

2013 No. 1445

EUROPEAN UNION

The European Communities (Designation) Order 2013

Made - - - - *13th June 2013*
Laid before Parliament *20th June 2013*
Coming into force - - *12th July 2013*

At the Court at Buckingham Palace, the 13th day of June 2013

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a), is pleased, by and with the advice of Her Privy Council, to order as follows:

Citation and interpretation

1.—(1) This Order may be cited as the European Communities (Designation) Order 2013 and comes into force on 12th July 2013.

(2) In this Order—

“designated” means designated for the purposes of section 2(2), and similar expressions are to be construed accordingly; and

“section 2(2)” means section 2(2) of the European Communities Act 1972.

Designation in relation to the European Parliament

2. Each of the following is designated in relation to the European Parliament—

- (a) the Secretary of State;
- (b) the Lord President of the Council; and
- (c) the Lord Privy Seal.

Designation in relation to local elections

3. Each of the following is designated in relation to local government elections in England, Wales and Scotland and local elections in Northern Ireland—

- (a) the Secretary of State; and
- (b) the Lord President of the Council.

(a) 1972 c.68; section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by the Schedule to the European Union (Amendment) Act 2008 (c. 7).

Relationship with other designations

4.—(1) This Order (except for article 5) does not restrict the scope of any designation made by any other Order.

(2) Where—

- (a) a Minister or department is designated by this Order, and
- (b) any other Minister or department is designated in relation to the same matter by this or any other Order,

any of them may make subordinate legislation in relation to that matter jointly.

(3) In paragraph (2)—

“Minister or department” means a Minister of the Crown, government department (including a Northern Ireland department) or the Welsh Ministers; and

“subordinate legislation” means orders, rules, regulations or schemes made under section 2(2).

Revocation of existing designations

5. The following designations are revoked—

- (a) the designation of the Secretary of State in relation to measures relating to the right of citizens of the Union to vote at and to stand as a candidate at European Parliamentary elections, and local government elections in England and Wales and Scotland and local elections in Northern Ireland in the Schedule to the European Communities (Designation) (No. 3) Order 1993(a); and
- (b) article 3 of the European Communities (Designation) (No. 4) Order 2008(b).

Richard Tilbrook
Clerk of the Privy Council

(a) S.I. 1993/2661.

(b) S.I. 2008/3117.

EXPLANATORY NOTE

(This note is not part of the Order)

In England, Wales and Northern Ireland, only “designated” Ministers and departments can exercise the powers in section 2(2) of the European Communities Act 1972 (c. 68) to make orders, rules, regulations and schemes. This is one of a series of Orders by which Ministers and departments are designated for the purposes of section 2(2) in relation to different subject areas.

Article 2 designates the Secretary of State, the Lord President of the Council and the Lord Privy Seal in relation to the European Parliament.

Article 3 designates the Secretary of State and the Lord President of the Council in relation to local elections.

Article 4 provides that a new designation does not restrict the scope of designations in other Orders and allows Ministers and departments designated in relation to the same matters to legislate jointly as well as individually.

Article 5 revokes two existing designations which are superseded by this Order.

A full Impact Assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

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