



# European Communities Act 1972

## 1972 CHAPTER 68

### [<sup>F1</sup>PART I

#### GENERAL PROVISIONS

#### [<sup>F1</sup> Short title and interpretation.

(1) This Act may be cited as the European Communities Act 1972.

(2) In this Act <sup>F2</sup>. . . —

<sup>F3</sup>[“ 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 Coal and Steel Community and the European Atomic Energy Community;

“the Treaties” or [<sup>F4</sup>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 Coal and Steel Community; [<sup>F5</sup>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 Coal and Steel Community;]and
- [<sup>F6</sup>(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

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resources, and the decision of the Council of 26 May 2014 on the EU's system of own resources; ]

- (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 Coal and Steel Community;]<sup>F7</sup> 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); ]]<sup>F8</sup> 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 ]]<sup>F9</sup> 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/ EC SC, EEC](#), Euratom of 20th September 1976. ]]<sup>F10</sup> 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]]<sup>F11</sup> 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;]]<sup>F12</sup> 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;]]<sup>F13</sup> 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 Protocols adopted on that occasion;]]<sup>F14</sup> and
- (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;]]<sup>F15</sup> 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;]]<sup>F16</sup> and

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- (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 protocols), 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;]<sup>F17</sup>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;]<sup>F18</sup> 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 [<sup>F19</sup>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 [<sup>F20</sup>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.]

#### Textual Amendments

- F1** Act repealed (31.1.2020 at 11.00 p.m. subject to savings for implementation period in ss. 1A, 1B of the repealing Act) by [European Union \(Withdrawal\) Act 2018 \(c. 16\), ss. 1, 25\(4\)](#) (with savings relating to retention of existing EU law in ss. 2-7, Sch. 1, Sch. 8 para. 37) (as amended by [European Union \(Withdrawal Agreement\) Act 2020 \(c. 1\), ss. 1, 2, 25, 36\(c\), 42\(7\), Sch. 5 para. 55; S.I. 2020/75, reg. 4](#)); [S.I. 2019/1198, reg. 2](#))
- F2** Words repealed by [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#) , s. 25 , [Sch. 3](#)
- F3** Words in s. 1(2) inserted (1.12.2009) by [European Union \(Amendment\) Act 2008 \(c. 7\), s. 3\(1\)](#); [S.I. 2009/3143, art. 2](#)
- F4** Words in s. 1(2) substituted (1.12.2009) by [European Union \(Amendment\) Act 2008 \(c. 7\), s. 3](#) , [Sch. Pt. 1](#) ; [S.I. 2009/3143 , art. 2](#)
- F5** S. 1(2)(c)(d) inserted by [European Communities \(Greek Accession\) Act 1979 \(c. 57, SIF 29:5\)](#) , s. 1
- F6** Words in s. 1(2) substituted (21.9.2015) by [European Union \(Finance\) Act 2015 \(c. 32\), ss. 1\(2\), 2\(3\)](#)
- F7** Words inserted by [European Communities \(Amendment\) Act 1986 \(c. 58, SIF 29:5\)](#) , s. 1
- F8** S. 1(2)(k) and preceding word inserted (23.7.1992) by 1993, c. 32, s. 1(1)(7); resolution of House of Lords dated 27.7.1993; resolution of House of Commons dated 23.7.1993
- F9** S. 1(2)(l) and preceding word inserted (5.11.1993) by 1993 c. 41 , s. 3(2)
- F10** S. 1(2)(m) and the preceding word added (5.11.1993) by 1993 c. 51 , s. 1
- F11** S. 1(2)(n) and preceding word inserted (3.11.1994) by 1994 c. 38 , s. 1
- F12** S. 1(2)(o) and preceding word inserted (11.6.1998) by 1998 c. 21 , s. 1
- F13** S. 1(2)(p) and preceding word inserted (26.2.2002) by 2002 c. 3 , s. 1(1)

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- F14** S. 1(2)(q) and preceding word inserted (13.11.2003) by [European Union \(Accessions\) Act 2003 \(c. 35\)](#), [s. 1\(1\)](#)
- F15** S. 1(2)(r) inserted (16.2.2006) by [European Union \(Accessions\) Act 2006 \(c. 2\)](#), [s. 1\(1\)](#)
- F16** S. 1(2)(s) and preceding word added (19.6.2008) by [European Union \(Amendment\) Act 2008 \(c. 7\)](#), [s. 2](#)
- F17** S. 1(2)(t) and word inserted (19.7.2011) by [European Union Act 2011 \(c. 12\)](#), [ss. 15\(2\)](#), 21
- F18** S. 1(2)(u)(v) and word inserted (31.1.2013) by [European Union \(Croatian Accession and Irish Protocol\) Act 2013 \(c. 5\)](#), [ss. 3](#), 6(2)
- F19** Words in s. 1(2) substituted (1.12.2009) by [European Union \(Amendment\) Act 2008 \(c. 7\)](#), s. 3, [Sch. Pt. 1](#); [S.I. 2009/3143](#), [art. 2](#)
- F20** Words in s. 1(3) substituted (1.12.2009) by [European Union \(Amendment\) Act 2008 \(c. 7\)](#), s. 3, [Sch. Pt. 1](#); [S.I. 2009/3143](#), [art. 2](#)

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**Modifications etc. (not altering text)**

- C1** S. 1(2): Power to amend definitions conferred by (26.2.2002) by [2002 c. 3](#), [s. 1\(1\)\(2\)](#)
- C2** S. 1(2)(l) and the word “and” preceding it continue to be inserted (24.10.2002) by [2002 c. 24](#), s. 15, [Sch. 3 para. 1](#)

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