

European Communities Act, 1972



Number 27 of 1972

EUROPEAN COMMUNITIES ACT, 1972

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EUROPEAN COMMUNITIES ACT, 1972

AN ACT TO MAKE PROVISION WITH RESPECT TO MEMBERSHIP OF THE STATE OF THE EUROPEAN COMMUNITIES. [6th December, 1972]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Definitions. **1.**—(1) In this Act—

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

“*the treaties governing the European Communities*” means—

- (a) “*the ECSC Treaty*”, that is to say, the Treaty establishing the European Coal and Steel Community, signed at Paris on the 18th day of April, 1951,
- (b) “*the EEC Treaty*”, that is to say, the Treaty establishing the European Economic Community, signed at Rome on the 25th day of March, 1957,
- (c) “*the Euratom Treaty*”, that is to say, the Treaty establishing the European Atomic Energy Community, signed at Rome on the 25th day of March, 1957,
- (d) the Convention on certain Institutions common to the European Communities, signed at Rome on the 25th day of March, 1957,
- (e) the Treaty establishing a single Council and a single Commission of the European Communities, signed at Brussels on the 8th day of April, 1965,
- (f) the Treaty amending certain Budgetary Provisions of the Treaties establishing the European Communities and of the Treaty establishing a single Council and a single Commission of the European Communities, signed at Luxembourg on the 22nd day of April, 1970,
- (g) the Treaty relating to the accession of Ireland to the European Economic Community and to the European Atomic Energy Community, signed at Brussels on the 22nd day of January, 1972,
- (h) the decision, of the 22nd day of January, 1972, of the Council of the European Communities relating to the accession of Ireland to the European Coal and Steel Community,

as supplemented or amended by treaties or other acts of which the dates of entry into force are dates not later than the 1st day of January, 1973.

- (2) (a) In the foregoing subsection “treaties or other acts of which the dates of entry into force are dates not later than the 1st day of January, 1973” does not include a treaty or other act of which the date of entry into force is later than the 22nd day of January, 1972, unless the Government have, not later than the 1st day of January, 1973, by order declared that this section applies to it.

- (b) Where an order under this section is proposed to be made, a draft thereof shall be laid before each House of the Oireachtas and the order shall not be made until a resolution approving of the draft has been passed by each such House.

General provision.

2.—From the 1st day of January, 1973, the treaties governing the European Communities and the existing and future acts adopted by the institutions of those Communities shall be binding on the State and shall be part of the domestic law thereof under the conditions laid down in those treaties.

Power to make regulations.

3.—(1) A Minister of State may make regulations for enabling [section 2](#) of this Act to have full effect.

(2) Regulations under this section may contain such incidental, supplementary and consequential provisions as appear to the Minister making the regulations to be necessary for the purposes of the regulations (including provisions repealing, amending or applying, with or without modification, other law, exclusive of this Act).

(3) Regulations under this section shall not create an indictable offence.

(4) Regulations under this section may be made before the 1st day of January, 1973, but regulations so made shall not come into operation before that day.

Effect and confirmation of regulations. 4.—(1) Regulations under this Act shall have statutory effect and, unless they are confirmed by Act of the Oireachtas passed within six months after they are made or are regulations merely revoking wholly regulations previously made under this Act, they shall cease to have statutory effect on the expiration of that period, but without prejudice to the validity of anything previously done thereunder.

(2) If when regulations under this Act are made, or at any time thereafter and before the regulations are confirmed or cease to have statutory effect, Dáil Éireann stands adjourned for a period of more than ten days and if, during the adjournment, at least one-third of the members of Dáil Éireann by notice in writing to the Ceann Comhairle require Dáil Éireann to be summoned, the Ceann Comhairle shall summon Dáil Éireann to meet on a day named by him being neither more than twenty-one days after the receipt by him of the notice nor less than ten days after the issue of the summons.

Report to Houses of Oireachtas. 5.—The Government shall make a report twice yearly to each House of the Oireachtas on developments in the European Communities.

Short title. 6.—This Act may be cited as the European Communities Act, 1972.

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