



# European Union (Amendment) Act 2008

## 2008 CHAPTER 7

An Act to make provision in connection with the Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community, signed at Lisbon on 13th December 2007. [19th June 2008]

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 The Treaty of Lisbon**

In this Act “the Treaty of Lisbon” means the Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community signed at Lisbon on 13th December 2007.

### **2 Addition to list of treaties**

At the end of the list of treaties in section 1(2) of the European Communities Act 1972 (c. 68) add—

“; and

- (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;”.

### **3 Changes of terminology**

- (1) In section 1(2) of the European Communities Act 1972 (interpretation) before the definition of “the Communities” insert—

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““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),”.

- (2) A reference to the EU in an Act or an instrument made under an Act includes, if and in so far as the context permits or requires, a reference to the European Atomic Energy Community.
- (3) The Table in the Schedule to this Act sets out substitutions required to reflect terminology after the commencement of the Treaty of Lisbon.
- (4) The Secretary of State or the Treasury may by order make other amendments of Acts or instruments made under Acts to reflect changes in terminology or numbering arising out of the Treaty of Lisbon.
- (5) An order under subsection (4)—
  - (a) may include incidental provision,
  - (b) shall be made by statutory instrument, and
  - (c) shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (6) In an Act or instrument made under an Act a reference to all or any of the Communities shall, in the application of the enactment or instrument after the passing of this Act, be treated as being or including (as the context requires) a reference to the EU.

**F14 Increase of powers of European Parliament**

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**Textual Amendments**

**F1** Act repealed (4.7.2018 for the repeal of ss. 4, 5) by [European Union \(Withdrawal\) Act 2018 \(c. 16\)](#), s. 25(4), [Sch. 9](#) (with s. 19, [Sch. 8 para. 37](#)); S.I. 2018/808, [reg. 3\(i\)](#) (with [regs. 6, 7](#))

**F15 Amendment of Euratom Treaty**

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**Textual Amendments**

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**F26 Parliamentary control of decisions**

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**Textual Amendments**

**F2** S. 6 repealed (19.8.2011) by [European Union Act 2011 \(c. 12\)](#), [ss. 14\(3\)\(d\)](#), 21; S.I. 2011/1984, [art. 2](#)

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## 7 Short title

This Act may be cited as the European Union (Amendment) Act 2008.

## 8 Commencement

- (1) Section 3 (and the Schedule) come into force in accordance with provision made by the Secretary of State by order made by statutory instrument.
- (2) An order under subsection (1)—
  - (a) may make provision generally or for specified purposes only,
  - (b) may make different provision for different purposes, and
  - (c) may include incidental, transitional and consequential provision.
- (3) The other provisions of this Act come into force on Royal Assent.

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### Subordinate Legislation Made

- P1** [S. 8\(1\)\(2\)](#) power fully exercised: 1.12.2009 appointed for specified provisions by [{S.I. 2009/3143}](#), art. 2

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## SCHEDULE

Section 3

## CHANGES OF TERMINOLOGY

## PART 1

## EUROPEAN COMMUNITIES ACT 1972

<i>Provision of the European Communities Act 1972 (c. 68)</i>	<i>Existing expression</i>	<i>Substituted expression</i>
Section 1(2) (interpretation)	“the Community Treaties”	“ the EU Treaties ”
Section 1(2)	“any other treaty entered into by any of the Communities”	“ 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) ”
Section 1(3) (Order in Council)	“the Community Treaties”	“ the EU Treaties ”
Section 2(1) (general implementation)	“ “enforceable Community right” ”	“enforceable EU right”
Section 2(2)(a) (power to implement)	“Community obligation”	“ EU obligation ”
Section 2(2)	“objects of the Communities”	“ objects of the EU ”
Section 2(3) (money)	“Community obligation” (three times)	“ EU obligation ”
Section 2(3)	“any of the Communities or member States”	“ the EU or a member State ”
Section 3 (heading) (treaties and instruments)	“Community instruments”	“ EU instruments ”
Section 3(1) (construction)	“Community instrument”	“ EU instrument ”
Section 3(1)	“the European Court or any court attached thereto”	“ the European Court ”
Section 3(2) (judicial notice)	“the European Court or any court attached thereto”	“ the European Court ”
Section 3(2)	“Official Journal of the Communities”	“ Official Journal of the European Union ”
Section 3(2)	“any of the Communities”	“ the EU ”
Section 3(2)	“Community institution”	“ EU institution ”
Section 3(3) (evidence)	“Community institution” (twice)	“ EU institution ”

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Section 3(3)	“the European Court or any court attached thereto”	“ the European Court ”
Section 3(4) (evidence)	“Community instrument”	“ EU instrument ”
Section 4(1) (amendment of the law)	“Community obligations” (twice)	“ EU obligations ”
Section 5(1) (customs duties)	“Community customs duty”	“ EU customs duty ”
Section 5(1)	“Economic Community”	“ EU ”
Section 5(1)	“Community provision”	“ EU provision ”
Section 6(3) (common agricultural policy)	“Community arrangements” (twice)	“ EU arrangements ”
Section 6(4)	“Economic Community”	“ EU ”
Section 6(4)	“Community provision”	“ EU provision ”
Section 6(5)	“Economic Community”	“ EU ”
Section 6(5)	“Community customs duties” (twice)	“ EU customs duties ”
Section 6(5)	“Community arrangements”	“ EU arrangements ”
Section 6(8)	“Community arrangements”	“ EU arrangements ”
Section 11 (heading) (offences)	“Community offences”	“ EU offences ”
Section 11(1)	“the European Court or any court attached thereto” (twice)	“ the European Court ”
Section 12 (heading) (information)	“Communities”	“ EU ”
Section 12	“Community obligation”	“ EU obligation ”
Section 12	“Community institution”	“ EU institution ”
Schedule 1 (heading) (defined terms)	“Communities”	“ EU ”
Schedule 1, Part 2	“ “Community customs duty” ”	“EU customs duty”
Schedule 1, Part 2	“Community provision”	“ EU provision ”
Schedule 1, Part 2	“ “Community institution” means any institution of any of the Communities or common to the Communities; and any reference to an institution of a particular Community shall include one common to the Communities when it acts for that Community, and similarly with references to a	“EU institution” means any institution of the EU. ”

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	committee, officer or servant of a particular Community.”	
Schedule 1, Part 2	“ “Community instrument””	“EU instrument”
Schedule 1, Part 2	“issued by a Community institution”	“ issued by an EU institution ”
Schedule 1, Part 2	“ “Community obligation””	“EU obligation”
Schedule 1, Part 2	“enforceable Community obligation”	“ enforceable EU obligation ”
Schedule 1, Part 2	“ “Enforceable Community right””	“Enforceable EU right”
Schedule 1, Part 2	“ “European Court” means the Court of Justice of the European Communities or the Court of First Instance, and any reference to a court attached to the European Court is a reference to a judicial panel attached to the Court of First Instance.”	“European Court” means the Court of Justice of the European Union. ”
Schedule 1, Part 2	“membership of the Communities”	“ membership of the EU ”
Schedule 2 (subordinate legislation) para. 1A	“Community instrument” (twice)	“ EU instrument ”
Schedule 2, para. 4	“Community obligation”	“ EU obligation ”

## PART 2

### INTERPRETATION ACT 1978

<i>Provision of the Interpretation Act 1978 (c. 30)</i>	<i>Existing expression</i>	<i>Substituted expression</i>
Section 20A (heading) (references to Community instruments)	“Community instruments”	“ EU instruments ”
Section 20A	“Community instrument”	“ EU instrument ”
Schedule 1 (definitions)	“ “The Communities”, “the Treaties” or “the Community Treaties””	“ “ The EU ” or “ the EU Treaties ”” (to be substituted in the appropriate place in the Schedule)

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**Changes to legislation:**

There are currently no known outstanding effects for the European Union (Amendment) Act 2008.