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STATUTORY INSTRUMENTS

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**2018 No. 1062**

**EUROPEAN UNION**

**The European Communities (Designation) (No. 2) Order 2018**

*Made* - - - - *10th October 2018*  
*Laid before Parliament* *11th October 2018*  
*Coming into force* - - *1st November 2018*

At the Court at Buckingham Palace, the 10th day of October 2018

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<sup>(1)</sup> 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) (No. 2) Order 2018 and comes into force on 1st November 2018.

(2) In this Order—

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

“exit day” has the meaning given by section 20 of the European Union (Withdrawal) Act 2018<sup>(2)</sup>;

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

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

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

**Designation in relation to multilingual standard forms**

2. The Secretary of State is designated in relation to the issuance of multilingual standard forms by the Registrar General for England and Wales.

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(1) 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).

(2) 2018 (c.16).

### **Designation in relation to geo-blocking**

3. The Secretary of State is designated in relation to geo-blocking and other forms of discrimination in the context of trade in goods and services, where such discrimination is based on customers' nationality, place of residence, or place of establishment within the internal market.

### **Revocation of existing designations**

4.—(1) This Order 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.

### **Expiry**

5. This Order ceases to have effect on exit day.

*Richard Tilbrook*  
Clerk of the Privy Council

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

In England, Wales and Northern Ireland, only “designated” Ministers and departments can exercise 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 the 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 in relation to the issuance of multilingual standard forms by the Registrar General for England and Wales.

Article 3 designates the Secretary of State in relation to geo-blocking and other forms of discrimination, where such discrimination is based on customer’s nationality, place of residence or place of establishment within the internal market.

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

Article 5 provides that this order ceases to have effect on exit day, within the meaning of the European Union (Withdrawal) Act 2018 (c.16).

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