

# European Union (Accessions) Bill

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## EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Foreign and Commonwealth Office, are published separately as Bill 98-EN.

## EUROPEAN CONVENTION ON HUMAN RIGHTS

Mr Secretary Straw has made the following statement under section 19(1)(a) of the Human Rights Act 1998:

In my view the provisions of the European Union (Accessions) Bill are compatible with the Convention rights.

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Make provision consequential on the treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, signed at Athens on 16th April 2003; and to make provision in relation to the entitlement of nationals of certain acceding States to enter or reside in the United Kingdom as workers.

**B**E IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Accession treaty**

- (1) In section 1(2) of the European Communities Act 1972 (c. 68), in the definition of “the Treaties” and “the Community Treaties”, after paragraph (p), insert “and
- (q) the treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, signed at Athens on 16th April 2003;”.
- (2) For the purpose of section 12 of the European Parliamentary Elections Act 2002 (c. 24) (ratification of treaties), the treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, signed at Athens on 16th April 2003, is approved.

**2 Freedom of movement for workers**

- (1) The Secretary of State may by regulations provide that a specified enactment relating to—

- (a) the entitlement of a national of an EEA State to enter or reside in the United Kingdom as a worker, or  
 (b) any matter ancillary to that entitlement,  
 applies in relation to a national of a relevant acceding State as it applies in relation to a national of an EEA State. 5
- (2) Regulations under this section in respect of a specified enactment may apply that enactment subject to specified exceptions or modifications.
- (3) Regulations under this section –  
 (a) may include incidental, supplementary, consequential or transitional provision; 10  
 (b) may make different provision for different cases.
- (4) Regulations under this section do not have effect so as to apply an enactment in relation to a national of a relevant acceding State which has not ratified the treaty mentioned in section 1(2).
- (5) The power to make regulations under this section is exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament. 15
- (6) In this section –  
 “EEA State” means a State (other than the United Kingdom) which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992, as adjusted by the Protocol signed at Brussels on 17th March 1993; 20  
 “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978 (c. 30));  
 “relevant acceding State” means any of the following – 25  
 (a) the Czech Republic,  
 (b) the Republic of Estonia,  
 (c) the Republic of Latvia,  
 (d) the Republic of Lithuania,  
 (e) the Republic of Hungary, 30  
 (f) the Republic of Poland,  
 (g) the Republic of Slovenia,  
 (h) the Slovak Republic;  
 “specified” means specified in regulations under this section; and  
 “worker” means the same as it does for the purposes of Article 39 of the Treaty establishing the European Community. 35

### 3 Short title

This Act may be cited as the European Union (Accessions) Act 2003.

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## B I L L

To make provision consequential on the treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union, signed at Athens on 16th April 2003; and to make provision in relation to the entitlement of nationals of certain acceding States to enter or reside in the United Kingdom as workers.

*Presented by Mr Secretary Straw  
supported by  
The Prime Minister, Mr Secretary Prescott,  
Mr Chancellor of the Exchequer,  
Mr Secretary Blunkett, Secretary Margaret Beckett,  
Mr Secretary Hoon and Ms Secretary Hewitt.*

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*Ordered, by The House of Commons,  
to be Printed, 30th April 2003.*

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