

The provisions of the Single European Act

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The provisions of the Single European Act

In its Preamble to the Single European Act, which takes its name from the fact that it combines, in a single document, all of the provisions relating to institutional reform, to the extension of Community powers and to European political cooperation on foreign affairs, sets as its goal the establishment of a European Union. It hopes to realise the potential of the Common Market, established by the Treaty of Rome (1957), and to add the finishing touches to the Community structure by enabling the institutions to operate more efficiently.

By combining, in a single legal text, previously discrete documents and procedures, the Single European Act (SEA) confirmed the 'step-by-step' Community method, beloved of the founding fathers of the Community. An essential step towards the goal of the European Union, it was also psychologically important, since it established the motivational deadline of 1992 for the completion of the European Single Market.

Institutional reforms

With regard to institutional reform, the Single European Act provided, for the first time, a legal basis for the European Council that had been created in 1975 on a pragmatic basis, outside the Treaties establishing the European Communities. Similarly, the name 'European Parliament', which the European Parliamentary Assembly had adopted in all the languages in 1962, appeared for the first time in a Community legal act. The Act extended the possibilities for the Council of Ministers to use qualified majority voting and also provided for the creation of the Court of First Instance (CFI) of the European Communities, specifically to relieve the overburdened Court of Justice and establish a second level of jurisdiction. It increased the European Parliament's role in the Community's legislative process by establishing a new cooperation procedure. This enabled Parliament to reject the Council's decision, if an absolute majority of its Members was secured at second reading, and to make limited amendment to the Commission's proposals. In addition, the Single Act established the assent procedure which enhanced the European Parliament's powers of codecision with regard to accession treaties and association agreements. It formalised the Commission's participation in European Political Cooperation (EPC).

A European area without internal frontiers

Designed to accelerate the completion of the Single Market, the Single European Act also envisaged the establishment of a European area without internal frontiers and more than 300 000 000 consumers. Presented as an essential condition for economic development, the aim of the Single Market was to offer larger markets for Member States' products, while simultaneously increasing competition and the incentives thereof. The SEA provided for the establishment of a single market and for the free movement of goods, persons, services and capital by 31 December 1992. This followed on from the 'White Paper' presented by the European Commission in 1985, with its list of some 300 measures to be adopted for the completion of the Single Market. The creation of a European area without internal frontiers also called for common policies to be strengthened and for ancillary measures and implementing directives to be adopted.

The numerous tangible measures necessary for the establishment of the Single Market are primarily concerned with the abolition or simplification of customs formalities for the movement of persons and goods, the harmonisation of the rules governing the status of foreigners, the right of asylum, the issuing of visas and extradition, elimination or equivalence of technical standards such as standardisation norms, quality labels and certification marks and procedures, the harmonisation of notices and the advertising of public contracts, services liberalisation, equivalence of diplomas and the introduction of a single right of establishment for members of the liberal professions, not to mention the elimination of tax frontiers and the standardisation of excise duties and VAT rates. With regard to the Single Market's ancillary policies, the Single Act institutionalised Europe's economic and monetary policy, nevertheless limiting itself to making this to be an objective to be attained but without imposing binding measures.

European Political Cooperation

With regard to European Political Cooperation (EPC), the Single Act codified, for the first time, the

practices and procedures which had been gradually developed since the early 1970s. It was, nevertheless, less drastic than several suggestions set out in the report that had been submitted in March 1985 by the Dooge Committee to the Heads of State or Government of the Ten. According to the Single Act, European foreign policy mechanisms were to be based on consultation with and information to the Community's Member States. Furthermore, the obligation for States to consult one another before adopting a final position was formalised. In addition, the Single Act introduced the concept of 'European security' and created a permanent Political Secretariat in Brussels.

Towards a European social area

With regard to social innovations, the Single Act gave Member States the opportunity to confirm their desire to promote workers' health and safety and to develop the social dialogue. It was the first treaty to set out, in a practical way, the desire — most notably on the part of the French — gradually to establish a European social area. Wishing to eliminate the imbalances in the Community between the developed regions and the poorer regions, imbalances which had continued to grow during the enlargement process, the Member States undertook to enhance economic and social cohesion. In order to facilitate the joint pursuit of social policies, the Commission was instructed to promote dialogue between the social partners, with a view, in particular, to the conclusion of national multi-industry agreements. The role of the trade unions was thus recognised by the Single Act. The Commission was also responsible for the reform of the Community's structural funds such as the European Social Fund (ESF), the European Agricultural Guidance and Guarantee Fund (EAGGF) and the European Regional Development Fund (ERDF). The Twelve also decided that Community social policy might be developed with the help of directives adopted by the Council, by qualified majority on a proposal from the Commission, following consultation of the Economic and Social Committee.

Scientific research programmes

In order to exploit the Community's potential for technological innovation and to pursue a common policy on applied research, the Single Act provided for the establishment of a multiannual framework programme and of other specific programmes. The SEA also broke new ground by elevating environmental policy to the level of a Community policy and by making an explicit connection between economic development and environmental protection. The notion of subsidiarity was expressly acknowledged therein.