

2004 No. 3328

EUROPEAN COMMUNITIES

**The European Communities (Designation)
(No. 7) Order 2004**

Made - - - - - 16th December 2004

Laid before Parliament 10th January 2005

Coming into force - - 1st February 2005

At the Court at Buckingham Palace, the 16th day of December 2004

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, in exercise of the powers conferred upon Her by section 2(2) of the European Communities Act 1972(a), and section 29(1) of the Government of Wales Act 1998(b), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the European Communities (Designation) (No. 7) Order 2004 and shall come into force on 1st February 2005.

(2) In this Order—

“the Act” means the European Communities Act 1972;

“Minister or government department” means a Minister of the Crown or government department, but does not include a Northern Ireland Minister or Northern Ireland department; and

“regulations” means regulations made pursuant to section 2(2) of the Act.

Designation of Ministers or departments

2.—(1) For the purposes of section 2(2) of the Act, the Ministers or government departments specified in column (1) of Schedule 1 to this Order are designated in relation to the matters specified in column (2) of the Schedule.

(2) Where any Minister or government department is designated by this Order in relation to any matter, for which any other Minister or government department has been designated by this or any other Order for the purposes of section 2(2) of the Act, any of them may make regulations and, if regulations are made by more than one, they may do so jointly.

(a) 1972 c. 68.

(b) 1998 c. 38.

Designation of Northern Ireland departments

3.—(1) For the purposes of section 2(2) of the Act, any Northern Ireland department is designated in relation to the matters specified in Schedule 2 to this Order.

(2) Regulations made by any Northern Ireland department pursuant to this Order shall form part of the law of Northern Ireland and not of any other part of the United Kingdom.

(3) Where any Northern Ireland department is designated by this Order in relation to any matter, for which any Minister or government department is designated by this or any other Order for the purposes of section 2(2) of the Act, any of them may make regulations and, if regulations are made by more than one, they may do so jointly.

Designation of the National Assembly for Wales

4.—(1) For the purposes of section 2(2) of the Act, the National Assembly for Wales is designated in relation to the matters specified in Schedule 3 to this Order.

(2) Regulations made by the National Assembly for Wales pursuant to this Order shall apply in relation to Wales only.

(3) Where the National Assembly for Wales is designated by this Order in relation to any matter, for which any Minister or government department is designated by this or any other Order for the purposes of section 2(2) of the Act, any of them may make regulations and, if regulations are made by more than one, they may do so jointly.

Revocation of earlier designations

5. The Orders specified in column (1) of Schedule 4 to this Order are revoked in so far as they relate to the Ministers of departments specified in column (2) and the designations specified in respect of them in column (3).

A.K. Galloway
Clerk of the Privy Council

SCHEDULE 1

Article 2

DESIGNATION OF MINISTERS OR DEPARTMENTS

<i>(1)</i> <i>Minister or Department designated</i>	<i>(2)</i> <i>Matter in relation to which Minister or Department is designated</i>
The Lord Chancellor	Jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility.
The Minister for the Cabinet Office	The re-use of public sector information.
The Treasury	(a) The listing of securities on a stock exchange and information concerning listed securities; and (b) prospectuses on offers of transferable securities to the public and admission of securities to trading on a regulated market.
The Secretary of State	Personal and occupational pensions.
The Secretary of State	The energy performance of buildings.

SCHEDULE 2

Article 3

MATTERS IN RELATION TO WHICH ANY NORTHERN IRELAND DEPARTMENT IS DESIGNATED

Personal and occupational pensions.

The energy performance of buildings.

SCHEDULE 3

Article 4

MATTER IN RELATION TO WHICH THE NATIONAL ASSEMBLY IS DESIGNATED

The quality of water intended for domestic purposes or for use in a food production undertaking. Regulations made by the National Assembly for Wales concerning the quality of water supplied using the supply system of a water undertaker shall apply in relation to the supply system of any water undertaker whose area is wholly or mainly in Wales. Regulations made by the National Assembly for Wales concerning water supplied other than by the supply system of a water undertaker shall apply in relation to Wales.

SCHEDULE 4

Article 5

REVOCAION OF DESIGNATIONS

<i>(1) Order</i>	<i>(2) Ministers or departments designated</i>	<i>(3) Designation</i>
The European Communities (Designation) (No. 5) Order 2000(a)	The Lord Chancellor	Matters relating to the jurisdiction over, and the recognition and enforcement of judgments in, matrimonial matters and in matters of parental responsibility for the children of both spouses.
The European Communities (Designation) Order 1981(b)	The Secretary of State	Matters relating to listing of securities on a stock exchange and information concerning listed securities.
The European Communities (Designation) (No. 2) Order 1989(c)	The Secretary of State	Measures relating to prospectuses on offers of transferable securities to the public.

(a) S.I. 2000/3238.

(b) S.I. 1981/206.

(c) S.I. 1989/2393.

EXPLANATORY NOTE

(This note is not part of the Order)

This is a further Order in the series designating authorities which may exercise the power to make regulations conferred by section 2(2) of the European Communities Act 1972 and specifying the matters in relation to which that power may be exercised.

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