Draft Order in Council laid before Parliament under section 1(3) of the European Communities Act 1972, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2018 No.

EUROPEAN UNION

The European Union (Definition of Treaties) (Economic Partnership Agreements and Trade Agreement) (Eastern and Southern Africa States, Southern African Development Community States, Ghana and Ecuador) Order 2018

Made - - - - XXX

Coming into force in accordance with article 2

At the Court at Buckingham Palace, the XXX day of 2018

Present,

The Queen's Most Excellent Majesty in Council

In accordance with section 1(3) of the European Communities Act 1972(**a**), a draft of this Order has been laid before, and approved by a resolution of, each House of Parliament.

Accordingly, Her Majesty, in exercise of the powers conferred on Her by section 1(3) of the European Communities Act 1972, is pleased, by and with the advice of Her Privy Council, to order as follows:

1. This Order may be cited as the European Union (Definition of Treaties) (Economic Partnership Agreements and Trade Agreement) (Eastern and Southern Africa States, Southern African Development Community States, Ghana and Ecuador) Order 2018.

2. In respect of each treaty specified in the Schedule to this Order, this Order comes into force on the date on which the treaty enters into force for the United Kingdom(**b**). This Order ceases to have effect on the day on which the European Communities Act 1972 is repealed by section 1 of the European Union (Withdrawal) Act 2018.(**c**)

3. The treaties specified in the Schedule to this Order are to be regarded as EU Treaties as defined in section 1(2) of the European Communities Act 1972(**d**).

(**a**) 1972 c. 68. Section 1(3) was amended by section 3(3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008 (c. 7).

(**b**) It will be possible to find out the date on which a treaty specified in the Schedule enters into force for the United Kingdom by referring to the relevant page on UK Treaties Online which can be found at this link: https://www.gov.uk/uk-treaties.

(**c**) 2018 c. 16.

(**d**) Section 1(2) was amended by section 3(1) and (3) of, and Part 1 of the Schedule to, the European Union (Amendment) Act 2008.

Name
Clerk of the Privy Council

SCHEDULE

Article 3

1. The Interim Agreement establishing a Framework for an Economic Partnership Agreement between the Eastern and Southern Africa States, on the one part, and the European Community (EC) and its Member States, on the other part, signed at Grand Baie, Mauritius, on 29th August 2009(**a**).

2. The Economic Partnership Agreement between the European Union (EU) and its Member States, of the one part, and the Southern African Development Community Economic Partnership Agreement (SADC EPA) States, of the other part, signed at Kasane, Botswana, on 10th June 2016(**b**).

3. The Stepping Stone Economic Partnership Agreement between Ghana, of the one part, and the European Community and its Member States, of the other part, signed at Brussels, Belgium, on 28th July 2016(**c**).

4. The Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador, signed at Brussels, Belgium, on 11th November 2016(**d**).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order declares the treaties specified in the Schedule to be EU Treaties as defined in section 1(2) of the European Communities Act 1972. The principal effect of declaring a treaty to be an EU Treaty is that the provisions of section 2 of that Act (which provide for the implementation of treaties specified in orders made under section 1(3) of that Act) apply to it.

Article 2 provides that, for each treaty specified in the Schedule, the Order comes into force on the date on which that treaty enters into force for the United Kingdom. Each treaty enters into force for the United Kingdom on the date on which that treaty enters into force for all Parties to it.

Article 2 also provides that this Order will cease to have effect on the day on which the European Communities Act 1972 is repealed.

The objective of each of the four treaties is to increase trade and investment opportunities. A further objective of the Economic Partnership Agreements specified in the Schedule is to promote development and economic growth in the partner countries.

The Eastern and Southern Africa – EC Interim Agreement has been provisionally applied since 14th May 2012. It will enter into force for the United Kingdom on the first day of the first month following the deposit of the last instrument of ratification, acceptance or approval.

(**a**) OJ No L 111, 24.4.2012, p2.
(**b**) OJ No L 250, 16.9.2016, p3.
(**c**) OJ No L 287, 21.10.2016, p3.
(**d**) OJ No L 356, 24.12.2016, p.3

The EU-SADC EPA has been provisionally applied since 10th October 2016. It will enter into force for the United Kingdom 30 days after the deposit of the last instrument of ratification, acceptance or approval.

The EC-Ghana Stepping Stone Economic Partnership Agreement has been provisionally applied since 15th December 2016. It will enter into force for the United Kingdom on the first day of the month following that in which the Parties notify each other of the completion of their internal procedures necessary for the entry into force of the agreement.

The Protocol of Accession of Ecuador to the Trade Agreement between the EU, Colombia and Peru has been provisionally applied since 1st January 2017. It will enter into force for the United Kingdom on the first day of the month following the date of receipt by the Depositary of the last notifications by Parties of the completion of their internal procedures necessary for the entry into force of the Protocol.

A full impact assessment has been carried out for each agreement, examining its impact on the United Kingdom's industry and on the United Kingdom's consumers. Those impact assessments are available by post from the Department for International Trade at 3 Whitehall Place, London, SW1A 2AW or from the Department for International Trade's website: https://www.gov.uk/government/organisations/department-for-international-trade.

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