

Draft Order in Council 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

2018 No.

EUROPEAN UNION

**The European Union (Definition of Treaties)
(Canada Trade Agreement) Order 2018**

*Made - - - - - XXX
Coming into force in accordance with article 2*

At the Court at Buckingham Palace, the XXX day of 2018
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 has been 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) (Canada Trade Agreement) Order 2018.
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 Comprehensive Economic and Trade Agreement between Canada, of the one part, and the European Union and its Member States, of the other part, signed on 30th October 2016(3) in Brussels, Belgium, is to be regarded as an EU Treaty as defined in section 1(2) of the European Communities Act 1972(4).

(1) 1972 c. 68. Section 1(3) was amended by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).
(2) It will 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 <https://www.gov.uk/uk-treaties>.
(3) OJ No L 11, 14.1.17, p1.
(4) Section 1(2) was amended by section 3(1) and (3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:
The European Union (Definition of Treaties) (Canada Trade Agreement) Order 2018 (revoked) No. 837

Name
Clerk of the Privy Council

EXPLANATORY NOTE

(This note is not part of the Order)

This Order declares the Comprehensive Economic and Trade Agreement (“CETA”) between Canada, of the one part, and the European Union and its Member States, of the other part, to be an EU Treaty as defined in section 1(2) of the European Communities Act 1972. The principal effect of declaring CETA to be an EU Treaty is that the provisions of section 2 of that Act (which provide for the implementation of EU Treaties) apply to it.

The European Union and its Member States and Canada signed CETA in Brussels, Belgium on 30th October 2016.

Article 2 of this Order provides that the Order will come into force when CETA enters into force for the United Kingdom. CETA has been provisionally applied since 21st September 2017. The date on which CETA will enter into force for the UK is the date on which that agreement enters into force for all Parties to it. This is the first day of the second month following the date on which those Parties exchange written notifications certifying that they have completed their respective internal requirements and procedures, or on such other date as the Parties may agree. At that point, CETA will become legally binding on its Parties.

A full impact assessment has been carried out for CETA which examines the impact of the agreement on the UK’s industry and on the UK’s consumers. It is available by post from the Department for International Trade at 3 Whitehall Place, London, SW1A 2AW or from the Department for International Trade’s website: <https://www.gov.uk/government/organisations/department-for-international-trade>.