



## EU Legislation

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The nature and amount of EU legislation and its relationship with national legislation is often the subject of some confusion. Although distinct from UK legislation, EU laws become part of UK law by virtue of the *European Communities Act 1972* (ECA). EU law also takes precedence over existing UK law, which must be amended if it is found to conflict with EU law.

This Note considers the different types of EU legislative instruments and their implementation requirements. It also gives figures for EU laws adopted since 1980 and repealed since 1997, as well as an estimate of the proportion of UK secondary legislation made under the ECA to implement EU obligations.

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**1 Types of EU legislative acts**

There are three types of EU legislative acts. Under Article 288 of the Treaty on the Functioning of the European Union (TFEU):

A regulation shall have general application. It shall be binding in its entirety and directly applicable in all Member States.

A directive shall be binding, as to the result to be achieved, upon each Member State to which it is addressed, but shall leave to the national authorities the choice of form and methods.

A decision shall be binding in its entirety. A decision which specifies those to whom it is addressed shall be binding only on them.

Opinions and Recommendations have no binding force.

**2 Council and Commission legislation**

Both the Council and the Commission are empowered under the Treaty to make laws. The Council may adopt legislation only upon a proposal from the Commission, which has the sole right of initiative in drafting legislation. The Commission may also adopt legislation under delegated powers set out in Article 290 TFEU:

1. A legislative act may delegate to the Commission the power to adopt non-legislative acts to supplement or amend certain non-essential elements of the legislative act.

The objectives, content, scope and duration of the delegation of power shall be explicitly defined in the legislative acts. The essential elements of an area shall be reserved for the legislative act and accordingly shall not be the subject of a delegation of power.

2. Legislative acts shall explicitly lay down the conditions to which the delegation is subject; these conditions may be as follows:

(a) the European Parliament or the Council may decide to revoke the delegation;

(b) the delegated act may enter into force only if no objection has been expressed by the European Parliament or the Council within a period set by the legislative act.

For the purposes of (a) and (b), the European Parliament shall act by a majority of its component members, and the Council by a qualified majority.

3. The adjective "delegated" shall be inserted in the title of delegated acts.

Commission legislation usually takes the form of implementing measures of a routine or mundane nature.

In theory the two types of legislation should carry equal weight since the two institutions are not hierarchically different and are both empowered by the Treaty to make laws. It has been argued in cases before the European Court of Justice, however, that Council laws have greater weight than those of the Commission, and that in the event of a conflict between a Council regulation and an implementing Commission regulation, the former should prevail over the latter.<sup>1</sup>

### 3 UK implementing legislation

Directives only apply in those Member States to which they are directed and they usually need implementing legislation to become effective. Regulations are directly applicable and are supposed to become law uniformly and automatically in the Member States without needing further implementation. The *European Communities Act 1972* (ECA) as amended allows EU specified instruments to become part of UK law without the need for separate enactment of each and every EU instrument. Section 2(1) of the ECA gives the statutory authority for Treaty provisions and directly applicable secondary legislation (e.g. regulations) automatically to have legal effect in UK domestic law without further enactment:

All such rights, powers, liabilities, obligations and restrictions from time to time created or arising by or under the Treaties, and all such remedies and procedures from time to time provided for by or under the Treaties, as in accordance with the Treaties are without further enactment to be given legal effect or used in the United Kingdom shall be recognised and available in law, and be enforced, allowed and followed accordingly; and the expression "enforceable Community right" and similar expressions shall be read as referring to or to which this subsection applies.

However, for practical reasons, uniformity is not always possible without additional implementing measures, particularly in the area of agriculture. Thus, many agricultural regulations are in fact implemented in the UK by Statutory Instrument (SI).

EU legislation which is not directly applicable (e.g. directives and decisions) can be enacted either by primary or secondary legislation in the UK. The vast majority of EU legislation is enacted by S.I. under Section 2(2) of the ECA. This Section confers authority on ministers, Government departments or Her Majesty in Council to make, with certain exceptions contained in Schedule 2 of the Act, subordinate legislation:

(a) for the purpose of implementing any Community obligation of the United Kingdom, or of enabling any rights enjoyed or to be enjoyed by the United Kingdom under or by virtue of the Treaties to be exercised; or

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<sup>1</sup> *Law and Institutions of the European Union*, D.Lasok and K.P.E.Bridge, 1994.

(b) for the purpose of dealing with matters arising out of or related to any such obligation or rights or the coming into force, or the operation from time to time, of subsection (1) above.

Subordinate legislation made under this section can repeal or amend existing legislation if this is incompatible with EC law. The ECA has withstood the test of time in providing the UK with a reliable, if not always transparent, method of transposing EC law into UK law.

#### 4 Amount of EU legislation adopted

The following figures cover periods from January to December in each given year. The figures are taken from the "Institutions and other Bodies" section of *Commission Reports on the Activities of the European Union* and from 2005 from information provided by the Commission Secretariat. They give both Council and Commission legislative acts (directives, regulations and decisions) enacted from 1980 to 2009 (excluding acts of day-to-day management which are generally valid only for a limited period). Commission sources prior to 1992 do not give a breakdown for Commission instruments.

Year	Commission	Council	Total
<b>1980</b>	5,901 instruments	51 directives	
		312 regulations	
		136 decisions	
			<b>6,400</b>
<b>1981</b>	6,044 instruments	45 directives	
		414 regulations	
		150 decisions	
			<b>6,653</b>
<b>1982</b>	5,321 instruments	42 directives	
		393 regulations	
		128 decisions	
			<b>5,884</b>
<b>1983</b>	14,123 instruments	41 directives	
		395 regulations	
		108 decisions	
			<b>14,667</b>
<b>1984</b>	5,190 instruments	53 directives	
		351 regulations	

<b>Year</b>	<b>Commission</b>	<b>Council</b>	<b>Total</b>
		99 decisions	
			<b>5,593</b>
<b>1985</b>	7,442 instruments	59 directives	
		447 regulations	
		109 decisions	
			<b>8,057</b>
<b>1986</b>	12,081 instruments	74 directives	
		473 regulations	
		184 decisions	
			<b>12,812</b>
<b>1987</b>	8,212 instruments	40 directives	
		458 regulations	
		125 decisions	
			<b>8,835</b>
<b>1988</b>	6,799 instruments	63 directives	
		434 regulations	
		131 decisions	
			<b>7,427</b>
<b>1989</b>	5,737 instruments	79 directives	
		394 regulations	
		161 decisions	
			<b>6,371</b>
<b>1990</b>	6,298 instruments	65 directives	
		380 regulations	
		169 decisions	
			<b>6,912</b>
<b>1991</b>	6,130 instruments	72 directives	
		335 regulations	
		174 decisions	

Year	Commission	Council	Total
			<b>6,711</b>
<b>1992</b>	34 directives	95 directives	129
	1137 regulations	381 regulations	1518
	385 decisions	134 decisions	519
			<b>2166</b>
<b>1993</b>	52 directives	65 directives	117
	1160 regulations	325 regulations	1485
	520 decisions	135 decisions	655
			<b>2257</b>
<b>1994</b>	24 directives	17 directives	41
	1579 regulations	180 regulations	1759
	445 decisions	72 decisions	517
			<b>2317</b>
<b>1995</b>	35 directives	39 directives	74
	2801 regulations	242 regulations	3043
	3025 decisions	175 decisions	3200
			<b>6317</b>
<b>1996</b>	39 directives	58 directives	97
	2341 regulations	247 regulations	2588
	2806 decisions	170 decisions	2985
			<b>5670</b>
<b>1997</b>	35 directives	34 directives (inc.20 with EP)	69
	760 regulations	209 regulations (inc.1 with EP)	969
	635 decisions	164 decisions (inc.7 with	799

Year	Commission	Council	Total
		EP)	
			<b>1837</b>
<b>1998</b>	44 directives	53 directives (inc.26 with EP)	97
	733 regulations	202 regulations	975
	537 decisions	196 decisions (inc.7 with EP)	733
			<b>1805</b>
<b>1999</b>	55 directives	44 directives (inc.14 with EP)	99
	842 regulations	144 regulations (inc.11 with EP)	986
	516 decisions	139 decisions (inc.18 with EP)	655
			<b>1740</b>
<b>2000</b>	38 directives	43 directives (inc.18 with EP)	81
	606 regulations	182 regulations (inc.34 with EP)	788
	557 decisions	24 decisions (inc.4 with EP)	581
			<b>1450</b>
<b>2001<sup>2</sup></b>	18 directives	45 directives (inc.23 with EP)	63
	600 regulations	152 regulations (inc.15 with EP)	752
	651 decisions	30 decisions (inc.3 with EP)	681
			<b>1496</b>

<sup>2</sup> <http://europa.eu.int/abc/doc/off/rg/en/2001/pt1212.htm>

Year	Commission	Council	Total
<b>2002<sup>3</sup></b>	44 directives	149 directives (inc.36 with EP)	193
	602 regulations	164 regulations (inc.24 with EP)	766
	610 decisions	57 decisions (inc.6 with EP)	667
			<b>1626</b>
<b>2003<sup>4</sup></b>	61 directives	60 directives (inc.41 with EP)	121
	648 regulations	189 regulations (inc.35 with EP)	837
	560 decisions	39 decisions (inc.9 with EP)	599
			<b>1557</b>
<b>2004<sup>5</sup></b>	59 directives	48 directives (inc.31 with EP)	107
	672 regulations	186 Regulations (inc.40 with EP)	858
	468 decisions	44 decisions (inc.4 with EP)	512
			<b>1477</b>
<b>2005<sup>6</sup></b>	54 directives	62 directives (inc. 26 with EP)	116
	599 regulations	134 regulations (inc. 19 with EP)	733
	634 decisions	51 decisions (inc. 14 with EP)	685
			<b>1534</b>
<b>2006<sup>7</sup></b>	76 directives	101 (inc. 38 with EP)	177
	1795 regulations	238 (inc. 43 with EP)	2033

<sup>3</sup> <http://europa.eu.int/abc/doc/off/rg/en/2002/pt1095.htm>

<sup>4</sup> <http://europa.eu.int/abc/doc/off/rg/en/2003/pt1098.htm>

<sup>5</sup> <http://europa.eu.int/abc/doc/off/rg/en/2004/pt0797.htm>

<sup>6</sup> Figures provided by Commission Secretariat using EUR-lex.

<sup>7</sup> Figures provided by Commission Secretariat using EUR-lex.

Year	Commission	Council	Total
	781 decisions	264 (inc. 21 with EP)	1045
			<b>3255</b>
<b>2007<sup>8</sup></b>	53 directives	(23 inc. 18 with EP)	76
	630 regulations	(143 inc. 21 with EP)	773
	644 decisions	(277 inc. 18 with EP)	921
			<b>1770</b>
<b>2008</b>	57 directives	120 directives (inc. 53 with EP)	177
	1145 regulations	239 regulations (inc. 50 with EP)	1384
	791 decisions	315 decisions (inc 32 with EP)	1106
			<b>2267</b>
<b>2009<sup>9</sup></b>	69 directives	176 (inc. 80 with EP)	245
	1103 regulations	226 (inc. 61 with EP)	1329
	606 decisions	295 (inc. 23 with EP)	901
			<b>2475</b>

## 5 Repealed or expired legislation

The Commission publishes statistics for legislation repealed or expired in its annual *General Report on the Activities of the European Union*. The figures from 1997 to 2009 are as follows:

Year	Commission	Council	Total
<b>1997</b>	27 directives	39 directives (inc.1 with EP)	66
	503 regulations	271 regulations	774
	199 decisions	83 decisions (inc.1 with EP)	282
			<b>1122</b>
<b>1998</b>	13 directives	46 directives (2 with EP)	59
	551 regulations	146 regulations	697

<sup>8</sup> Figures provided by Commission Secretariat using EUR-lex.

<sup>9</sup> Ibid.

<b>Year</b>	<b>Commission</b>	<b>Council</b>	<b>Total</b>
	260 decisions	192 decisions (inc.5 with EP)	452
			<b>1408</b>
<b>1999</b>	17 directives	57 directives	74
	612 regulations	193 regulations	805
	381 decisions	141 decisions (inc.14 with EP)	522
			<b>1401</b>
<b>2000</b>	21 directives	43 directives	64
	602 regulations	201 regs (inc.1 with EP)	803
	131 decisions	29 decisions	160
			<b>1027</b>
<b>2001</b>	10 directives	49 directives (inc.1 with EP)	59
	555 regulations	147 regulations (inc.3 with EP)	702
	143 decisions	11 decisions	154
			<b>285</b>
<b>2002</b>	32 directives	51 directives (inc.3 with EP)	83
	398 regulations	149 regulations (inc.5 with EP)	547
	178 decisions	21 decisions (inc.4 with EP)	203
			<b>833</b>
<b>2003</b>	33 directives	38 directives (inc.8 with EP)	71
	328 regulations	69 regulations (inc.1 with EP)	397
	122 decisions	25 decisions (inc.5 with EP)	147
			<b>615</b>

<b>Year</b>	<b>Commission</b>	<b>Council</b>	<b>Total</b>
<b>2004</b>	18 directives	26 directives (inc.4 with EP)	44
	391 regulations	107 regulations (inc.3 with EP)	498
	190 decisions	18 decisions (inc.2 with EP)	208
			<b>750</b>
<b>2005</b>	6 directives	32 directives (inc.1 with EP)	38
	267 regulations	136 regulations	403
	97 decisions	22 decisions (inc. 2 with EP)	119
			<b>560</b>
<b>2006</b>	11 directives	49 (inc. 4 with EP)	60
	222 regulations	129 (inc. 15 with EP)	351
	236 decisions	296 (inc. 26 with EP)	532
			<b>943</b>
<b>2007</b>	21 directives	(41 inc. 3 with EP)	62
	181 regulations	(86 inc. 1 with EP)	267
	179 decisions	(67 inc. 7 with EP)	246
			<b>575</b>
<b>2008</b>	31 directives	32 (inc 4 with EP)	63
	235 regulations	175 (inc. 5 with EP)	410
	79 decisions	42 (inc. 3 with EP)	121
			<b>594</b>
<b>2009</b>	66 directives	167 directives (inc. 37 with EP)	233
	262 regulations	163 regulations (inc. 5 with EP)	425
	88 decisions	115 decisions (inc. 6 with EP)	203
			<b>861</b>

## 6 EU legislation as a proportion of UK legislation

A frequently asked question concerns the amount of UK legislation arising from EU legislation. It is impossible to answer this question accurately for a number of reasons. UK laws implemented as a result of EU legislation might have been brought into UK law anyway and existing UK laws might adequately implement all or parts of an EU law.

In reply to a parliamentary question in 1997 on the number of UK legislative measures enacted since 1992 to implement EC legislation, the then Chancellor of the Duchy of Lancaster, Roger Freeman, gave the following figures:

1992	236
1993	134
1994	288
1995	294
1996	211 <sup>10</sup>

The discrepancy between the figures for SIs given in the reply and the figures for the number of directives adopted over the same period is because there is no direct correlation between the number of EC legislative instruments adopted and the number of SIs needed to implement them. For example, 26 separate SIs were needed to implement the Council Directive “on the approximation of the laws of the Member States relating to the permissible sound level and the exhaust system of motor vehicles”,<sup>11</sup> whereas only one SI was needed to implement the Council directive concerning the minimum safety and health requirements for the workplace.<sup>12</sup> In some cases specific articles of a directive will need to be implemented by a separate SI. In others there may be no need for any UK implementing legislation because the requirements of the directive are covered by existing UK law.

Little primary legislation is needed for the implementation of EU directives or regulations, although third pillar EU commitments<sup>13</sup> often require primary legislation. For example, the *Anti-Terrorism Crime and Security Act 2001* implemented certain EU anti-terrorism measures. The *Crime (International Cooperation) Act 2003* included provisions designed to fulfil UK commitments under a number of EU agreements.<sup>14</sup> All EU Treaty amendments require amendments to the *European Communities Act 1972* (ECA).

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<sup>10</sup> HC Deb, 28 January 1997, c131W.

<sup>11</sup> EEC/70/157, OJL 42, 23 February 1970.

<sup>12</sup> EEC/89/654, OJL 393, 30 December 1989.

<sup>13</sup> Justice and Home Affairs matters, which are agreed at EU level by intergovernmental decisions.

<sup>14</sup> The Schengen Convention (1990), The Convention on Simplified Extradition Procedure between the Member States of the European Union, (1995), The Convention relating to Extradition between the Member States of the European Union, (1996), The Convention on Driving Disqualifications (1998), Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union (2000), Council Framework Decision on combating fraud and counterfeiting of non-cash means of payment (2001), Protocol to the Convention on mutual assistance in criminal matters between the Member States of the European Union (2001), Council Framework Decision on combating terrorism (2002) and Draft Council Framework Decision on the execution of orders freezing assets or evidence.

The Library's PIMS (previously POLIS) records give the following total number of SIs adopted and the number of SIs laid under the *European Communities Act 1972* (ECA) over the last eleven parliamentary sessions.<sup>15</sup>

These figures give an idea of the number of Directives, Decisions and some Regulations as a percentage of all SIs, but with some significant caveats:

- They do not take account of all Regulations, as these are directly applicable and do not generally need further national implementation.
- They do not take account of SIs implementing EU law which have been made under other authorising Acts.
- This Note does not work out scientifically how Regulations would affect the percentage of EU-based UK laws, but the number of Regulations adopted can be three times the number of Directives (or more – see tables above). The proportion of EU-based laws could therefore be as much as 30-40% or more. In addition, Regulations are generally not implemented in the UK as laws, but as administrative rules and regulations, changes to guidelines etc.
- The proportion of EU-based national laws will be different in each Member State, depending on how many laws are adopted overall.

<b>Session</b>	<b>Total SIs</b>	<b>ECA SIs</b>	<b>Approx. % of ECA SIs</b>
1998/99	1614	152	9.4 %
1999/00	2147	173	8.1%
2000/01	1176	102	8.7%
2001/02	2381	243	10.2%
2002/03	1568	121	7.7%
2003/04	1403	132	9.4%
2004/05	883	79	8.9%
2005/06	2123	236	11.1%
2006/07	1540	132	8.6%
2007-08	1457	151	10.4%
2008-09	1595	172	10.8%

In reply to a parliamentary question on this matter in December 2002, the Minister for Europe, Denis MacShane said:

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<sup>15</sup> In some cases PIMS records are added after the end of a session. These figures are therefore subject to amendment.

It would entail disproportionate cost to research and compile the number of legislative measures enacted each year in the UK directly implementing EC legislation.

The picture is complicated. Some EC measures are directly applicable in the member states. Others require incorporation into national law. This is sometimes done by legislation, but on other occasions by administrative means. In yet other situations, domestic legislation which is being amended for other purposes, may also incorporate changes to reflect EU directives. This makes it extremely difficult to determine how many legislative measures have been introduced in the UK as a result of EC measures.<sup>16</sup>

In June 2006 Lord Stevens asked “How much of all United Kingdom legislation has its origins in European Union legislation”, to which Lord Triesman replied:

We estimate that around half of all UK legislation with an impact on business, charities and the voluntary sector stems from legislation agreed by Ministers in Brussels. Parliamentary analysis of UK statutory instruments implemented annually under the European Communities Act suggests that on average around 9 per cent. of all statutory instruments originate in Brussels.<sup>17</sup>

A number of Government Departments gave detailed answers on the proportion of EU-related legislation within their areas of responsibility in replies to questions put by John Redwood in December 2003 and January 2004:

### **Ministry of Defence**

**Mr. Ingram:** The Ministry of Defence did not sponsor any primary legislation during the 2002-03 session. In the case of secondary legislation the Department was responsible for the making of 11 general statutory instruments, none of which was introduced to implement EU requirements.<sup>18</sup>

### **Department of Transport**

**Dr. Howells:** No primary legislation sponsored by the Department for Transport in the 2002-03 Parliamentary session was introduced to implement EU requirements. The secondary legislation sponsored by the Department comprised both general and local instruments. The proportion of all these instruments which were introduced to implement EU requirements was approximately 1 per cent. In the case of general instruments alone the proportion was approximately 13 per cent.<sup>19</sup>

### **Department for Trade and Industry**

**Ms Hewitt:** My Department sponsored four Bills during the 2002-03 session, of which 25 per cent. implemented EU requirements. Of the 141 statutory instruments put through Parliament by my Department in 2002-03 session, 26 per cent. were introduced to implement EU requirements.<sup>20</sup>

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<sup>16</sup> HC Deb 17 December 2002 c 756W

<sup>17</sup> HL Deb 29 June 2006 WA184 at [http://pubs1.tso.parliament.uk/pa/ld199697/ldhansrd/pdvn/lds06/text/60629w02.htm#60629w02\\_sbhd6](http://pubs1.tso.parliament.uk/pa/ld199697/ldhansrd/pdvn/lds06/text/60629w02.htm#60629w02_sbhd6)

<sup>18</sup> HC Deb 5 January 2004 c 31W

<sup>19</sup> HC Deb 5 January 2004 c49W

<sup>20</sup> HC Deb 5 January 2004 cc117-8W

## Department for Environment, Food and Rural Affairs

**Mr. Bradshaw:** The information is as follows:

(a) In 2002-03, 50 per cent. of primary legislation sponsored by the Department was introduced to implement EU requirements.

(b) During the same period, in the case of secondary legislation my Department was responsible for the making of 120 Statutory Instruments, of which, 57 per cent. were introduced to implement EU requirements.<sup>21</sup>

## Department for Education and Skills

**Alan Johnson:** In 2002 and to date in 2003, the percentage of (a) primary and (b) secondary legislation sponsored by the Department for Education and Skills introduced to implement EU requirements is as follows: (a) 0 per cent. Primary legislation (b) 1.2 per cent. Secondary legislation.<sup>22</sup>

## Department for Work and Pensions

**Mr. Pond:** The Department did not sponsor any primary legislation during the 2002-03 Session (13 November 2002-20 November 2003). The Department was responsible for the making of 97 General Statutory Instruments during the 2002-03 Session (including 11 from the Health and Safety Executive), some of which consolidated and revoked previous instruments. 9.27 per cent. of the total (nine Statutory Instruments, including seven from the Health and Safety Executive) give effect to EU requirements.<sup>23</sup>

## Office of the Deputy Prime Minister

**Yvette Cooper:** The Office of the Deputy Prime Minister did not sponsor any primary or secondary legislation during the 2002-03 session that implemented EU requirements.<sup>24</sup>

## Department of Health

**Mr. Hutton:** During 2002-03, the Department sponsored no primary legislation to implement European Union measures and three per cent. of the 208 pieces of secondary legislation were of EU origin.<sup>25</sup>

## Cabinet Office

Mr. Alexander: None.<sup>26</sup>

## Department for Culture, Media and Sport

**Mr. Caborn:** The information is as follows:

(a) As regards primary legislation sponsored by my Department during the 2002-03 session, none of the provisions for which my Department was responsible implemented EU requirements. This answer excludes the

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<sup>21</sup> HC Deb 18 December 2003, c1027W

<sup>22</sup> HC Deb 17 December 2003, c959W

<sup>23</sup> HC Deb 15 December 2003, c695W

<sup>24</sup> HC Deb 15 December 2003, c751W

<sup>25</sup> HC Deb 15 December 2003, c766W

<sup>26</sup> HC Deb 4 December 2003, c114W

provisions in the Communications Act which were the responsibility of the Department of Trade and Industry. It also excludes provisions in that Act which were the responsibility of my Department, but which re-enacted previous provisions implementing EC requirements.

(b) As regards secondary legislation for which my Department was responsible during the 2002-03 session, one statutory instrument of four pages implemented EC requirements. This equated roughly to 12 per cent. of the secondary legislation which my Department was responsible for making during the period (calculated by reference to the total number of pages of such secondary legislation).<sup>27</sup>

## Home Office

**Caroline Flint:** The Home Office sponsored five Bills during the 2002-03 Session, which made a total of approximately 868 pages once enacted. One of the Bills (now the Crime (International Co-operation) Act 2003, 90 pages) predominantly implements EU requirements. Another (now the Extradition Act, 136 pages long) partly implements EU requirements. The other three Bills were not introduced to implement EU requirements.

Of the 240 Statutory Instruments produced by the Home Office during the same Session that fell to be considered by the Joint Committee on Statutory Instruments only five were introduced to implement EU requirements. These Instruments made up only 74 pages out of the total of 438 pages of Instruments produced during the Session.<sup>28</sup>

In January 2006 Lord Pearson of Rannoch questioned the Government about the proportion of UK legislation that emanated from the EU. The exchange was as follows:

**Lord Pearson of Rannoch** asked Her Majesty's Government:

Further to the Written Answer by Lord Triesman on 14 November (*WA 117*), why they will not provide a full estimate of the United Kingdom legislation which originated in the European Union since 1998, bearing in mind that the German Federal Department of Justice has estimated that 80 per cent. of German laws or regulations were so made over that period. [HL2785]

**The Parliamentary Under-Secretary of State, Foreign and Commonwealth Office (Lord Triesman):** Many EU regulations have a purely technical or temporary effect. We estimate that around 50 per cent. of UK legislation with a significant economic impact has its origins in EU legislation. OECD analysis of regulation in Europe yields similar results. In 2002, they estimated that 40 per cent. of all new UK regulations with a significant impact on business were derived from Community legislation. Despite reports that 80 per cent of German regulation emanates from the EU, the German Government estimates that the proportion is about 50 per cent.

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<sup>27</sup> HC Deb 4 December 2003, c165W

<sup>28</sup> HC Deb 3 December 2003, c69W