



---

*Number 41 of 2001*

---

**EUROPEAN COMMUNITIES AND SWISS  
CONFEDERATION ACT, 2001**

---

ARRANGEMENT OF SECTIONS

Section

1. Interpretation.
  2. Amendment of section 2 of Act of 1972.
  3. Adaptations to take account of Agreements.
  4. Short title, collective citation, construction and commencement.
-

[No. 41.] *European Communities and Swiss* [2001.]  
*Confederation Act, 2001.*

ACTS REFERRED TO

European Communities Act, 1972

1972, No. 27

European Communities Acts, 1972 to 1998



---

*Number 41 of 2001*

---

**EUROPEAN COMMUNITIES AND SWISS  
CONFEDERATION ACT, 2001**

---

AN ACT TO GIVE THE FORCE OF LAW TO THE AGREEMENT BETWEEN THE EUROPEAN COMMUNITY AND ITS MEMBER STATES OF THE ONE PART AND THE SWISS CONFEDERATION OF THE OTHER, ON THE FREE MOVEMENT OF PERSONS, DONE AT LUXEMBOURG ON THE 21st DAY OF JUNE, 1999, AND TO CERTAIN AGREEMENTS BETWEEN THE EUROPEAN COMMUNITY AND THE SWISS CONFEDERATION AND AN AGREEMENT BETWEEN THE EUROPEAN COMMUNITIES AND THE SWISS CONFEDERATION; FOR THAT PURPOSE TO AMEND THE EUROPEAN COMMUNITIES ACT, 1972; AND TO PROVIDE FOR RELATED MATTERS. [1st December, 2001]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) In this Act—

Interpretation.

“the Act of 1972” means the European Communities Act, 1972;

“the Agreements” means—

- (a) the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the Free Movement of Persons, done at Luxembourg on the 21st day of June, 1999,
- (b) the Agreement between the European Community and the Swiss Confederation on Air Transport, done at Luxembourg on the 21st day of June, 1999,
- (c) the Agreement between the European Community and the Swiss Confederation on the Carriage of Goods and Passengers by Rail and Road, done at Luxembourg on the 21st day of June, 1999,
- (d) the Agreement between the European Community and the Swiss Confederation on Trade in Agricultural Products, done at Luxembourg on the 21st day of June, 1999,

[No. 41.] *European Communities and Swiss Confederation Act, 2001.* [2001.]

S.1

- (e) the Agreement between the European Community and the Swiss Confederation on Mutual Recognition in Relation to Conformity Assessment, done at Luxembourg on the 21st day of June, 1999,
- (f) the Agreement between the European Community and the Swiss Confederation on Certain Aspects of Government Procurement, done at Luxembourg on the 21st day of June, 1999, and
- (g) the Agreement on Scientific and Technological Cooperation between the European Communities and the Swiss Confederation, done at Luxembourg on the 21st day of June, 1999.

(2) In this Act, a reference to any enactment shall, unless the context otherwise requires, be construed as a reference to that enactment as amended, adapted or extended by or under any subsequent enactment including this Act.

Amendment of section 2 of Act of 1972.

2.—Section 2 of the Act of 1972 is hereby amended by the insertion of the following subsection after subsection (2):

“(3) Without prejudice to subsection (1) of this section, from the coming into force of the Agreements (within the meaning of the *European Communities and Swiss Confederation Act, 2001*), the provisions of those Agreements and the acts to be adopted by the institutions established by those Agreements which, pursuant to the treaties governing the European Communities, will be binding on the State and an integral part of the legal order of those Communities, shall have the force of law in the State on the conditions laid down in those treaties and in those Agreements.”.

Adaptations to take account of Agreements.

3.—(1) Without prejudice to the future exercise of the powers conferred by section 3 of the Act of 1972, any regulations made under the said section 3 which are in force immediately before the coming into operation of *section 2* of this Act, and any enactment, or instrument made under an enactment, which implements obligations of the State under the treaties governing the European Communities, shall, as far as practicable, be construed as if, on the coming into operation of *section 2* of this Act, they were adapted as required by or under the Agreements.

(2) Without prejudice to the generality of *subsection (1)* of this section, in any regulations made under section 3 of the Act of 1972, and in any enactment, or instrument made under an enactment, any reference to the Member States of the European Communities or to any person who is affected by the treaties governing those Communities shall, in so far as may be necessary to give effect to the obligations of the State pursuant to the Agreements, be construed as including a reference to the Swiss Confederation and any person who is affected by the Agreements.

[2001.] *European Communities and Swiss Confederation Act, 2001.* [No. 41.]

4.—(1) This Act may be cited as the European Communities and Swiss Confederation Act, 2001.

Short title,  
collective citation,  
construction and  
commencement.

(2) The European Communities Acts, 1972 to 1998, and this Act may be cited together as the European Communities Acts, 1972 to 2001, and shall be construed together as one Act.

(3) This Act shall come into operation on such day as the Minister for Foreign Affairs may appoint by order.

[No. 41.] *European Communities and Swiss* [2001.]  
*Confederation Act, 2001.*

---

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
4 - 5 BÓTHAR FHEARCHAIR, BAILE ÁTHA CLIATH 2,  
(Teil: 01 - 6476834/35/36/37; Fax: 01 - 4752760)  
nó trí aon díoltóir leabhar.

DUBLIN  
PUBLISHED BY THE STATIONERY OFFICE  
To be purchased directly from the  
GOVERNMENT PUBLICATIONS SALE OFFICE,  
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,  
or by mail order from  
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,  
4 - 5 HARCOURT ROAD, DUBLIN 2,  
(Tel: 01 - 6476834/35/36/37; Fax: 01 - 4752760)  
or through any bookseller.

£1.00      €1.27