

Draft Order 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

2008 No.

EUROPEAN COMMUNITIES

**The European Communities (Definition of Treaties)
(Agreements concluded under Article XXI GATS) Order 2008**

Made - - - - *****

Coming into force in accordance with Article 2

At the Court at Buckingham Palace, the _____

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 1(3) of the European Communities Act 1972(a), a draft of this Order was 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 Communities (Definition of Treaties) (Agreements concluded under Article XXI GATS) Order 2008.
2. This Order shall come into force, in respect of each treaty specified in the Schedule to this Order, on the date on which the treaty enters into force for the United Kingdom. These dates will be notified in the London, Edinburgh and Belfast Gazettes.
3. The treaties specified in the Schedule to this Order are to be regarded as Community Treaties as defined in section 1(2) of the European Communities Act 1972.

Name
Clerk of the Privy Council

(a) 1972 c.68.

SCHEDULE

The individual agreements(a) signed between 2 August and 4 September 2006 on behalf of the European Community and its Member States under Article XXI GATS with each of the following:

1. Argentina;
2. Australia;
3. Brazil;
4. Canada;
5. China;
6. The Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu (Chinese Taipei);
7. Columbia;
8. Cuba;
9. Ecuador;
10. Hong Kong, China;
11. India;
12. Japan;
13. Korea;
14. New Zealand;
15. Philippines;
16. Switzerland; and
17. the United States.

(a) European Communities No. 3 (2008) cm 7430

EXPLANATORY NOTE

(This note is not part of the Order)

Following the accessions of the Republic of Austria, the Republic of Finland, the Kingdom of Sweden, the Republic of Cyprus, the Czech Republic, the Republic of Estonia, the Republic of Hungary, the Republic of Latvia, the Republic of Lithuania, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, the European Community notified the World Trade Organisation Council for Trade in Services, under Article XXI GATS, of the proposed modification and withdrawal of certain specific commitments that had been made by the European Community and its Member States and by the new Member States under Article XX GATS.

The European Community and its Member States subsequently offered certain compensatory adjustments to seventeen WTO members affected by the aforementioned modifications under Article XXI GATS, contained in the agreements specified by this Order.

The principal effect of declaring these agreements to be Community Treaties, as so defined, is that the provisions of section 2 of the European Communities Act 1972 (which provide for the implementation of Community Treaties) apply to it.

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

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