

Handout N° 5

Legislative Acts

1. Regulation, Art. 249 II EC

- normative act designed to apply to situations in the abstract: “applicable not to a limited identifiable number of persons but rather to categories of persons envisaged both in the abstract and as a whole”
- applicable without further implementation
- rights and obligations for States and individuals

2. Directive, Art. 249 III EC

- discretion as to the form and method of implementation
- addressed to and binding on States
- requiring implementation before it can be fully effective

3. Decision, Art. 249 IV EC

- individual act designed to be addressed to a specified person or persons
- force of law, no further implementation required
- addressed to States and individuals

4. Recommendations and opinions

- no binding force but persuasive authority

5. *acta sui generis*

- not identified in Art. 249: rules of procedure

Boundary line

1. true nature not determined by form but by content and object

- Case 41–4/70 *International Fruit Co.*: a regulation was found to comprise a ‘bundle of decisions’
- measures may be hybrid

2.