## Europe and the English legal system

• There are seven EU institutions:
1. the European Parliament;
2. the European Council;
3. the Council;
4. the European Commission;
5. the Court of Justice of the EU;
6. the European Central Bank; and
7. the Court of Auditors.

• The Court of Justice of the EU will provide preliminary rulings, hear actions against Member States that breach EU law, hear actions against EU institutions, and hear cases involving disputes between EU institutions and their employees.

• A preliminary ruling is the referral of a case to the Court for an authoritative and conclusive interpretation of a point of EU law. The Court will not apply the law to the case; that is still the responsibility of the domestic court.

• The principal forms of EU legislation are treaty provisions, regulations, directives, and decisions.

• EU legislation that is directly applicable automatically forms part of domestic law, without the need for further implementation. Treaty provisions and regulations are directly applicable.

• EU legislation capable of having direct effect can be enforced in a domestic court, provided that it is clear and unconditional, and does not require further implementation.

• EU legislation that has vertical direct effect can be enforced by individuals only against the state, or an emanation of the state. Legislation that has horizontal direct effect can be enforced between individuals.

• Almost all of the rights provided for by the ECHR can be enforced in a UK domestic court following the implementation of the Human Rights Act 1998 in October 2000.

• Section 3 of the Human Rights Act 1998 places a duty upon domestic courts to interpret domestic legislation, as far as possible, in line with the ECHR. If the court feels that it cannot do this, however, it may issue a declaration of incompatibility.

• Section 6 of the Human Rights Act provides that public authorities must act in a manner that is compatible with Convention rights.

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