on such day as the Secretary of State may by order made by statutory instrument appoint.
- (3) Different days may be appointed for different purposes.

## **22 Short title**

This Act may be cited as the European Union Act 2011.

**Changes to legislation:**

There are currently no known outstanding effects for the European Union Act 2011.