



Jersey

# **EUROPEAN ECONOMIC AREA (JERSEY) LAW 1995<sup>1</sup>**

## **Official Consolidated Version**

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Showing the law from 1 January 2019 to 31 December 2020



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**EUROPEAN ECONOMIC AREA (JERSEY) LAW 1995**

**Contents**

<b>Article</b>	
1	Interpretation ..... 3
2	Consistent application of law to whole of European Economic Area ..... 3
3	General implementation of the Agreement..... 4
4	Judicial notice and evidence..... 4
5	Citation ..... 4
<b>ENDNOTES</b> <b>5</b>	
Table of Legislation History..... 5	
Table of Endnote References ..... 5	



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## EUROPEAN ECONOMIC AREA (JERSEY) LAW 1995

A **LAW** to make provision in relation to the European Economic Area

Commencement [[see endnotes](#)]

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### 1 Interpretation<sup>2</sup>

(1) In this Law –

“Agreement” means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992, together with the Protocol adjusting that Agreement signed at Brussels on 17th March 1993;

“EU obligation” means any obligation created by or arising by or under the Treaties;

“1973 Law” means the [European Union \(Jersey\) Law 1973](#).

(2) In this Law, unless the context otherwise requires, expressions defined in Article 1 of the 1973 Law (including “Communities”, “EU” and “Treaties”) have the meanings assigned to them by that Law.

### 2 Consistent application of law to whole of European Economic Area

(1) Where –

- (a) the operation of any enactment in force at the commencement of this Law is limited (expressly or by implication) by reference to the Communities or the EU or by reference to some connection with the Communities or the EU; and
- (b) the enactment relates to a matter to which the Agreement (as it had effect on 1st January 1994) relates,

then, unless the context otherwise requires, the enactment shall have effect in relation to that matter on and after the commencement of this Law with the substitution of a corresponding limitation relating to the European Economic Area (or, where appropriate, to both the EU and the European Economic Area).<sup>3</sup>

(2) Paragraph (1) of this Article shall –

- (a) not apply to an enactment by reason only that it refers to, or to a provision of, one of the Treaties or an EU instrument;
- (b) in the case of an enactment the operation of which is limited by reference to an EU institution, not be construed as requiring the substitution of a limitation relating to the EFTA Surveillance Authority or the EFTA Court;
- (c) not be regarded as prejudicing, or as having an effect which is inconsistent with, the operation, by virtue of the Agreement, of Article 2(1) of the 1973 Law; and
- (d) have effect subject to such exceptions and modifications as the States may by Regulations provide.<sup>4</sup>

### **3 General implementation of the Agreement**

Subject to Article 2, where by virtue of the Agreement it is necessary for the purpose of implementing an EU obligation that any enactment in force at the commencement of this Law should have effect with modifications which can be ascertained from the Agreement, then on and after the commencement of this Law, that enactment shall have effect with those modifications.<sup>5</sup>

### **4 Judicial notice and evidence**

Article 3(2) to (4) of the 1973 Law have effect –

- (a) in relation to the EFTA Court (established under Article 108 of the Agreement) as they have effect in relation to the European Court; and
- (b) in relation to the EFTA Surveillance Authority (also established under that Article) as they have effect in relation to an EU institution other than the European Court.<sup>6</sup>

### **5 Citation**

This Law may be cited as the European Economic Area (Jersey) Law 1995.

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement
European Economic Area (Jersey) Law 1995	<a href="#">L.17/1995</a>	16 June 1995
<a href="#">European Union Legislation (Implementation) (Jersey) Law 2014</a>	<a href="#">L.28/2014</a>	31 October 2014

### Table of Endnote References

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- <sup>1</sup> *This Law was repealed by the European Union (Repeal and Amendment) (Jersey) Law 2018 at 11 p.m. on 31 December 2020*
- <sup>2</sup> *Article 1 substituted by L.28/2014*
- <sup>3</sup> *Article 2(1) amended by L.28/2014*
- <sup>4</sup> *Article 2(2) amended by L.28/2014*
- <sup>5</sup> *Article 3 amended by L.28/2014*
- <sup>6</sup> *Article 4 amended by L.28/2014*