



**Isle of Man**

*Ellan Vannin*

**AT 10 of 2014**

**EUROPEAN UNION (AMENDMENT) ACT  
2014**



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## EUROPEAN UNION (AMENDMENT) ACT 2014

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## EUROPEAN UNION (AMENDMENT) ACT 2014

*Signed in Tynwald:* 15 July 2014  
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**AN ACT** to amend the European Communities (Isle of Man) Act 1973 consequential on the treaty concerning the accession of the Republic of Croatia to the European Union and the Protocol on the concerns of the Irish people on the Treaty of Lisbon; to enable the Council of Ministers to amend by order the list of treaties specified in the definition of ““the Treaties” or “the EU Treaties”” set out in section 1(1) of the Act; to change the Tynwald procedure for the purpose of applying EU instruments to the Island under section 2A of the Act; to make further provision in respect of orders made under section 2A of the Act which contain ambulatory references to EU instruments; and for connected purposes.

**BE IT ENACTED** by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Council and Keys in Tynwald assembled, and by the authority of the same, as follows:—

### 1 Short title

The short title of this Act is the European Union (Amendment) Act 2014.

### 2 Section 1 amended

- (1) Section 1 (interpretation) of the European Communities (Isle of Man) Act 1973 is amended as follows.
- (2) In subsection (1), in the definition of ““the Treaties” or “the EU Treaties””, after paragraph (o) insert —
  - ▣ (p) the treaty concerning the accession of the Republic of Croatia to the European Union, signed at Brussels on 9 December 2011; and
  - (q) the Protocol on the concerns of the Irish people on the Treaty of Lisbon, adopted at Brussels on 16 May 2012; ▣.

- (3) After subsection (1) insert —
- █ (1A) The Council of Ministers may by order amend (including by way of adding to or deleting from) the list of provisions which are to be taken with the pre-accession treaties for the purposes of, and which are specified in, the definition of ““the Treaties” or “the EU Treaties”” in subsection (1).
  - (1B) However, an order under subsection (1A) —
    - (a) may not amend Schedule 1 (the pre-accession treaties); and
    - (b) is subject to subsection (2).
  - (1C) An order under subsection (1A) must not come into operation unless it is approved by Tynwald. █.

### 3 Section 2A amended

- (1) Section 2A (application to Island of EU instruments) of the European Communities (Isle of Man) Act 1973 is amended as follows.
- (2) For subsection (4) substitute —
- █ (4) Subject to subsection (4A), an order under this section must not come into operation unless it is approved by Tynwald. █.
- (3) After subsection (7) insert —
- █ (8) Subsections (5) to (7) are subject to subsections (9) to (13).
  - (9) Subsections (10) to (13) apply if an order made under this section provides that a reference in it to an EU instrument (or a provision of an EU instrument) is to be construed as a reference to the instrument or provision as amended from time to time (see section 2C).
  - (10) To avoid doubt, the text to be annexed under subsection (5) is the text of the legislation at the time the order is made.
  - (11) However, the Council of Ministers —
    - (a) may update the text to reflect any amendment made to the EU instrument or provision after the making of the order; and
    - (b) must update the text if a request is made in accordance with subsection (12).
  - (12) A person making a request under subsection (6) may further request that the copy to be supplied is a copy of the updated text and the Council of Ministers must comply with the request on the payment of such fee as may be prescribed under the *Fees and Duties Act 1989*.
  - (13) A copy made available to purchase under subsection (12) is admissible in evidence in the same manner and to the same extent

as a copy made available under subsection (6) (see subsection (7)).<sup>22</sup>.

#### **4 Automatic repeal**

- (1) This Act is automatically repealed on the day after its promulgation.
- (2) However, the repeal does not affect the continuing operation of the amendments made by sections 2 and 3.