



# European Communities Act 1972

## 1972 CHAPTER 68

### PART I

#### GENERAL PROVISIONS

#### 1 Short title and interpretation.

(1) This Act may be cited as the European Communities Act 1972.

(2) In this Act . . . <sup>F1</sup>—

“the Communities” means the European Economic Community, the European Coal and Steel Community and the European Atomic Energy Community;

“the Treaties” or “the Community Treaties” means, subject to subsection (3) below, the pre-accession treaties, that is to say, those described in Part I of Schedule 1 to this Act, taken with—

- (a) the treaty relating to the accession of the United Kingdom to the European Economic Community and to the European Atomic Energy Community, signed at Brussels on the 22nd January 1972; and
- (b) the decision, of the same date, of the Council of the European Communities relating to the accession of the United Kingdom to the European Coal and Steel Community; <sup>F2</sup>and
- (c) the treaty relating to the accession of the Hellenic Republic to the European Economic Community and to the European Atomic Energy Community, signed at Athens on 28th May 1979; and
- (d) the decision, of 24th May 1979, of the Council relating to the accession of the Hellenic Republic to the European Coal and Steel Community; <sup>F3</sup>and
- (e) the decisions of the Council of 7th May 1985, 24th June 1988, 31st October 1994 and 29th September 2000, on the Communities’ system of own resources; <sup>F4</sup>and
- (g) the treaty relating to the accession of the Kingdom of Spain and the Portuguese Republic to the European Economic Community and to the European Atomic Energy Community, signed at Lisbon and Madrid on 12th June 1985; and

*Status: Point in time view as at 04/12/2001. This version of this provision has been superseded.*

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- (h) the decision, of 11th June 1985, of the Council relating to the accession of the Kingdom of Spain and the Portuguese Republic to the European Coal and Steel Community;<sup>[F5]</sup> and
- (j) the following provisions of the Single European Act signed at Luxembourg and The Hague on 17th and 28th February 1986, namely Title II (amendment of the treaties establishing the Communities) and, so far as they relate to any of the Communities or any Community institution, the preamble and Titles I (common provisions) and IV (general and final provisions);<sup>[F6]</sup> and
- (k) Titles II, III and IV of the Treaty on European Union signed at Maastricht on 7th February 1992, together with the other provisions of the Treaty so far as they relate to those Titles, and the Protocols adopted at Maastricht on that date and annexed to the Treaty establishing the European Community with the exception of the Protocol on Social Policy on page 117 of Cm 1934<sup>[F7]</sup> and
- (l) the decision, of 1st February 1993, of the Council amending the Act concerning the election of the representatives of the European Parliament by direct universal suffrage annexed to Council Decision [76/787/ECSC](#), EEC, Euratom of 20th September 1976.<sup>[F8]</sup> and
- (m) the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 together with the Protocol adjusting that Agreement signed at Brussels on 17th March 1993<sup>[F9]</sup> and
- (n) the treaty concerning the accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden to the European Union, signed at Corfu on 24th June 1994;<sup>[F10]</sup> and
- (o) the following provisions of the Treaty signed at Amsterdam on 2nd October 1997 amending the Treaty on European Union, the Treaties establishing the European Communities and certain related Acts—
  - (i) Articles 2 to 9,
  - (ii) Article 12, and
  - (iii) the other provisions of the Treaty so far as they relate to those Articles, and the Protocols adopted on that occasion other than the Protocol on Article J.7 of the Treaty on European Union]

and any other treaty entered into by any of the Communities, with or without any of the member States, or entered into, as a treaty ancillary to any of the Treaties, by the United Kingdom;

and any expression defined in Schedule 1 to this Act has the meaning there given to it.

- (3) If Her Majesty by Order in Council declares that a treaty specified in the Order is to be regarded as one of the Community Treaties as herein defined, the Order shall be conclusive that it is to be so regarded; but a treaty entered into by the United Kingdom after the 22nd January 1972, other than a pre-accession treaty to which the United Kingdom accedes on terms settled on or before that date, shall not be so regarded unless it is so specified, nor be so specified unless a draft of the Order in Council has been approved by resolution of each House of Parliament.
- (4) For purposes of subsections (2) and (3) above, “treaty” includes any international agreement, and any protocol or annex to a treaty or international agreement.

#### Textual Amendments

**F1** Words repealed by [Interpretation Act 1978 \(c. 30, SIF 115:1\)](#), s. 25, [Sch. 3](#)

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- F2** S. 1(2)(c)(d) inserted by [European Communities \(Greek Accession\) Act 1979 \(c. 57, SIF 29:5\)](#), **s. 1**
- F3** S. 1(2)(e) and the word “and” immediately preceding it substituted (4.12.2001) by [2001 c. 22, s. 1](#) (the replaced para. (e) having itself previously been substituted for paras. (e) and (f))
- F4** S. 1(2)(g)(h) inserted by [European Communities \(Spanish and Portuguese Accession\) Act 1985 \(c. 75, SIF 29:5\)](#), **s. 1**
- F5** Words inserted by [European Communities \(Amendment\) Act 1986 \(c. 58, SIF 29:5\)](#), **s. 1**
- F6** S. 1(2)(k) and the word “and” immediately preceding it inserted (23.7.1992) by [1993, c. 32, s. 1\(1\)\(7\)](#); resolution of House of Lords dated 27.7.1993; resolution of House of Commons dated 23.7.1993
- F7** S. 1(2)(l) and the word “and” immediately preceding it inserted (5.11.1993) by [1993 c. 41, s. 3\(2\)](#)
- F8** S. 1(2)(m) and the word “and” immediately preceding it added (5.11.1993) by [1993 c. 51, s. 1](#)
- F9** S. 1(2)(n) and the preceding “and” inserted (3.11.1994) by [1994 c. 38, s. 1](#)
- F10** S. 1(2)(o) and the preceding “and” inserted (11.6.1998) by [1998 c. 21, s. 1](#)

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