
STATUTORY INSTRUMENTS

2008 No. 301

The European Communities (Designation) Order 2008

Citation, commencement and interpretation

1.—(1) This Order may be cited as the European Communities (Designation) Order 2008 and comes into force on 15th March 2008.

(2) In this Order—

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

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

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

Designation in relation to the environment

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

(a) the Secretary of State; and

(b) any Northern Ireland department.

Designation in relation to cat and dog fur

3. The Secretary of State is designated in relation to the placing on the market of cat and dog fur and of products containing such fur.

Relationship with other designations

4.—(1) This Order (except for Article 6) 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,

they may make subordinate legislation in relation to that matter jointly.

(3) In paragraph (2), “Minister or department” means—

(a) a Minister of the Crown or government department, including a Northern Ireland Minister or Northern Ireland department, or

(b) the Welsh Ministers⁽¹⁾.

(1) See section 45(2) of the Government of Wales Act 2006 (c.32) (“the 2006 Act”). The Welsh Ministers may be designated for the purposes of section 2(2) by virtue of section 59(1) of the 2006 Act. Any functions exercisable by the National Assembly for Wales constituted by the Government of Wales Act 1998 (c.38) by reason of previous designations were transferred to the Welsh Ministers, by virtue of sections 161(4) and (5) and 162 of, and paragraph 30(1) and (2)(b) of Schedule 11 to, the 2006 Act, on the first appointment of a First Minister under the 2006 Act.

Restrictions

5.—(1) Article 2(b) only designates Northern Ireland departments to make subordinate legislation that forms part of the law of Northern Ireland.

(2) Paragraph (1) does not apply where the subordinate legislation is made jointly with a Minister of the Crown or government department other than a Northern Ireland Minister or Northern Ireland department.

Revocation of existing designations

6.—(1) The designations described in the Schedule are revoked.

(2) The following Orders are revoked—

- (a) the European Communities (Designation) Order 1984⁽²⁾;
- (b) the European Communities (Designation) (No.2) Order 1985⁽³⁾; and
- (c) the European Communities (Designation) (No.2) Order 1988⁽⁴⁾.

Judith Simpson
Clerk of the Privy Council

(2) [S.I. 1984/353](#), amended by article 5 of [S.I. 2001/3495](#).

(3) [S.I. 1985/956](#).

(4) [S.I. 1988/2240](#), amended by article 9 of [S.I. 1992/1315](#), article 3(1)(c) of [S.I. 1993/2661](#) and article 4 of [S.I. 2002/2840](#).