



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1588 of 26th July 2010**  
**LEGISLATION**

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**EUROPEAN UNION ORDINANCE 2010**

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An Ordinance to make provision in connection with the Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community, signed at Lisbon on 13 December 2007

**J. H. GORDON**  
**ADMINISTRATOR**

*22nd July 2010.*

**BE** it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

**1. Short title**

This Ordinance may be cited as the European Union Ordinance 2010.

**2. Interpretation**

In this Ordinance and in every other Ordinance and in all public instruments, the following words and expressions have the meanings assigned to them respectively unless the context otherwise requires—

“the EU” means the European Union, being the Union established by the Treaty on European Union signed at Maastricht on 7 February 1992 (as amended by any later Treaty);

“the European Court” means the Court of Justice of the European Union;

“the TFEU” means the Treaty on the Functioning of the European Union (the Treaty establishing (what was then called) the European Economic Community, signed at Rome on 25 March 1957 (renamed by the Treaty of Lisbon));

“the Treaty of Lisbon” means the Treaty of Lisbon Amending the Treaty on European Union and the Treaty Establishing the European Community signed at Lisbon on 13 December 2009.

**3. Changes of Terminology**

In an Ordinance or public instrument a reference to—

- (a) the European Community or the European Communities is to be treated as being or including (as the context requires) a reference to the EU;
- (b) the EC Treaty or a specific provision of the EC Treaty is to be treated as a reference to the TFEU or the equivalent provision of the TFEU as set out in the table of equivalences in the Annex to the Treaty of Lisbon.

#### **4. European Community (Protocol Measures) Ordinance 2004 amended**

Section 1 of the European Community (Protocol Measures) Ordinance 2004(a) is repealed and replaced by the following—

##### **“1. Short title**

This Ordinance may be cited as the European Union (Protocol Measures) Ordinance 2004.”.

#### **5. European Community (Specified Measures) Ordinance 2005 amended**

Section 1 of the European Community (Specified Measures) Ordinance 2005(b) is repealed and replaced by the following—

##### **“1. Short title**

This Ordinance may be cited as the European Union (Specified Measures) Ordinance 2005.”.

#### **6. Commencement**

This Ordinance comes into force on the day it is published in the Gazette.

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#### **Notes**

- (a) Ordinance 11/04.
- (b) Ordinance 24/05.

## EXPLANATORY NOTE

**(This note does not form part of the Ordinance)**

### Introduction

1. This explanatory note relates to the European Union Ordinance 2010 (“the Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.

2. The note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance. So when a section or part of a section does not seem to require any explanation or comment, none is given.

### Particular points

3. Article 355(5)(b) of the Treaty on the Functioning of the European Union (i.e. the renamed and re-numbered Treaty establishing the European Community (“EC Treaty”)) provides that the Treaties (i.e. the EC Treaty and the Treaty on European Union) do not apply to the SBAs except to the extent necessary to implement the arrangements set out in Protocol 3 to the Treaty of Accession of the Republic of Cyprus. Protocol 3 provides that EU law concerned with agriculture, customs and indirect taxation applies in the Areas.

4. The Ordinance recognises and gives effect in SBA law to the changes made by the Treaty of Lisbon. In particular, the European Community was replaced by the European Union on 1 December 2009. This has necessitated changes to the terminology used in some Ordinances and public instruments.

5. Section 2 of the Ordinance provides for definitions of “the EU”, “the European Court”, “the TFEU” and “the Treaty of Lisbon” that apply to all Ordinances and public instruments. Section 3(a) provides for references in legislation to “European Community” and “European Communities” to be interpreted as references to “the European Union”. Section 3(a) is based on a similar provision in section 3(6) of the UK’s European Union (Amendment) Act 2008. Legislation referring to “European Community” or “European Communities” includes the following:

- Environmental Impact Assessment Ordinance 2003;
- Protection and Welfare of Animals (Amendment) Ordinance 2003;
- European Community (Protocol Measures) Ordinance 2004;
- Customs Ordinance 2005;
- European Community (Specified Measures) Ordinance 2005;
- Waste Management (Import and Export) (Amendment) Regulations 2007;
- European Community (Specified Measures) (Medals and Tokens similar to Euro Coins) Order 2008;
- Firearms and other Weapons Ordinance 2008;
- Game and Wild Birds Ordinance 2008;
- European Community (Protocol Measures) (Amendment) Ordinance 2009;
- European Community (Specified Measures) (Cat and Dog Fur) Order 2010.

6. Section 3(b) of the Ordinance provides that references to the EC Treaty and Articles in that Treaty are to be treated as references to the Treaty on the Functioning of the European Union and its equivalent Articles. For example, the European Community (Protocol Measures) Ordinance 2004 cites Articles 152(4)(b) and 234 of the EC Treaty so it is necessary to consult the Annex to the Treaty of Lisbon in order to identify their equivalents. The Treaty of Lisbon is available at [http://europa.eu/lisbon\\_treaty/full\\_text/index\\_en.htm](http://europa.eu/lisbon_treaty/full_text/index_en.htm).

7. Section 4 of the Ordinance makes textual amendments to the European Community (Protocol Measures) Ordinance 2004 and the European Community (Specified Measures) Ordinance 2005 in order to change their titles to reflect the new terminology.

(SBA/AG/2/CG/576)

