From Lisbon to Rome

Article per article evolution of the Treaties founding the European Union

Book on repealed Articles

Viatcheslav CHOUTYLEV

Under the direction of Quentin MICHEL
This book complements the main omnibus on the evolution over time of the provisions of institutional Treaties founding the European Union. The basic intention of this work, and this for the sake of completeness, is to trace the path of Articles that today are no longer part of the European positive law and which have successively been repealed by subsequent versions of the Treaties. However, these provisions continue to generate strong interest on the part of students and researchers driven by the desire or curiosity to discover the content of the European institutional law at a given moment of its history.

In order to make this more theoretical tool as handleable as possible and specifically facilitate the research of one or another Article that does interest you, a table located at the beginning of the book and which contains the exact numbering and pagination of all the Articles, has been elaborated.

We have also set up a system of graphic tools so as to promote understanding and quickly assess the extent of the changes undergone by certain Articles.

Thus, when the text of a Treaty provision appears in bold, this means that the text has been either added or amended by the Treaty. To appreciate the magnitude of change, just compare the text or portion of text with the previous version of this Article which is reproduced immediately below the version reviewed.

By the same logic, when the text of an Article is written in italics, it does signify that the text can't no longer be found in the next version of the Treaty: it can either be repealed or replaced. In both cases, a footnote always specifies the origin of the changes.

When an Article does not come from a previous version of the Treaty, a notification "New Article" in bold parentheses following its numbering and a reference to the Article which has inserted the latter is specified in a footnote (except for the version of the Treaty of Rome (1957)).
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**ARTICLES REPEALED BY LISBON TREATY**

**TREATY ON EUROPEAN UNION (TEU)**

**TREATY ESTABLISHING THE EUROPEAN COMMUNITY (TEC)**

Repealed | Art. 1 TEC | Art. 1 TEC | Art. 1 TEC | Art. 1 TEEC | Art. 1 TEEC - New | 26 |
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### ARTICLE REPEALED BY NICE TREATY

#### TREATY ON EUROPEAN UNION (TEU)

No articles repealed

#### TREATY ESTABLISHING THE EUROPEAN COMMUNITY (TEC)

| Repealed | Art. 224 TEC | Art. 168 TEC | Art. 168 TEEC - New | 44 |

### ARTICLES REPEALED BY AMSTERDAM TREATY

#### TREATY ON EUROPEAN UNION (TEU)

| Repealed | Art. J TEU | Art. 30 sub§ 1 TEU - New | X | 46 |
| Repealed | Art. J.10 TEU | Art. 30 §12 TEEC - New | X | 46 |
| Repealed | Art. K TEU - New | X | X | 47 |
| Repealed | Art. K.7 TEU - New | X | X | 47 |

#### TREATY ESTABLISHING THE EUROPEAN COMMUNITY (TEC)

| Repealed | Art. 7 TEC | Art. 8 TEEC | Art. 8 TEEC - New | 48 |
| Repealed | Art. 7 B TEC | Art. 8 B TEEC - New | X | 50 |
| Repealed | Art. 11 TEC | Art. 11 TEEC | Art. 11 TEEC - New | 51 |
| Repealed | Art. 13 TEC | Art. 13 TEEC | Art. 13 TEEC - New | 51 |
|------------|-----------|----------------|-----------------|-----------------------|-----------|------|
| Repealed   | Art. 14 TEC | Art. 14 TEEC  | Art. 14 TEEC  | Art. 14 TEEC - New   | 52        |
| Repealed   | Art. 15 TEC | Art. 15 TEEC  | Art. 15 TEEC  | Art. 15 TEEC - New   | 55        |
| Repealed   | Art. 16 TEC | Art. 16 TEEC  | Art. 16 TEEC  | Art. 16 TEEC - New   | 56        |
| Repealed   | Art. 17 TEC | Art. 17 TEEC  | Art. 17 TEEC  | Art. 17 TEEC - New   | 56        |
| Repealed   | Art. 18 TEC | Art. 18 TEEC  | Art. 18 TEEC  | Art. 18 TEEC - New   | 57        |
| Repealed   | Art. 19 TEC | Art. 19 TEEC  | Art. 19 TEEC  | Art. 19 TEEC - New   | 58        |
| Repealed   | Art. 20 TEC | Art. 20 TEEC  | Art. 20 TEEC  | Art. 20 TEEC - New   | 60        |
| Repealed   | Art. 21 TEC | Art. 21 TEEC  | Art. 21 TEEC  | Art. 21 TEEC - New   | 61        |
| Repealed   | Art. 22 TEC | Art. 22 TEEC  | Art. 22 TEEC  | Art. 22 TEEC - New   | 62        |
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| Repealed   | Art. 26 TEC | Art. 26 TEEC  | Art. 26 TEEC  | Art. 26 TEEC - New   | 67        |
| Repealed   | Art. 27 TEC | Art. 27 TEEC  | Art. 27 TEEC  | Art. 27 TEEC - New   | 67        |
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| Repealed   | Art. 33 TEC | Art. 33 TEEC  | Art. 33 TEEC  | Art. 33 TEEC - New   | 69        |
| Repealed   | Art. 35 TEC | Art. 35 TEEC  | Art. 35 TEEC  | Art. 35 TEEC - New   | 72        |
| Repealed   | Art. 44 TEC | Art. 44 TEEC  | Art. 44 TEEC  | Art. 44 TEEC - New   | 72        |
| Repealed   | Art. 45 TEC | Art. 45 TEEC  | Art. 45 TEEC  | Art. 45 TEEC - New   | 75        |
| Repealed   | Art. 47 TEC | Art. 47 TEEC  | Art. 47 TEEC  | Art. 47 TEEC - New   | 77        |
| Repealed   | Art. 53 TEC | Art. 53 TEEC  | Art. 53 TEEC  | Art. 53 TEEC - New   | 78        |
| Repealed   | Art. 62 TEC | Art. 62 TEEC  | Art. 62 TEEC  | Art. 62 TEEC - New   | 78        |
| Repealed   | Art. 67 TEC | Art. 67 TEEC  | Art. 67 TEEC  | Art. 67 TEEC - New   | 79        |
| Repealed   | Art. 68 TEC | Art. 68 TEEC  | Art. 68 TEEC  | Art. 68 TEEC - New   | 80        |
| Repealed   | Art. 69 TEC | Art. 69 TEEC  | Art. 69 TEEC  | Art. 69 TEEC - New   | 81        |
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| Repealed    | Art. 71 TEC | Art. 71 TEEC   | Art. 71 TEEC - New | 83             |           |
| Repealed    | Art. 72 TEC | Art. 72 TEEC   | Art. 72 TEEC - New | 84             |           |
| Repealed    | Art. 73 TEC | Art. 73 TEEC   | Art. 73 TEEC - New | 84             |           |
| Repealed    | Art. 73 A TEC - New | X | X | 85             |           |
| Repealed    | Art. 73 E TEC - New | X | X | 86             |           |
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| Repealed    | Art. 91 TEC | Art. 91 TEEC   | Art. 91 TEEC - New | 87             |           |
| Repealed    | Art. 97 TEC | Art. 97 TEEC   | Art. 97 TEEC - New | 88             |           |
| Repealed    | Art. 100 B TEC | Art. 100 B TEEC - New | X | 89             |           |
| Repealed    | Art. 100 C TEC - New | X | X | 89             |           |
| Repealed    | Art. 100 D TEC - New | X | X | 90             |           |
| Repealed    | Art. 111 TEC - Repealed | Art. 111 TEEC | Art. 111 TEEC - New | 90             |           |
| Repealed    | Art. 114 TEC - Repealed | Art. 114 TEEC | Art. 111 TEEC - New | 92             |           |
| Repealed    | Art. 116 TEC - Repealed | Art. 116 TEEC | Art. 116 TEEC - New | 92             |           |
| Repealed    | Art. 130 Q TEC - Repealed | Art. 130 Q TEEC - New | X | 93             |           |
| Repealed    | Art. 149 TEC - Repealed | Art. 149 TEEC | Art. 149 TEEC - New | 93             |           |
| Repealed    | Art. 200 TEC - Repealed | Art. 200 TEEC | Art. 200 TEEC - New | 95             |           |
| Repealed    | Art. 206 A TEC - Repealed | Art. 206 A TEEC - New | X | 96             |           |
| Repealed    | Art. 206 B TEC - Repealed | Art. 206 B TEEC - New | X | 97             |           |
| Repealed    | Art. 226 TEC | Art. 226 TEEC   | Art. 226 TEEC - New | 97             |           |
| Repealed    | Art. 236 TEC - Repealed | Art. 236 TEEC | Art. 236 TEEC - New | 98             |           |
| Repealed    | Art. 242 TEC | Art. 242 TEEC   | Art. 242 TEEC - New | 100            |           |
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| Repealed   | Art. 245 TEC | Art. 245 TEEC | Art. 245 TEEC - New | 102 |
| Repealed   | Art. 246 TEC | Art. 246 TEEC | Art. 246 TEEC - New | 102 |

**ARTICLES REPEALED BY MAASTRICHT TREATY**

**TREATY ON EUROPEAN UNION (TEU)**

No articles repealed

**TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY (TEEC)**

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**ARTICLES REPEALED BY THE SINGLE EUROPEAN ACT**

No articles repealed
Graphic tools:

**Bold**: provision which is either new or replaces or amends the provision in its previous version.

Reflex: when you see **bold** - compare with the previous version / version below!

*Italics*: provision which is deleted and thus can't be found in the subsequent (next) version of the text anymore but only when it is logically possible.

Reflex: when you see *italics* - compare with the next version / version above!
ARTICLES REPEALED BY THE TREATY OF LISBON

NICE 2001

TREATY ON THE EUROPEAN UNION

Nice version 2001

...(continued)

TITLE II

PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY WITH A VIEW TO ESTABLISHING THE EUROPEAN COMMUNITY

Article 8

(ex Article 8 TEU Amsterdam 1997)

Text not reproduced

Amsterdam version 1997

...(continued)

Title incorporated in the TFEU by Art. 1, §11 of Lisbon Treaty

Title amended by Art. 1, §12 of Lisbon Treaty

5 As amended by Art. G of Maastricht Treaty

6 As amended by Art. G of Maastricht Treaty

Maastricht version 1992

...(continued)

TITLE II

PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY WITH A VIEW TO ESTABLISHING THE EUROPEAN COMMUNITY

Article G

(ex Title 2, Chapter 2 of the Single European Act 1986)

Text not reproduced

Single European Act version 1986

...(continued)

CHAPTER II

PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY

(New Chapter)

Text not reproduced

3 As amended by Art. G of Maastricht Treaty

4 As amended by Art. G of Maastricht Treaty

5 As amended by Art. G of Maastricht Treaty

6 As amended by Art. G of Maastricht Treaty
Articles repealed by the Treaty of Lisbon - TEU

Nice version 2001

(...)  

TITLE III

PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN COAL AND STEEL COMMUNITY

Article 9
(ex Article 9 TEU Amsterdam 1997)
Text not reproduced
Amsterdam version 1997

(...)  

TITLE III

PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN COAL AND STEEL COMMUNITY

Article 9
(ex Article H TEU Maastricht 1992)
Text not reproduced
Maastricht version 1992

(...)  

Title containing the former Chapter 1 of Title 2 inserted by Art. H of Maastricht Treaty

Title repealed by Art. H of Maastricht Treaty
Articles repealed by the Treaty of Lisbon - TEU

Nice version 2001

(...)  

**TITLE IV**\(^{10}\)  
PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY  

Article 10  
(ex Article 10 TEU Amsterdam 1997)  
Text not reproduced  
Amsterdam version 1997  

(...)  

**TITLE IV**  
PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY  

Article 10  
(ex Article I TEU Maastricht 1992)  
Text not reproduced  
Maastricht version 1992  

Single European Act version 1986  

10 Title incorporated in the Treaty Establishing the European Atomic Energy Community (TEAEC) by Art. 1, §21 of Lisbon Treaty  

Maastricht version 1992

(...)  

**TITLE IV**\(^{11}\)  
PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY  

Article I  
(ex Title 2, Chapter 3 of the Single European Act 1986)  
Text not reproduced  

Single European Act version 1986  

11 Title containing the former Chapter 3 of Title 2 inserted by Art. 1 of Maastricht Treaty  

...)  

**TITLE IV**  
PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY  

Article I  
(ex Title 2, Chapter 3 of the Single European Act 1986)  
Text not reproduced  

Single European Act version 1986  

12 Title repealed by Art. 1 of Maastricht Treaty  

(...)  

**TITLE II**  
PROVISIONS AMENDING THE TREATIES ESTABLISHING THE EUROPEAN COMMUNITIES\(^{12}\)  

(...)  

**CHAPTER III**  
PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY  

(New Chapter)  
Text not reproduced  

12 Title repealed by Art. 1 of Maastricht Treaty
Nice version 2001

Article 27\textsuperscript{13}

(ex Article 27 TEU Amsterdam 1997)

The Commission shall be fully associated with the work carried out in the common foreign and security policy field.

Amsterdam version 1997

Article 27

(ex Article J.9 TEU Maastricht 1992)

The Commission shall be fully associated with the work carried out in the common foreign and security policy field.

Maastricht version 1992

Article J.9

(ex Article 30, §3, point b) of the Single European Act 1986)

The Commission shall be fully associated with the work carried out in the common foreign and security policy field.\textsuperscript{14}

Single European Act version 1986

Article 30, §3, point b)

(New Article)\textsuperscript{15}

(...)

(b)\textsuperscript{16} The Commission shall be fully associated with the proceedings of Political Co-operation.\textsuperscript{17}

(...)

\textsuperscript{13} Article repealed by Art. 1, §45 of Lisbon Treaty

\textsuperscript{14} As amended by Art. J.9 of Maastricht Treaty

\textsuperscript{15} Article inserted by Art. 30 of the Single European Act

\textsuperscript{16} Numbering of the points abolished by Art. J.9 of Maastricht Treaty

\textsuperscript{17} As amended by Art. J.9 of Maastricht Treaty
Articles repealed by the Treaty of Lisbon - TEU

Nice version 2001

Article 34\(^{18}\)

(ex Article 34 TEU Amsterdam 1997)

1. In the areas referred to in this title, Member States shall inform and consult one another within the Council with a view to coordinating their action. To that end, they shall establish collaboration between the relevant departments of their administrations.

2. The Council shall take measures and promote cooperation, using the appropriate form and procedures as set out in this title, contributing to the pursuit of the objectives of the Union. To that end, acting unanimously on the initiative of any Member State or of the Commission, the Council may:

(a) adopt common positions defining the approach of the Union to a particular matter;

(b) adopt framework decisions for the purpose of approximation of the laws and regulations of the Member States. Framework decisions shall be binding upon the Member States as to the result to be achieved but shall leave to the national authorities the choice of form and methods. They shall not entail direct effect;

(c) adopt decisions for any other purpose consistent with the objectives of this title, excluding any approximation of the laws and regulations of the Member States. These decisions shall be binding and shall not entail direct effect; the Council, acting by a qualified majority, shall adopt measures necessary to implement those decisions at the level of the Union;

(d) establish conventions which it shall recommend to the Member States for adoption in accordance with their respective constitutional requirements. Member States shall begin the procedures applicable within a time limit to be set by the Council.

Unless they provide otherwise, conventions shall, once adopted by at least half of the Member States, enter into force for those Member States. Measures implementing conventions shall be adopted within the Council by a majority of two thirds of the Contracting Parties.

3. Where the Council is required to act by a qualified majority, the votes of its members shall be weighted as laid down in Article 205, §2 of the Treaty establishing the European Community, and for their adoption acts of the Council shall require at least 62 votes in favour, cast by at least 10 members.

4. For procedural questions, the Council shall act by a majority of its members.

Amsterdam version 1997

Article 34

(ex Article K.3 TEU Maastricht 1992)

1. In the areas referred to in this Title,\(^{19}\) Member States shall inform and consult one another within the Council with a view to coordinating their action. To that end, they shall establish collaboration between the relevant departments of their administrations.

2. The Council shall take measures and promote cooperation, using the appropriate form and procedures as set out in this Title, contributing to the pursuit of the objectives of the Union. To that end, acting unanimously on the initiative of any Member State or of the Commission, the Council may:

(a) adopt common positions defining the approach of the Union to a particular matter;

(b) adopt framework decisions for the purpose of approximation of the laws and regulations of the Member States. Framework decisions shall be binding upon the Member States as to the result to be achieved but shall leave to the national authorities the choice of form and methods. They shall not entail direct effect;

(c) adopt decisions for any other purpose consistent with the objectives of this Title, excluding any approximation of the laws and regulations of the Member States. These decisions shall be binding and shall not entail direct effect; the Council, acting by a qualified majority, shall adopt measures necessary to implement those decisions at the level of the Union;

(d) establish conventions which it shall recommend to the Member States for adoption in accordance with their respective constitutional requirements. Member States shall begin the

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\(^{18}\) Article replaced by Art. 1, §51 of Lisbon Treaty

\(^{19}\) As amended by Art. 1, §11 of Amsterdam Treaty

\(^{20}\) Text of the subparagraph and points replaced by Art. 1, §11 of Amsterdam Treaty

\(^{21}\) Point renumbered by Art. 1, §11 of Amsterdam Treaty (ex point (c))
Articles repealed by the Treaty of Lisbon - TEU

procedures applicable within a time limit to be set by the Council.\textsuperscript{22}

Unless they provide otherwise, conventions shall, once adopted by at least half of the Member States, enter into force for those Member States. Measures implementing conventions\textsuperscript{23} shall be adopted within the Council by a majority of two-thirds of the Contracting Parties.

3. Where the Council is required to act by a qualified majority, the votes of its members shall be weighted as laid down in Article 205, §2 of the Treaty establishing the European Community, and for their adoption acts of the Council shall require at least 62 votes in favour, cast by at least 10 members.

4. For procedural questions, the Council shall act by a majority of its members.\textsuperscript{24}

\textit{Maastricht version 1992}

Article K.3

(New Article)\textsuperscript{25}

1. In the areas referred to in Article K.1,\textsuperscript{26} Member States shall inform and consult one another within the Council with a view to coordinating their action. To that end, they shall establish collaboration between the relevant departments of their administrations.

2. The Council may:

- on the initiative of any Member State or of the Commission, in the areas referred to in Article K.1, points 1 to 6;

- on the initiative of any Member State, in the areas referred to in Article K.1, points 7 to 9:

(a) adopt joint positions and promote, using the appropriate form and procedures, any cooperation contributing to the pursuit of the objectives of the Union;

(b) adopt joint action in so far as the objectives of the Union can be attained better by joint action than by the Member States acting individually on account of the scale or effects of the action envisaged; it may decide that measures implementing joint action are to be adopted by a qualified majority;\textsuperscript{27}

(c) without prejudice to Article 220 of the Treaty establishing the European Community, draw up\textsuperscript{28} conventions which it shall recommend to the Member States for adoption in accordance with their respective constitutional requirements.

Unless otherwise provided by such conventions, measures implementing them\textsuperscript{29} shall be adopted within the Council by a majority of two-thirds of the High\textsuperscript{30} Contracting Parties.

Such conventions may stipulate that the Court of Justice shall have jurisdiction to interpret their provisions and to rule on any disputes regarding their application, in accordance with such arrangements as they may lay down.\textsuperscript{31}

\textsuperscript{22} As amended by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{23} As amended by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{24} Paragraphs inserted by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{25} Article inserted by Art. K.3 of Maastricht Treaty
\textsuperscript{26} As amended by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{27} Text of the subparagraph, indents and points replaced by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{28} As amended by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{29} As amended by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{30} As amended by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{31} Subparagraph repealed by Art. 1, §11 of Amsterdam Treaty
Article 35[^32]

(ex Article 35 TEU Amsterdam 1997)

1. The Court of Justice of the European Communities shall have jurisdiction, subject to the conditions laid down in this article, to give preliminary rulings on the validity and interpretation of framework decisions and decisions, on the interpretation of conventions established under this title and on the validity and interpretation of the measures implementing them.

2. By a declaration made at the time of signature of the Treaty of Amsterdam or at any time thereafter, any Member State shall be able to accept the jurisdiction of the Court of Justice to give preliminary rulings as specified in paragraph 1.

3. A Member State making a declaration pursuant to paragraph 2 shall specify that either:

   (a) any court or tribunal of that State against whose decisions there is no judicial remedy under national law may request the Court of Justice to give a preliminary ruling on a question raised in a case pending before it and concerning the validity or interpretation of an act referred to in paragraph 1 if that court or tribunal considers that a decision on the question is necessary to enable it to give judgment;
   
   or
   
   (b) any court or tribunal of that State may request the Court of Justice to give a preliminary ruling on a question raised in a case pending before it and concerning the validity or interpretation of an act referred to in paragraph 1 if that court or tribunal considers that a decision on the question is necessary to enable it to give judgment.

4. Any Member State, whether or not it has made a declaration pursuant to paragraph 2, shall be entitled to submit statements of case or written observations to the Court in cases which arise under paragraph 1.

5. The Court of Justice shall have no jurisdiction to review the validity or proportionality of operations carried out by the police or other law enforcement services of a Member State or the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.

6. The Court of Justice shall have jurisdiction to review the legality of framework decisions and decisions in actions brought by a Member State or the Commission on grounds of lack of competence, infringement of an essential procedural requirement, infringement of this Treaty or of any rule of law relating to its application, or misuse of powers. The proceedings provided for in this paragraph shall be instituted within two months of the publication of the measure.

7. The Court of Justice shall have jurisdiction to rule on any dispute between Member States regarding the interpretation or the application of acts adopted under Article 34, §2 whenever such dispute cannot be settled by the Council within six months of its being referred to the Council by one of its members. The Court shall also have jurisdiction to rule on any dispute between Member States and the Commission regarding the interpretation or the application of conventions established under Article 34, §2, point (d).

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[^32]: Article replaced by Art. 1, §51 of Lisbon Treaty
that a decision on the question is necessary to enable it to give judgment; or

(b) any court or tribunal of that State may request the Court of Justice to give a preliminary ruling on a question raised in a case pending before it and concerning the validity or interpretation of an act referred to in paragraph 1 if that court or tribunal considers that a decision on the question is necessary to enable it to give judgment.

4. Any Member State, whether or not it has made a declaration pursuant to paragraph 2, shall be entitled to submit statements of case or written observations to the Court in cases which arise under paragraph 1.

5. The Court of Justice shall have no jurisdiction to review the validity or proportionality of operations carried out by the police or other law enforcement services of a Member State or the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security.

6. The Court of Justice shall have jurisdiction to review the legality of framework decisions and decisions in actions brought by a Member State or the Commission on grounds of lack of competence, infringement of an essential procedural requirement, infringement of this Treaty or of any rule of law relating to its application, or misuse of powers. The proceedings provided for in this paragraph shall be instituted within two months of the publication of the measure.

7. The Court of Justice shall have jurisdiction to rule on any dispute between Member States regarding the interpretation or the application of acts adopted under Article 34, §2 whenever such dispute cannot be settled by the Council within six months of its being referred to the Council by one of its members. The Court shall also have jurisdiction to rule on any dispute between Member States and the Commission regarding the interpretation or the application of conventions established under Article 34, §2, point (d).\(^33\)

Maastricht version 1992

Article K.3, §2, point c), sub§3

(New Article)\(^34\)

(...) Such conventions may stipulate that the Court of Justice shall have jurisdiction to interpret their provisions and to rule on any disputes regarding their application, in accordance with such arrangements as they may lay down.\(^35\)

\(^{33}\) Text of the Article replaced by Art. 1, §11 of Amsterdam Treaty

\(^{34}\) Article inserted by Art. K.3 of Maastricht Treaty

\(^{35}\) Text of the subparagraph replaced by Art. 1, §11 of Amsterdam Treaty
Articles repealed by the Treaty of Lisbon - TEU

Nice version 2001

Article 37

(ex Article 37 TEU Amsterdam 1997)

Within international organisations and at international conferences in which they take part, Member States shall defend the common positions adopted under the provisions of this title.

Articles 18 and 19 shall apply as appropriate to matters falling under this title.

Amsterdam version 1997

Article 37

(ex Article K.5 TEU Maastricht 1992)

Within international organisations and at international conferences in which they take part, Member States shall defend the common positions adopted under the provisions of this Title.

Articles 18 and 19 shall apply as appropriate to matters falling under this Title.

Maastricht version 1992

Article K.5

(New Article)

Within international organizations and at international conferences in which they take part, Member States shall defend the common positions adopted under the provisions of this Title.

Agreements referred to in Article 24 may cover matters falling under this title.

Nice version 2001

Article 38

(ex Article 38 TEU Amsterdam 1997)

Agreements referred to in Article 24 may cover matters falling under this title.

Amsterdam version 1997

Article 38

(New Article)

Agreements referred to in Article 24 may cover matters falling under this title.

Article replaced by Art. 1, §51 of Lisbon Treaty

Subparagraph inserted by Art. 1, §11 of Amsterdam Treaty

Article inserted by Art. K.5 of Maastricht Treaty

Article replaced by Art. 1, §51 of Lisbon Treaty

Article inserted by Art. 1, §11 of Amsterdam Treaty
Nice version 2001

Article 39\(^{41}\)

(ex Article 39 TEU Amsterdam 1997)

1. The Council shall consult the European Parliament before adopting any measure referred to in Article 34, §2, points (b), (c) and (d). The European Parliament shall deliver its opinion within a time limit which the Council may lay down, which shall not be less than three months. In the absence of an opinion within that time limit, the Council may act.

2. The Presidency and the Commission shall regularly inform the European Parliament of discussions in the areas covered by this title.

3. The European Parliament may ask questions of the Council or make recommendations to it. Each year, it shall hold a debate on the progress made in the areas referred to in this title.

Amsterdam version 1997

Article 39

(ex Article K.6 TEU Maastricht 1992)

1. The Council shall consult the European Parliament before adopting any measure referred to in Article 34, §2, points (b), (c) and (d). The European Parliament shall deliver its opinion within a time limit which the Council may lay down, which shall not be less than three months. In the absence of an opinion within that time limit, the Council may act.

2. The Presidency and the Commission shall regularly inform the European Parliament of discussions in the areas covered by this title.

3. The European Parliament may ask questions of the Council or make recommendations to it. Each year, it shall hold a debate on the progress made in the areas referred to in this title.

Maastricht version 1992

Article K.6

(New Article)\(^{46}\)

The Presidency and the Commission shall regularly inform the European Parliament of discussions in the areas covered by this Title.

The Presidency shall consult the European Parliament on the principal aspects of activities in the areas referred to in this Title and shall ensure that the views of the European Parliament are duly taken into consideration.\(^{47}\)

The European Parliament may ask questions of the Council or make recommendations to it. Each year, it shall hold a debate on the progress made in implementation of the areas referred to in this Title.

\(^{41}\) Article replaced by Art. 1, §51 of Lisbon Treaty
\(^{42}\) Numbering of paragraphs inserted by Art. 1, §11 of Amsterdam Treaty (ex sub§2)
\(^{43}\) Text of the paragraph replaced by Art. 1, §11 of Amsterdam Treaty (ex sub§2)
\(^{44}\) Paragraph renumbered by Art. 1, §11 of Amsterdam Treaty (ex sub§1)
\(^{45}\) Paragraph renumbered by Art. 1, §11 of Amsterdam Treaty (ex sub§3)
\(^{46}\) Article inserted by Art. K.6 of Maastricht Treaty
\(^{47}\) Text of the subparagraph replaced by Art. 1, §11 of Amsterdam Treaty (ex sub§2)
Nice version 2001

Article 41\(^{48}\)

(ex Article 41 TEU Amsterdam 1997)

1. Articles 189, 190, 195, 196 to 199, 203, 204, 205, §3, 206 to 209, 213 to 219, 255 and 290 of the Treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this title.

2. Administrative expenditure which the provisions relating to the areas referred to in this title entail for the institutions shall be charged to the budget of the European Communities.

3. Operating expenditure to which the implementation of those provisions gives rise shall also be charged to the budget of the European Communities, except where the Council acting unanimously decides otherwise. In cases where expenditure is not charged to the budget of the European Communities it shall be charged to the Member States in accordance with the gross national product scale, unless the Council acting unanimously decides otherwise.

4. The budgetary procedure laid down in the Treaty establishing the European Community shall apply to the expenditure charged to the budget of the European Communities.

Amsterdam version 1997

Article 41

(ex Article K.8 TEU Maastricht 1992)

1. Articles 189, 190, 195, 196 to 199, 203, 204, 205, §3, 206 to 209, 213 to 219, 255 and 290\(^{49}\) of the Treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this title.

2. Administrative expenditure which the provisions relating to the areas referred to in this title entail for the institutions shall be charged to the budget of the European Communities.

The Council may also:

- either decide unanimously that operational expenditure to which the implementation of those provisions gives rise is to be charged to the budget of the European Communities; in that event, the budgetary procedure laid down in the Treaty establishing the European Community shall be applicable;

- or determine that such expenditure shall be charged to the Member States, where appropriate in accordance with a scale to be decided.\(^{53}\)

Maastricht version 1992

Article K.8

(New Article)\(^{51}\)

1. The provisions referred to in Articles 137, 138, 139 to 142, 146, 147, 150 to 153, 157 to 163 and 217\(^{52}\) of the Treaty establishing the European Community shall apply to the provisions relating to the areas referred to in this Title.

2. Administrative expenditure which the provisions relating to the areas referred to in this Title entail for the institutions shall be charged to the budget of the European Communities.

Paragraphs inserted by Art. 1, §11 of Amsterdam Treaty

Article inserted by Art. K.8 of Maastricht Treaty

As amended by Art. 1, §11 of Amsterdam Treaty

Subparagraph and indents repealed by Art. 1, §11 of Amsterdam Treaty

\(^{48}\) Article repealed by Art. 1, §53 of Lisbon Treaty

\(^{49}\) As amended by Art. 1, §11 of Amsterdam Treaty

\(^{50}\) Paragraphs inserted by Art. 1, §11 of Amsterdam Treaty

\(^{51}\) Article inserted by Art. K.8 of Maastricht Treaty

\(^{52}\) As amended by Art. 1, §11 of Amsterdam Treaty

\(^{53}\) Subparagraph and indents repealed by Art. 1, §11 of Amsterdam Treaty
Nice version 2001

Article 42

(ex Article 42 TEU Amsterdam 1997)

The Council, acting unanimously on the initiative of the Commission or a Member State, and after consulting the European Parliament, may decide that action in areas referred to in Article 29 shall fall under Title IV of the Treaty establishing the European Community, and at the same time determine the relevant voting conditions relating to it. It shall recommend the Member States to adopt that decision in accordance with their respective constitutional requirements.

Amsterdam version 1997

Article 42

(ex Article K.9 TEU Maastricht 1992)

The Council, acting unanimously on the initiative of the Commission or a Member State, and after consulting the European Parliament, may decide that action in areas referred to in Article 29 shall fall under Title IV of the Treaty establishing the European Community, and at the same time determine the relevant voting conditions relating to it. It shall recommend the Member States to adopt that decision in accordance with their respective constitutional requirements.

Maastricht version 1992

Article K.9

(New Article)

The Council, acting unanimously on the initiative of the Commission or a Member State, may decide to apply Article 100 C of the Treaty establishing the European Community to action in areas referred to in Article K.1, points (1) to (6), and at the same time determine the relevant voting conditions relating to it. It shall recommend the Member States to adopt that decision in accordance with their respective constitutional requirements.

54 Article repealed by Art. 1, §53 of Lisbon Treaty
55 As amended by Art. 1, §11 of Amsterdam Treaty
56 As amended by Art. 1, §11 of Amsterdam Treaty
57 Article inserted by Art. K.9 of Maastricht Treaty
58 As amended by Art. 1, §11 of Amsterdam Treaty
59 Article repealed by Art. 1, §54 of Lisbon Treaty
60 As amended by Art. 1, §15 of Nice Treaty
61 Point inserted by Art. 1, §15 of Nice Treaty
62 Point renumbered by Art. 1, §15 of Nice Treaty (ex point e))
Amsterdam version 1997

TITLE VIII

FINAL PROVISIONS

(ex Article 31 TEEC Single European Act 1986)

Article 46

The provisions of the Treaty establishing the European Community, the Treaty establishing the European Coal and Steel Community, and the Treaty establishing the European Atomic Energy Community concerning the powers of the Court of Justice of the European Communities and the exercise of those powers shall apply only to the following provisions of this Treaty:

(a) provisions amending the Treaty establishing the European Economic Community with a view to establishing the European Community, the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community;

(b) provisions of Title VI, under the conditions provided for by Article 35;

(c) provisions of Title VII, under the conditions provided for by Article 1163 of the Treaty establishing the European Community and Article 40 of this Treaty;

(d) Article 6, §2 with regard to action of the institutions, insofar as the Court has jurisdiction under the Treaties establishing the European Communities and under this Treaty;

(e) Articles 46 to 53.64

Maastricht version 1992

TITLE VII

FINAL PROVISIONS

(ex Article L TEU Maastricht 1992)

The provisions of the Treaty establishing the European Community, the Treaty establishing the European Coal and Steel Community65 and the Treaty establishing the European Atomic Energy Community concerning the powers of the Court of Justice of the European Communities and the exercise of those powers shall apply only to the following provisions of this Treaty:66

(a) provisions amending the Treaty establishing the European Economic Community with a view to establishing the European Community, the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community;

(b) the third subparagraph of Article K.3, §2, point (c);

(c) Articles L to S.67,68

Single European Act version 1986

TITLE IV

GENERAL AND FINAL PROVISIONS

Article 31 TEEC

(New Article)69

The provisions of the Treaty establishing the European Coal and Steel Community, the Treaty establishing the European Economic Community70 and the Treaty establishing the European Atomic Energy Community concerning the powers of the Court of Justice of the European Communities and the exercise of those powers shall apply only to the provisions of Title II and to Article 32; they shall apply to those provisions under the same conditions as for the provisions of the said Treaties.71

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63 As amended by Art. 1, §15 of Nice Treaty
64 Points inserted by Art. 1, §13 of Amsterdam Treaty
65 As amended by Art. L of Maastricht Treaty
66 As amended by Art. L of Maastricht Treaty
67 Text of the point replaced by Art. 1, §13 of Amsterdam Treaty
68 As amended by Art. L of Maastricht Treaty
69 Article inserted by Art. 31 of the Single European Act
70 As amended by Art. L of Maastricht Treaty
71 As amended by Art. L of Maastricht Treaty
Articles repealed by the Treaty of Lisbon - TEU

**Nice version 2001**

Article 50\(^{72}\)

(ex Article 50 TEU Amsterdam 1997)

1. Articles 2 to 7 and 10 to 19 of the Treaty establishing a Single Council and a Single Commission of the European Communities, signed in Brussels on 8 April 1965, are hereby repealed.

2. Article 2, Article 3, §2 and Title III of the Single European Act signed in Luxembourg on 17 February 1986 and in The Hague on 28 February 1986 are hereby repealed.

**Amsterdam version 1997**

Article 50

(ex Article P TEU Maastricht 1992)

1. Articles 2 to 7 and 10 to 19 of the Treaty establishing a Single Council and a Single Commission of the European Communities, signed in Brussels on 8 April 1965, are hereby repealed.

2. Article 2, Article 3, §2 and Title III of the Single European Act signed in Luxembourg on 17 February 1986 and in The Hague on 28 February 1986 are hereby repealed.

**Maastricht version 1992**

Article P

(New Article)\(^{73}\)

1. Articles 2 to 7 and 10 to 19 of the Treaty establishing a single Council and a single Commission of the European Communities, signed in Brussels on 8 April 1965, are hereby repealed.

2. Article 2, Article 3, §2 and Title III of the Single European Act signed in Luxembourg on 17 February 1986 and in The Hague on 28 February 1986 are hereby repealed.

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\(^{72}\) Article repealed by Art. 1, §54 of Lisbon Treaty

\(^{73}\) Article inserted by Art. P of Maastricht Treaty
NICE 2001

TREATY ESTABLISHING THE EUROPEAN COMMUNITY

Nice version 2001

PART ONE

PRINCIPLES

Article 1

(ex Article 1 TEC Amsterdam 1997)

By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN COMMUNITY.

Amsterdam version 1997

PART ONE

PRINCIPLES

Article 1

(ex Article 1 TEC Maastricht 1992)

By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN COMMUNITY.

Maastricht version 1992

PART ONE

PRINCIPLES

Article 1

(ex Article 1 TEEC Single European Act 1986)

By this Treaty, the High Contracting Parties establish among themselves a European Community.

Single European Act version 1986

PART ONE

PRINCIPLES

Article 1

(ex Article 1 TEEC Rome 1957)

By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN ECONOMIC COMMUNITY.

Rome version 1957

PART ONE

PRINCIPLES

Article 1

(New Article)

By this Treaty, the HIGH CONTRACTING PARTIES establish among themselves a EUROPEAN ECONOMIC COMMUNITY.

74 Article repealed by Art. 2, §11 of Lisbon Treaty

75 As amended by Art. G, §1 of Maastricht Treaty
Articles repealed by the Treaty of Lisbon - TEC

Nice version 2001

Article 976

(ex Article 9 TEC Amsterdam 1997)

A European Investment Bank is hereby established, which shall act within the limits of the powers conferred upon it by this Treaty and the Statute annexed thereto.

Amsterdam version 1997

Article 9

(ex Article 4 B TEC Maastricht 1992)

A European Investment Bank is hereby established, which shall act within the limits of the powers conferred upon it by this Treaty and the Statute annexed thereto.

Maastricht version 1992

Article 4 B

(New Article)77

A European Investment Bank is hereby established, which shall act within the limits of the powers conferred upon it by this Treaty and the Statute annexed thereto.

Nice version 2001

Article 6778

(ex Article 67 TEC Amsterdam 1997)

1. During a transitional period of five years following the entry into force of the Treaty of Amsterdam, the Council shall act unanimously on a proposal from the Commission or on the initiative of a Member State and after consulting the European Parliament.

2. After this period of five years:

— the Council shall act on proposals from the Commission; the Commission shall examine any request made by a Member State that it submit a proposal to the Council,

— the Council, acting unanimously after consulting the European Parliament, shall take a decision with a view to providing for all or parts of the areas covered by this title to be governed by the procedure referred to in Article 251 and adapting the provisions relating to the powers of the Court of Justice.

3. By derogation from paragraphs 1 and 2, measures referred to in Article 62, points (2), (b), (i) and (iii) shall, from the entry into force of the Treaty of Amsterdam, be adopted by the Council acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.

4. By derogation from paragraph 2, measures referred to in Article 62, points (2), (b), (ii) and (iv) shall, after a period of five years following the entry into force of the Treaty of Amsterdam, be adopted by the Council acting in accordance with the procedure referred to in Article 251.

5. By derogation from paragraph 1, the Council shall adopt, in accordance with the procedure referred to in Article 251:

— the measures provided for in Article 63, point (1) and point (2), (a) provided that the Council has previously adopted, in accordance with paragraph 1 of this article, Community legislation defining the common rules and basic principles governing these issues,

76 Article repealed by Art. 2, §22 of Lisbon Treaty
77 Article inserted by Art. G, §7 of Maastricht Treaty
78 Article repealed by Art. 2, §67 of Lisbon Treaty
— the measures provided for in Article 65 with the exception of aspects relating to family law.79

Amsterdam version 1997

Article 67

(New Article)80

1. During a transitional period of five years following the entry into force of the Treaty of Amsterdam, the Council shall act unanimously on a proposal from the Commission or on the initiative of a Member State and after consulting the European Parliament.

2. After this period of five years:

- the Council shall act on proposals from the Commission; the Commission shall examine any request made by a Member State that it submit a proposal to the Council;

- the Council, acting unanimously after consulting the European Parliament, shall take a decision with a view to providing for all or parts of the areas covered by this Title to be governed by the procedure referred to in Article 251 and adapting the provisions relating to the powers of the Court of Justice.

3. By derogation from paragraphs 1 and 2, measures referred to in Article 62, points (2), (b) (i) and (iii) shall, from the entry into force of the Treaty of Amsterdam, be adopted by the Council acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.

4. By derogation from paragraph 2, measures referred to in Article 62, points (2), (b) (ii) and (iv) shall, after a period of five years following the entry into force of the Treaty of Amsterdam, be adopted by the Council acting in accordance with the procedure referred to in Article 251.

81 Paragraph and indents inserted by Art. 2, §4 of Nice Treaty

82 Article repealed by Art. 2, §67 of Lisbon Treaty

Amsterdam version 1997

Article 68

(New Article)83

1. Article 234 shall apply to this Title under the following circumstances and conditions: where a question on the interpretation of this Title or on the validity or interpretation of acts of the institutions of the Community based on this Title is raised in a case pending before a court or a tribunal of a Member State against whose decisions there is no judicial remedy under national law, that court or tribunal shall, if it considers that a decision on the question is necessary to enable it to give judgment, request the Court of Justice to give a ruling thereon.

2. In any event, the Court of Justice shall not have jurisdiction to rule on any measure or decision taken pursuant to Article 62, point (1) relating to the maintenance of law and order and the safeguarding of internal security.

3. The Council, the Commission or a Member State may request the Court of Justice to give a ruling on a question of interpretation of this Title or of acts of the institutions of the Community based on this Title. The ruling given by the Court of Justice in response to such a request shall not apply to judgments of courts or tribunals of the Member States which have become res judicata.
maintenance of law and order and the safeguarding of internal security.

3. The Council, the Commission or a Member State may request the Court of Justice to give a ruling on a question of interpretation of this Title or of acts of the institutions of the Community based on this Title. The ruling given by the Court of Justice in response to such a request shall not apply to judgments of courts or tribunals of the Member States which have become res judicata.

Nice version 2001

Article 6983
(ex Article 69 TEC Amsterdam 1997)

The application of this title shall be subject to the provisions of the Protocol on the position of the United Kingdom and Ireland and to the Protocol on the position of Denmark and without prejudice to the Protocol on the application of certain aspects of Article 14 of the Treaty establishing the European Community to the United Kingdom and to Ireland.

Amsterdam version 1997

Article 69

(New Article)84

The application of this title shall be subject to the provisions of the Protocol on the position of the United Kingdom and Ireland and to the Protocol on the position of Denmark and without prejudice to the Protocol on the application of certain aspects of Article 14 of the Treaty establishing the European Community to the United Kingdom and to Ireland.

83 Article repealed by Art. 2, §67 of Lisbon Treaty
84 Article inserted by Art. 2, §15 of Amsterdam Treaty
1. The second stage for achieving economic and monetary union shall begin on 1 January 1994.

2. Before that date:
   (a) each Member State shall:
   — adopt, where necessary, appropriate measures to comply with the prohibitions laid down in Article 56 and in Articles 101 and 102, §1;
   — adopt, if necessary, with a view to permitting the assessment provided for in subparagraph (b), multiannual programmes intended to ensure the lasting convergence necessary for the achievement of economic and monetary union, in particular with regard to price stability and sound public finances;

   (b) the Council shall, on the basis of a report from the Commission, assess the progress made with regard to economic and monetary convergence, in particular with regard to price stability and sound public finances, and the progress made with the implementation of Community law concerning the internal market.

3. The provisions of Articles 101, 102, §1, 103, §1 and 104 with the exception of paragraphs 1, 9, 11 and 14 shall apply from the beginning of the second stage.

4. In the second stage, Member States shall endeavour to avoid excessive government deficits.

5. During the second stage, each Member State shall, as appropriate, start the process leading to the independence of its central bank, in accordance with Article 109.
CHAPTER 4
TRANSITIONAL PROVISIONS
Article 109 E
(New Article)\(^{86}\)

1. The second stage for achieving economic and monetary union shall begin on 1 January 1994.

2. Before that date:
   (a) each Member State shall:

   - adopt, where necessary, appropriate measures to comply with the prohibitions laid down in Article 73 B, without prejudice to Article 73 E, and in Articles 104 and 104 A, §1;

   - adopt, if necessary, with a view to permitting the assessment provided for in subparagraph (b), multiannual programmes intended to ensure the lasting convergence necessary for the achievement of economic and monetary union, in particular with regard to price stability and sound public finances;

   (b) the Council shall, on the basis of a report from the Commission, assess the progress made with regard to economic and monetary convergence, in particular with regard to price stability and sound public finances, and the progress made with the implementation of Community law concerning the internal market.

3. The provisions of Articles 104, 104 A, §1, 104 B, §1 and 104 C with the exception of paragraphs 1, 9, 11 and 14 shall apply from the beginning of the second stage.

The provisions of Articles 103 A, §2, 104 C, §§1, 9 and 11, 105, 105 A, 107, 109, 109 A, 109 B and 109 C, §§2 and 4 shall apply from the beginning of the third stage.

4. In the second stage, Member States shall endeavour to avoid excessive government deficits.

5. During the second stage, each Member State shall, as appropriate, start the process leading to the independence of its central bank, in accordance with Article 108.

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\(^{86}\) Article inserted by Art. G, §25 of Maastricht Treaty

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Nice version 2001

Article 118\(^{87}\)
(ex Article 118 TEC Amsterdam 1997)
The currency composition of the ECU basket shall not be changed.

From the start of the third stage, the value of the ECU shall be irrevocably fixed in accordance with Article 123, §4.

Amsterdam version 1997

Article 118
(ex Article 109 G TEC Maastricht 1992)
The currency composition of the ECU basket shall not be changed.

From the start of the third stage, the value of the ECU shall be irrevocably fixed in accordance with Article 123, §4.

Maastricht version 1992

Article 109 G
(New Article)\(^{88}\)
The currency composition of the ECU basket shall not be changed.

From the start of the third stage, the value of the ECU shall be irrevocably fixed in accordance with Article 109 L, §4.

\(^{87}\) Article repealed by Art. 2, §103 of Lisbon Treaty

\(^{88}\) Article inserted by Art. G, §25 of Maastricht Treaty
Articles repealed by the Treaty of Lisbon - TEC

Nice version 2001

Article 132\(^9\)

(ex Article 132 TEC Amsterdam 1997)

1. Without prejudice to obligations undertaken by them within the framework of other international organisations, Member States shall progressively harmonise the systems whereby they grant aid for exports to third countries, to the extent necessary to ensure that competition between undertakings of the Community is not distorted.

On a proposal from the Commission, the Council shall, acting by a qualified majority, issue any directives needed for this purpose.

2. The preceding provisions shall not apply to such a drawback of customs duties or charges having equivalent effect nor to such a repayment of indirect taxation including turnover taxes, excise duties and other indirect taxes as is allowed when goods are exported from a Member State to a third country, in so far as such a drawback or repayment does not exceed the amount imposed, directly or indirectly, on the products exported.

Amsterdam version 1997

Article 132

(ex Article 112 TEC Maastricht 1992)

1. Without prejudice to obligations undertaken by them within the framework of other international organizations, Member States shall, before the end of the transitional period, progressively harmonize the systems whereby they grant aid for exports to third countries, to the extent necessary to ensure that competition between undertakings of the Community is not distorted.

On a proposal from the Commission, the Council, shall, acting unanimously until the end of the second stage and by a qualified majority thereafter, issue any directives needed for this purpose.

2. The preceding provisions shall not apply to such drawback of customs duties or charges having equivalent effect nor to such repayment of indirect taxation including turnover taxes, excise duties and other indirect taxes as is allowed when goods are exported from a Member State to a third country, in so far as such drawback or repayment does not exceed the amount imposed, directly or indirectly, on the products exported.

Maastricht version 1992

Article 112

(ex Article 112 TEEC Single European Act 1986)

1. Without prejudice to obligations undertaken by them within the framework of other international organizations, Member States shall, before the end of the transitional period, progressively harmonize the systems whereby they grant aid for exports to third countries, to the extent necessary to ensure that competition between undertakings of the Community is not distorted.

On a proposal from the Commission, the Council, shall, acting unanimously until the end of the second stage and by a qualified majority thereafter, issue any directives needed for this purpose.

2. The preceding provisions shall not apply to such drawback of customs duties or charges having equivalent effect nor to such repayment of indirect taxation including turnover taxes, excise duties and other indirect taxes as is allowed when goods are exported from a Member State to a third country, in so far as such drawback or repayment does not exceed the amount imposed, directly or indirectly, on the products exported.

Single European Act version 1986

Article 112

(ex Article 112 TEEC Rome 1957)

1. Without prejudice to obligations undertaken by them within the framework of other international organizations, Member States shall, before the end of the transitional period, progressively harmonise the systems whereby they grant aid for exports to third countries, to the extent necessary to ensure that competition between undertakings of the Community is not distorted.

On a proposal from the Commission, the Council, shall, acting unanimously until the end of the second stage and by a qualified majority thereafter, issue any directives needed for this purpose.

2. The preceding provisions shall not apply to such drawback of customs duties or charges having equivalent effect nor to such repayment of indirect taxation including turnover taxes, excise duties and other indirect taxes as is allowed when goods are exported from a Member State to a third country, in so far as such drawback or repayment does not exceed the amount imposed, directly or indirectly, on the products exported.

\(^9\) As amended by Art. 6, §57 of Amsterdam Treaty

\(^90\) Article repealed by Art. 2, §112 of Lisbon Treaty

\(^91\) As amended by Art. 6, §57 of Amsterdam Treaty

\(^92\) As amended by Art. 6, §57 of Amsterdam Treaty

[32]
exported from a Member State to a third country, in so far as such drawback or repayment does not exceed the amount imposed, directly or indirectly, on the products exported.

**Rome version 1957**

Article 112

(New Article)

1. Without prejudice to obligations undertaken by them within the framework of other international organisations, Member States shall, before the end of the transitional period, progressively harmonise the systems whereby they grant aid for exports to third countries, to the extent necessary to ensure that competition between undertakings of the Community is not distorted.

On a proposal from the Commission, the Council, shall, acting unanimously until the end of the second stage and by a qualified majority thereafter, issue any directives needed for this purpose.

2. The preceding provisions shall not apply to such drawback of customs duties or charges having equivalent effect nor to such repayment of indirect taxation including turnover taxes, excise duties and other indirect taxes as is allowed when goods are exported from a Member State to a third country, in so far as such drawback or repayment does not exceed the amount imposed, directly or indirectly, on the products exported.

**Nice version 2001**

Article 134\(^{93}\)

(ex Article 134 TEC Amsterdam 1997)

In order to ensure that the execution of measures of commercial policy taken in accordance with this Treaty by any Member State is not obstructed by deflection of trade, or where differences between such measures lead to economic difficulties in one or more Member States, the Commission shall recommend the methods for the requisite cooperation between Member States. Failing this, the Commission may authorise Member States to take the necessary protective measures, the conditions and details of which it shall determine.

In case of urgency, Member States shall request authorisation to take the necessary measures themselves from the Commission, which shall take a decision as soon as possible; the Member States concerned shall then notify the measures to the other Member States. The Commission may decide at any time that the Member States concerned shall amend or abolish the measures in question.

In the selection of such measures, priority shall be given to those which cause the least disturbance of the functioning of the common market.

**Amsterdam version 1997**

Article 134

(ex Article 115 TEC Maastricht 1992)

In order to ensure that the execution of measures of commercial policy taken in accordance with this Treaty by any Member State is not obstructed by deflection of trade, or where differences between such measures lead to economic difficulties in one or more Member States, the Commission shall recommend the methods for the requisite cooperation between Member States. Failing this, the Commission may authorise Member States to take the necessary protective measures, the conditions and details of which it shall determine.

In case of urgency, Member States shall request authorisation to take the necessary measures themselves from the Commission, which shall take a decision as soon as possible; the Member States concerned shall then notify the measures to the other Member States. The Commission may decide at any

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\(^{93}\) Article repealed by Art. 2, §112 of Lisbon Treaty
time that the Member States concerned shall amend or abolish the measures in question.

In the selection of such measures, priority shall be given to those which cause the least disturbance of the functioning of the common market.

Maastricht version 1992

Article 115
(ex Article 115 TEEC Single European Act 1986)

In order to ensure that the execution of measures of commercial policy taken in accordance with this Treaty by any Member State is not obstructed by deflection of trade, or where differences between such measures lead to economic difficulties in one or more Member States, the Commission shall recommend the methods for the requisite cooperation between Member States. Failing this, the Commission may authorize Member States to take the necessary protective measures, the conditions and details of which it shall determine.

In case of urgency, Member States shall request authorization to take the necessary measures themselves from the Commission, which shall take a decision as soon as possible; the Member States concerned shall then notify the measures to the other Member States. The Commission may decide at any time that the Member States concerned shall amend or abolish the measures in question.\(^{94}\)

In the selection of such measures, priority shall be given to those which cause the least disturbance of the functioning of the common market.

Single European Act version 1986

Article 115
(ex Article 115 TEEC Rome 1957)

In order to ensure that the execution of measures of commercial policy taken in accordance with this Treaty by any Member State is not obstructed by deflection of trade, or where differences between such measures lead to economic difficulties in one or more of the Member States, the Commission shall recommend the methods for the requisite cooperation between Member States. Failing this, the Commission shall authorize Member States to take the necessary protective measures, the conditions and details of which it shall determine.

In case of urgency during the transitional period, Member States may themselves take the necessary measures and shall notify them to the other Member States and to the Commission, which may decide that the States concerned shall amend or abolish such measures.\(^{97}\)

In the selection of such measures, priority shall be given to those which cause the least disturbance to the functioning of the common market and which take into account the need to expedite, as far as possible, the introduction of the common customs tariff.\(^{98}\)

Rome version 1957

Article 115
(New Article)

In order to ensure that the execution of measures of commercial policy taken in accordance with this Treaty by any Member State is not obstructed by deflection of trade, or where differences between such measures lead to economic difficulties in one or more of the Member States, the Commission shall recommend the methods for the requisite cooperation between Member States. Failing this, the Commission shall authorize Member States to take the necessary protective measures, the conditions and details of which it shall determine.

In case of urgency during the transitional period, Member States may themselves take the necessary measures and shall notify them to the other Member States and to the Commission, which may decide that the States concerned shall amend or abolish such measures.

In the selection of such measures, priority shall be given to those which cause the least disturbance to the functioning of the common market and which take into account the need to expedite, as far as possible, the introduction of the common customs tariff.

\(^{94}\) As amended by Art. G, §30 of Maastricht Treaty
\(^{95}\) As amended by Art. G, §30 of Maastricht Treaty
\(^{96}\) As amended by Art. G, §30 of Maastricht Treaty
\(^{97}\) As amended by Art. G, §30 of Maastricht Treaty
\(^{98}\) As amended by Art. G, §30 of Maastricht Treaty
The Community shall take account of the objectives referred to in Article 177 in the policies that it implements which are likely to affect developing countries.

The Community shall take account of the objectives referred to in Article 177 in the policies that it implements which are likely to affect developing countries.

The Community shall take account of the objectives referred to in Article 177 in the policies that it implements which are likely to affect developing countries.

Where reference is made in this Treaty to this Article for the adoption of an act, the following procedure shall apply.

(a) The Council, acting by a qualified majority on a proposal from the Commission and after obtaining the opinion of the European Parliament, shall adopt a common position.

(b) The Council's common position shall be communicated to the European Parliament. The Council and the Commission shall inform the European Parliament fully of the reasons which led the Council to adopt its common position and also of the Commission's position.

If, within three months of such communication, the European Parliament approves this common position or has not taken a decision within that period, the Council shall definitively adopt the act in question in accordance with the common position.

(c) The European Parliament may, within the period of three months referred to in point (b), by an absolute majority of its component Members, propose amendments to the Council's common position. The European Parliament may also, by the same majority, reject the Council's common position. The result of the proceedings shall be transmitted to the Council and the Commission.

If the European Parliament has rejected the Council's common position, unanimity shall be required for the Council to act on a second reading.

(d) The Commission shall, within a period of one month, re-examine the proposal on the basis of which the Council adopted its common position, by taking into account the amendments proposed by the European Parliament.

The Commission shall forward to the Council, at the same time as its re-examined proposal, the amendments of the European Parliament which it has not accepted, and shall express its opinion on them. The Council may adopt these amendments unanimously.

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99 Article repealed by Art. 2, §145 of Lisbon Treaty
100 Article inserted by Art. G, §38 of Maastricht Treaty
101 Article repealed by Art. 2, §240 of Lisbon Treaty
(e) The Council, acting by a qualified majority, shall adopt the proposal as re-examined by the Commission.

Unanimity shall be required for the Council to amend the proposal as re-examined by the Commission.

(f) In the cases referred to in points (c), (d) and (e), the Council shall be required to act within a period of three months. If no decision is taken within this period, the Commission proposal shall be deemed not to have been adopted.

(g) The periods referred to in points (b) and (f) may be extended by a maximum of one month by common accord between the Council and the European Parliament.

Amsterdam version 1997

Article 252

(ex Article 189 C TEC Maastricht 1992)

Where reference is made in this Treaty to this Article for the adoption of an act, the following procedure shall apply.

(a) The Council, acting by a qualified majority on a proposal from the Commission and after obtaining the opinion of the European Parliament, shall adopt a common position.

(b) The Council's common position shall be communicated to the European Parliament. The Council and the Commission shall inform the European Parliament fully of the reasons which led the Council to adopt its common position and also of the Commission's position.

If, within three months of such communication, the European Parliament approves this common position or has not taken a decision within that period, the Council shall definitively adopt the act in question in accordance with the common position.

(c) The European Parliament may, within the period of three months referred to in point (b), by an absolute majority of its component Members, propose amendments to the Council's common position. The European Parliament may also, by the same majority, reject the Council's common position. The result of the proceedings shall be transmitted to the Council and the Commission.

If the European Parliament has rejected the Council's common position, unanimity shall be required for the Council to act on a second reading.

(d) The Commission shall, within a period of one month, re-examine the proposal on the basis of which the Council adopted its common position, by taking into account the amendments proposed by the European Parliament.

The Commission shall forward to the Council, at the same time as its re-examined proposal, the amendments of the European Parliament which it has not accepted, and shall express its objection to them. The Council may adopt these amendments unanimously.

(e) The Council, acting by a qualified majority, shall adopt the proposal as re-examined by the Commission.

Unanimity shall be required for the Council to amend the proposal as re-examined by the Commission.

(f) In the cases referred to in points (c), (d) and (e), the Council shall be required to act within a period of three months. If no decision is taken within this period, the Commission proposal shall be deemed not to have been adopted.

(g) The periods referred to in points (b) and (f) may be extended by a maximum of one month by common accord between the Council and the European Parliament.

Maastricht version 1992

Article 189 C

(New Article)102

Where reference is made in this Treaty to this Article for the adoption of an act, the following procedure shall apply.

(a) The Council, acting by a qualified majority on a proposal from the Commission and after obtaining the opinion of the European Parliament, shall adopt a common position.

(b) The Council's common position shall be communicated to the European Parliament. The Council and the Commission shall inform the European Parliament fully of the reasons which led the Council to adopt its common position.

102 Article inserted by Art. G, §61 of Maastricht Treaty
the Council to adopt its common position and also of the Commission's position.

If, within three months of such communication, the European Parliament approves this common position or has not taken a decision within that period, the Council shall definitively adopt the act in question in accordance with the common position.

(c) The European Parliament may, within the period of three months referred to in point (b), by an absolute majority of its component Members, propose amendments to the Council's common position. The European Parliament may also, by the same majority, reject the Council's common position. The result of the proceedings shall be transmitted to the Council and the Commission.

If the European Parliament has rejected the Council's common position, unanimity shall be required for the Council to act on a second reading.

(d) The Commission shall, within a period of one month, re-examine the proposal on the basis of which the Council adopted its common position, by taking into account the amendments proposed by the European Parliament.

The Commission shall forward to the Council, at the same time as its re-examined proposal, the amendments of the European Parliament which it has not accepted, and shall express its opinion on them. The Council may adopt these amendments unanimously.

(e) The Council, acting by a qualified majority, shall adopt the proposal as re-examined by the Commission.

Unanimity shall be required for the Council to amend the proposal as re-examined by the Commission.

(f) In the cases referred to in points (c), (d) and (e), the Council shall be required to act within a period of three months. If no decision is taken within this period, the Commission proposal shall be deemed not to have been adopted.

(g) The periods referred to in points (b) and (f) may be extended by a maximum of one month by common accord between the Council and the European Parliament.

The Committee shall include specialised sections for the principal fields covered by this Treaty.

These specialised sections shall operate within the general terms of reference of the Committee. They may not be consulted independently of the Committee.

Subcommittees may also be established within the Committee to prepare on specific questions or in specific fields, draft opinions to be submitted to the Committee for its consideration.

The Rules of Procedure shall lay down the methods of composition and the terms of reference of the specialised sections and of the subcommittees.

The Committee shall include specialised sections for the principal fields covered by this Treaty.

These specialised sections shall operate within the general terms of reference of the Committee. They may not be consulted independently of the Committee.

Subcommittees may also be established within the Committee to prepare on specific questions or in specific fields, draft opinions to be submitted to the Committee for its consideration.

The Rules of Procedure shall lay down the methods of composition and the terms of reference of the specialised sections and of the subcommittees.
In particular, it shall contain an agricultural section and a transport section, which are the subject of special provisions in the Titles relating to agriculture and transport.¹⁰⁴

These specialized sections shall operate within the general terms of reference of the Committee. They may not be consulted independently of the Committee.

Sub-committees may also be established within the Committee to prepare on specific questions or in specific fields, draft opinions to be submitted to the Committee for its consideration.

The rules of procedure shall lay down the methods of composition and the terms of reference of the specialized sections and of the sub-committees.

Subparagraph repealed by Art. 6, §69 of Amsterdam Treaty

Single European Act version 1986

Article 197

(ex Article 197 TEEC Rome 1957)

The Committee shall include specialized sections for the principal fields covered by this Treaty.

In particular, it shall contain an agricultural section and a transport section, which are the subject of special provisions in the Titles relating to agriculture and transport.

These specialized sections shall operate within the general terms of reference of the Committee. They may not be consulted independently of the Committee.

Sub-committees may also be established within the Committee to prepare on specific questions or in specific fields, draft opinions to be submitted to the Committee for its consideration.

The rules of procedure shall lay down the methods of composition and the terms of reference of the specialized sections and of the sub-committees.

Rome version 1957

Article 197

(New Article)

The Committee shall include specialized sections for the principal fields covered by this Treaty.

In particular, it shall contain an agricultural section and a transport section, which are the subject of special provisions in the Titles relating to agriculture and transport.

These specialized sections shall operate within the general terms of reference of the Committee. They may not be consulted independently of the Committee.

Sub-committees may also be established within the Committee to prepare on specific questions or in specific fields, draft opinions to be submitted to the Committee for its consideration.

The rules of procedure shall lay down the methods of composition and the terms of reference of the specialized sections and of the sub-committees.
Nice version 2001

Article 293

(ex Article 293 TEC Amsterdam 1997)

Member States shall, so far as is necessary, enter into negotiations with each other with a view to securing for the benefit of their nationals:

— the protection of persons and the enjoyment and protection of rights under the same conditions as those accorded by each State to its own nationals,

— the abolition of double taxation within the Community,

— the mutual recognition of companies or firms within the meaning of the second paragraph of Article 48, the retention of legal personality in the event of transfer of their seat from one country to another, and the possibility of mergers between companies or firms governed by the laws of different countries,

— the simplification of formalities governing the reciprocal recognition and enforcement of judgments of courts or tribunals and of arbitration awards.

Amsterdam version 1997

Article 293

(ex Article 220 TEC Maastricht 1992)

Member States shall, so far as is necessary, enter into negotiations with each other with a view to securing for the benefit of their nationals:

— the protection of persons and the enjoyment and protection of rights under the same conditions as those accorded by each State to its own nationals,

— the abolition of double taxation within the Community,

— the mutual recognition of companies or firms within the meaning of the second paragraph of Article 58, the retention of legal personality in the event of transfer of their seat from one country to another, and the possibility of mergers between companies or firms governed by the laws of different countries,

— the simplification of formalities governing the reciprocal recognition and enforcement of judgments of courts or tribunals and of arbitration awards.

Maastricht version 1992

Article 220

(ex Article 220 TEEC Single European Act 1986)

Member States shall, so far as is necessary, enter into negotiations with each other with a view to securing for the benefit of their nationals:

- the protection of persons and the enjoyment and protection of rights under the same conditions as those accorded by each State to its own nationals;

- the abolition of double taxation within the Community;

- the mutual recognition of companies or firms within the meaning of the second paragraph of Article 58, the retention of legal personality in the event of transfer of their seat from one country to another, and the possibility of mergers between companies or firms governed by the laws of different countries;

- the simplification of formalities governing the reciprocal recognition and enforcement of judgments of courts or tribunals and of arbitration awards.

Single European Act version 1986

Article 220

(ex Article 220 TEEC Rome 1957)

Member States shall, so far as is necessary, enter into negotiations with each other with a view to securing for the benefit of their nationals:

- the protection of persons and the enjoyment and protection of rights under the same conditions as those accorded by each State to its own nationals;

- the abolition of double taxation within the Community;

- the mutual recognition of companies or firms within the meaning of the second paragraph of Article 58, the retention of legal personality in the event of transfer of their seat from one country to another, and the possibility of mergers between companies or firms governed by the laws of different countries;

105 Article repealed by Art. 2, §280 of Lisbon Treaty
- the simplification of formalities governing the reciprocal recognition and enforcement of judgments of courts or tribunals and of arbitration awards.

**Rome version 1957**

**Article 220**

(New Article)

Member States shall, so far as is necessary, enter into negotiations with each other with a view to securing for the benefit of their nationals:

- the protection of persons and the enjoyment and protection of rights under the same conditions as those accorded by each State to its own nationals;

- the abolition of double taxation within the Community;

- the mutual recognition of companies or firms within the meaning of the second paragraph of Article 58, the retention of legal personality in the event of transfer of their seat from one country to another, and the possibility of mergers between companies or firms governed by the laws of different countries;

- the simplification of formalities governing the reciprocal recognition and enforcement of judgments of courts or tribunals and of arbitration awards.

Articles repealed by the Treaty of Lisbon - TEC

**Nice version 2001**

Article 305\(^{106}\)

(ex Article 305 TEC Amsterdam 1997)

1. The provisions of this Treaty shall not affect the provisions of the Treaty establishing the European Coal and Steel Community, in particular as regards the rights and obligations of Member States, the powers of the institutions of that Community and the rules laid down by that Treaty for the functioning of the common market in coal and steel.

2. The provisions of this Treaty shall not derogate from those of the Treaty establishing the European Atomic Energy Community.

**Amsterdam version 1997**

Article 305

(ex Article 232 TEC Maastricht 1992)

1. The provisions of this Treaty shall not affect the provisions of the Treaty establishing the European Coal and Steel Community, in particular as regards the rights and obligations of Member States, the powers of the institutions of that Community and the rules laid down by that Treaty for the functioning of the common market in coal and steel.

2. The provisions of this Treaty shall not derogate from those of the Treaty establishing the European Atomic Energy Community.

**Maastricht version 1992**

Article 232

(ex Article 232 TEEC Single European Act 1986)

1. The provisions of this Treaty shall not affect the provisions of the Treaty establishing the European Coal and Steel Community, in particular as regards the rights and obligations of Member States, the powers of the institutions of that Community and the rules laid down by that Treaty for the functioning of the common market in coal and steel.

2. The provisions of this Treaty shall not derogate from those of the Treaty establishing the European Atomic Energy Community.

\(^{106}\) Article repealed by Art. 2, §280 of Lisbon Treaty
Single European Act version 1986

Article 232

(ex Article 232 TEEC Rome 1957)

1. The provisions of this Treaty shall not affect the provisions of the Treaty establishing the European Coal and Steel Community, in particular as regards the rights and obligations of Member States, the powers of the institutions of that Community and the rules laid down by that Treaty for the functioning of the common market in coal and steel.

2. The provisions of this Treaty shall not derogate from those of the Treaty establishing the European Atomic Energy Community.

Rome version 1957

Article 232

(New Article)

1. The provisions of this Treaty shall not affect the provisions of the Treaty establishing the European Coal and Steel Community, in particular as regards the rights and obligations of Member States, the powers of the institutions of that Community and the rules laid down by that Treaty for the functioning of the common market in coal and steel.

2. The provisions of this Treaty shall not derogate from those of the Treaty establishing the European Atomic Energy Community.
ARTICLE REPEALED BY THE TREATY OF NICE

AMSTERDAM 1997

TREATY ON THE EUROPEAN UNION

No Articles repealed by the Treaty of Nice.
AMSTERDAM 1997

TREATY ESTABLISHING THE EUROPEAN COMMUNITY

Amsterdam version 1997

Article 224
t
(ex Article 168 TEC Maastricht 1992)

The Court of Justice shall appoint its Registrar and lay down the rules governing his service.

Maastricht version 1992

Article 168

(ex Article 168 TEEC Single European Act 1986)

The Court of Justice shall appoint its Registrar and lay down the rules governing his service.

107 Article replaced by Art. 2, §30 of Nice Treaty (becomes Art. 223, sub§5 TEC)

Single European Act version 1986

Article 168

(ex Article 168 TEEC Rome 1957)

The Court of Justice shall appoint its Registrar and lay down the rules governing his service.

Rome version 1957

Article 168

(New Article)

The Court of Justice shall appoint its Registrar and lay down the rules governing his service.
ARTICLES REPEALED BY THE TREATY OF AMSTERDAM

MAASTRICHT 1992

TREATY ON THE EUROPEAN UNION

Maastricht version 1992

TITLE V

PROVISIONS ON A COMMON FOREIGN AND SECURITY POLICY

Article J\(^{108}\)

(ex Article 30, sub§1 TEU Single European Act 1986)

A common foreign and security policy is hereby established which \(^{109}\) shall be governed by the following provisions.

Single European Act version 1986

TITLE III

TREATY PROVISIONS ON EUROPEAN CO-OPERATION IN THE SPHERE OF FOREIGN POLICY

Article 30, sub§1

(New Article)\(^{110}\)

European Co-operation in the sphere of foreign policy \(^{111}\) shall be governed by the following provisions:

(...)

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\(^{108}\) Article repealed by Art. 1, §10 of Amsterdam Treaty
\(^{109}\) As amended by Art. J of Maastricht Treaty
\(^{110}\) Article inserted by Art. 30 of the Single European Act
\(^{111}\) As amended by Art. J of Maastricht Treaty

On the occasion of any review of the security provisions under Article J.4, the Conference which is convened to that effect shall also examine whether any other amendments need to be made to provisions relating to the common foreign and security policy.\(^{113}\)

Single European Act version 1986

TITLE III

TREATY PROVISIONS ON EUROPEAN CO-OPERATION IN THE SPHERE OF FOREIGN POLICY

Article 30, §12

(New Article)\(^{114}\)

(...)

12. Five years after the entry into force of this Act the High Contracting Parties shall examine whether any revision of Title III is required.\(^{115}\)

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\(^{112}\) Article repealed by Art. 1, §10 of Amsterdam Treaty
\(^{113}\) Text of the Article replaced by Art. J.10 of Maastricht Treaty
\(^{114}\) Article inserted by Art. 30 of the Single European Act
\(^{115}\) Text of the Article replaced by Art. J.10 of Maastricht Treaty
Maastricht version 1992

TITLE VI

PROVISIONS ON COOPERATION IN THE
FIELDS OF JUSTICE AND HOME AFFAIRS

Article K\textsuperscript{116}

(New Article)\textsuperscript{117}

Cooperation in the fields of justice and home affairs
shall be governed by the following provisions.

\textsuperscript{116} Article repealed by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{117} Article inserted by Art. K of Maastricht Treaty

\textsuperscript{118} Article repealed by Art. 1, §11 of Amsterdam Treaty
\textsuperscript{119} Article inserted by Art. K.7 of Maastricht Treaty
MAASTRICHT 1992  
TREATY ESTABLISHING THE EUROPEAN COMMUNITY  
Maastricht version 1992  
Article 7

(ex Article 8 TEEC Single European Act 1986)

1. The common market shall be progressively established during a transitional period of twelve years.

This transitional period shall be divided into three stages of four years each; the length of each stage may be altered in accordance with the provisions set out below.

2. To each stage there shall be assigned a set of actions to be initiated and carried through concurrently.

3. Transition from the first to the second stage shall be conditional upon a finding that the objectives specifically laid down in this Treaty for the first stage have in fact been attained in substance and that, subject to the exceptions and procedures provided for in this Treaty, the obligations have been fulfilled.

This finding shall be made at the end of the fourth year by the Council, acting unanimously on a report from the Commission. A Member State may not, however, prevent unanimity by relying upon the non-fulfilment of its own obligations. Failing unanimity, the first stage shall automatically be extended for one year.

At the end of the fifth year, the Council shall make its finding under the same conditions. Failing unanimity, the first stage shall automatically be extended for a further year.

At the end of the sixth year, the Council shall make its finding, acting by a qualified majority on a report from the Commission.

4. Within one month of the last-mentioned vote any Member State which voted with the minority or, if the required majority was not obtained, any Member State shall be entitled to call upon the Council to appoint an arbitration board whose decision shall be binding upon all Member States and upon the institutions of the Community. The arbitration board shall consist of three members appointed by the Council acting unanimously on a proposal from the Commission.

If the Council has not appointed the members of the arbitration board within one month of being called upon to do so, they shall be appointed by the Court of Justice within a further period of one month.

The arbitration board shall elect its own Chairman.

The board shall make its award within six months of the date of the Council vote referred to in the last subparagraph of paragraph 3.

5. The second and third stages may not be extended or curtailed except by a decision of the Council, acting unanimously on a proposal from the Commission.

6. Nothing in the preceding paragraphs shall cause the transitional period to last more than fifteen years after the entry into force of this Treaty.

7. Save for the exceptions or derogations provided for in this Treaty, the expiry of the transitional period shall constitute the latest date by which all the rules laid down must enter into force and all the measures required for establishing the common market must be implemented.

Single European Act version 1986  
Article 8

(ex Article 8 TEEC Rome 1957)

1. The common market shall be progressively established during a transitional period of twelve years.

This transitional period shall be divided into three stages of four years each; the length of each stage may be altered in accordance with the provisions set out below.

2. To each stage there shall be assigned a set of actions to be initiated and carried through concurrently.

3. Transition from the first to the second stage shall be conditional upon a finding that the objectives specifically laid down in this Treaty for the first stage have in fact been attained in substance and that, subject to the exceptions and procedures provided for in this Treaty, the obligations have been fulfilled.

120 Article repealed by Art. 6, §2 of Amsterdam Treaty
This finding shall be made at the end of the fourth year by the Council, acting unanimously on a report from the Commission. A Member State may not, however, prevent unanimity by relying upon the non-fulfilment of its own obligations. Failing unanimity, the first stage shall automatically be extended for one year.

At the end of the fifth year, the Council shall make its finding under the same conditions. Failing unanimity, the first stage shall automatically be extended for a further year.

At the end of the sixth year, the Council shall make its finding, acting by a qualified majority on a report from the Commission.

4. Within one month of the last-mentioned vote any Member State which voted with the minority or, if the required majority was not obtained, any Member State shall be entitled to call upon the Council to appoint an arbitration board whose decision shall be binding upon all Member States and upon the institutions of the Community. The arbitration board shall consist of three members appointed by the Council acting unanimously on a proposal from the Commission.

If the Council has not appointed the members of the arbitration board within one month of being called upon to do so, they shall be appointed by the Court of Justice within a further period of one month.

The arbitration board shall elect its own Chairman.

The board shall make its award within six months of the date of the Council vote referred to in the last subparagraph of paragraph 3.

5. The second and third stages may not be extended or curtailed except by a decision of the Council, acting unanimously on a proposal from the Commission.

6. Nothing in the preceding paragraphs shall cause the transitional period to last more than fifteen years after the entry into force of this Treaty.

7. Save for the exceptions or derogations provided for in this Treaty, the expiry of the transitional period shall constitute the latest date by which all the rules laid down must enter into force and all the measures required for establishing the common market must be implemented.

Articles repealed by the Treaty of Amsterdam - TEC

Rome version 1957

Article 8

(New Article)

1. The common market shall be progressively established during a transitional period of twelve years.

This transitional period shall be divided into three stages of four years each; the length of each stage may be altered in accordance with the provisions set out below.

2. To each stage there shall be assigned a set of actions to be initiated and carried through concurrently.

3. Transition from the first to the second stage shall be conditional upon a finding that the objectives specifically laid down in this Treaty for the first stage have in fact been attained in substance and that, subject to the exceptions and procedures provided for in this Treaty, the obligations have been fulfilled.

This finding shall be made at the end of the fourth year by the Council, acting unanimously on a report from the Commission. A Member State may not, however, prevent unanimity by relying upon the non-fulfilment of its own obligations. Failing unanimity, the first stage shall automatically be extended for one year.

At the end of the fifth year, the Council shall make its finding under the same conditions. Failing unanimity, the first stage shall automatically be extended for a further year.

At the end of the sixth year, the Council shall make its finding, acting by a qualified majority on a report from the Commission.

4. Within one month of the last-mentioned vote any Member State which voted with the minority or, if the required majority was not obtained, any Member State shall be entitled to call upon the Council to appoint an arbitration board whose decision shall be binding upon all Member States and upon the institutions of the Community. The arbitration board shall consist of three members appointed by the Council acting unanimously on a proposal from the Commission.

If the Council has not appointed the members of the arbitration board within one month of being called upon to do so, they shall be appointed by the Court of Justice within a further period of one month.

The arbitration board shall elect its own Chairman.

The board shall make its award within six months of the date of the Council vote referred to in the last subparagraph of paragraph 3.

5. The second and third stages may not be extended or curtailed except by a decision of the Council, acting unanimously on a proposal from the Commission.

6. Nothing in the preceding paragraphs shall cause the transitional period to last more than fifteen years after the entry into force of this Treaty.

7. Save for the exceptions or derogations provided for in this Treaty, the expiry of the transitional period shall constitute the latest date by which all the rules laid down must enter into force and all the measures required for establishing the common market must be implemented.
upon to do so, they shall be appointed by the Court of Justice within a further period of one month.

The arbitration board shall elect its own Chairman.

The board shall make its award within six months of the date of the Council vote referred to in the last subparagraph of paragraph 3.

5. The second and third stages may not be extended or curtailed except by a decision of the Council, acting unanimously on a proposal from the Commission.

6. Nothing in the preceding paragraphs shall cause the transitional period to last more than fifteen years after the entry into force of this Treaty.

7. Save for the exceptions or derogations provided for in this Treaty, the expiry of the transitional period shall constitute the latest date by which all the rules laid down must enter into force and all the measures required for establishing the common market must be implemented.

Articles repealed by the Treaty of Amsterdam - TEC

Maastricht version 1992

Article 7 B\textsuperscript{121}

(ex Article 8 B TEEC Single European Act 1986)

The Commission shall report to the Council before 31 December 1988 and again before 31 December 1990 on the progress made towards achieving the internal market within the time limit fixed in Article 7 A.\textsuperscript{122}

The Council, acting by a qualified majority on a proposal from the Commission, shall determine the guidelines and conditions necessary to ensure balanced progress in all the sectors concerned.

Single European Act version 1986

Article 8 B

(New Article)\textsuperscript{123}

The Commission shall report to the Council before 31 December 1988 and again before 31 December 1990 on the progress made towards achieving the internal market within the time limit fixed in Article 8 A.\textsuperscript{124}

The Council, acting by a qualified majority on a proposal from the Commission, shall determine the guidelines and conditions necessary to ensure balanced progress in all the sectors concerned.

\textsuperscript{121} Article repealed by Art. 6, §4 of Amsterdam Treaty
\textsuperscript{122} As amended by Art. G, §9 of Maastricht Treaty
\textsuperscript{123} Article inserted by Art. 14 of the Single European Act
\textsuperscript{124} As amended by Art. G, §9 of Maastricht Treaty
Maastricht version 1992

Article 11

(ex Article 11 TEEC Single European Act 1986)

Member States shall take all appropriate measures to enable Governments to carry out, within the periods of time laid down, the obligations with regard to customs duties which devolve upon them pursuant to this Treaty.

Single European Act version 1986

Article 11

(ex Article 11 TEEC Rome 1957)

Member States shall take all appropriate measures to enable Governments to carry out, within the periods of time laid down, the obligations with regard to customs duties which devolve upon them pursuant to this Treaty.

Rome version 1957

Article 11

(New Article)

Member States shall take all appropriate measures to enable Governments to carry out, within the periods of time laid down, the obligations with regard to customs duties which devolve upon them pursuant to this Treaty.

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125 Article repealed by Art. 6, §10 of Amsterdam Treaty

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Maastricht version 1992

Article 13

(ex Article 13 TEEC Single European Act 1986)

1. Customs duties on imports in force between Member States shall be progressively abolished by them during the transitional period in accordance with Articles 14 and 15.

2. Charges having an effect equivalent to customs duties on imports, in force between Member States, shall be progressively abolished by them during the transitional period. The Commission shall determine by means of directives the timetable for such abolition. It shall be guided by the rules contained in Article 14, §§2 and 3 and by the directives issued by the Council pursuant to Article 14, §2.

Single European Act version 1986

Article 13

(ex Article 13 TEEC Rome 1957)

1. Customs duties on imports in force between Member States shall be progressively abolished by them during the transitional period in accordance with Articles 14 and 15.

2. Charges having an effect equivalent to customs duties on imports, in force between Member States, shall be progressively abolished by them during the transitional period. The Commission shall determine by means of directives the timetable for such abolition. It shall be guided by the rules contained in Article 14, §§2 and 3 and by the directives issued by the Council pursuant to Article 14, §2.

Rome version 1957

Article 13

(New Article)

1. Customs duties on imports in force between Member States shall be progressively abolished by them during the transitional period in accordance with Articles 14 and 15.

2. Charges having an effect equivalent to customs duties on imports, in force between Member States, shall be progressively abolished by them during the transitional period. The Commission shall determine

126 Article repealed by Art. 6, §13 of Amsterdam Treaty
by means of directives the timetable for such abolition. It shall be guided by the rules contained in Article 14, §§2 and 3 and by the directives issued by the Council pursuant to Article 14, §2.

**Maastricht version 1992**

Article 14\(^{127}\)

(ex Article 14 TEEC Single European Act 1986)

1. For each product, the basic duty to which the successive reductions shall be applied shall be the duty applied on 1 January 1957.

2. The timetable for the reductions shall be determined as follows:

   (a) during the first stage, the first reduction shall be made one year after the date when this Treaty enters into force; the second reduction, eighteen months later; the third reduction, at the end of the fourth year after the date when this Treaty enters into force;

   (b) during the second stage, a reduction shall be made eighteen months after that stage begins; a second reduction, eighteen months after the preceding one; a third reduction, one year later;

   (c) any remaining reductions shall be made during the third stage; the Council shall, acting by a qualified majority on a proposal from the Commission, determine the timetable therefor by means of directives.

3. At the time of the first reduction, Member States shall introduce between themselves a duty on each product equal to the basic duty minus 10 %.

   At the time of each subsequent reduction, each Member State shall reduce its customs duties as a whole in such manner as to lower by 10 % its total customs receipts as defined in paragraph 4 and to reduce the duty on each product by at least 5 % of the basic duty.

   In the case, however, of products on which the duty is still in excess of 30 %, each reduction must be at least 10 % of the basic duty.

4. The total customs receipts of each Member State, as referred to in paragraph 3, shall be calculated by multiplying the value of its imports from other Member States during 1956 by the basic duties.

5. Any special problems raised in applying paragraphs 1 to 4 shall be settled by directives issued by the Council acting by a qualified majority on a proposal from the Commission.

\(^{127}\) Article repealed by Art. 6, §13 of Amsterdam Treaty
6. Member States shall report to the Commission on the manner in which effect has been given to the preceding rules for the reduction of duties. They shall endeavour to ensure that the reduction made in the duties on each product shall amount:

- at the end of the first stage, to at least 25 % of the basic duty;

- at the end of the second stage, to at least 50 % of the basic duty.

If the Commission finds that there is a risk that the objectives laid down in Article 13, and the percentages laid down in this paragraph, cannot be attained, it shall make all appropriate recommendations to Member States.

7. The provisions of this Article may be amended by the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament.

Single European Act version 1986

Article 14

(ex Article 14 TEEC Rome 1957)

1. For each product, the basic duty to which the successive reductions shall be applied shall be the duty applied on 1 January 1957.

2. The timetable for the reductions shall be determined as follows:

(a) during the first stage, the first reduction shall be made one year after the date when this Treaty enters into force; the second reduction, eighteen months later; the third reduction, at the end of the fourth year after the date when this Treaty enters into force;

(b) during the second stage, a reduction shall be made eighteen months after that stage begins; a second reduction, eighteen months after the preceding one; a third reduction, one year later;

(c) any remaining reductions shall be made during the third stage; the Council shall, acting by a qualified majority on a proposal from the Commission, determine the timetable therefor by means of directives.

3. At the time of the first reduction, Member States shall introduce between themselves a duty on each product equal to the basic duty minus 10 %.

4. The total customs receipts of each Member State, as referred to in paragraph 3, shall be calculated by multiplying the value of its imports from other Member States during 1956 by the basic duties.

5. Any special problems raised in applying paragraphs 1 to 4 shall be settled by directives issued by the Council acting by a qualified majority on a proposal from the Commission.

6. Member States shall report to the Commission on the manner in which effect has been given to the preceding rules for the reduction of duties. They shall endeavour to ensure that the reduction made in the duties on each product shall amount:

- at the end of the first stage, to at least 25 % of the basic duty;

- at the end of the second stage, to at least 50 % of the basic duty.

If the Commission finds that there is a risk that the objectives laid down in Article 13, and the percentages laid down in this paragraph, cannot be attained, it shall make all appropriate recommendations to Member States.

7. The provisions of this Article may be amended by the Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament.

Rome version 1957

Article 14

(New Article)

1. For each product, the basic duty to which the successive reductions shall be applied shall be the duty applied on 1 January 1957.

2. The timetable for the reductions shall be determined as follows:
(a) during the first stage, the first reduction shall be made one year after the date when this Treaty enters into force; the second reduction, eighteen months later; the third reduction, at the end of the fourth year after the date when this Treaty enters into force;

(b) during the second stage, a reduction shall be made eighteen months after that stage begins; a second reduction, eighteen months after the preceding one; a third reduction, one year later;

(c) any remaining reductions shall be made during the third stage; the Council shall, acting by a qualified majority on a proposal from the Commission, determine the timetable therefor by means of directives.

3. At the time of the first reduction, Member States shall introduce between themselves a duty on each product equal to the basic duty minus 10 %.

At the time of each subsequent reduction, each Member State shall reduce its customs duties as a whole in such manner as to lower by 10 % its total customs receipts as defined in paragraph 4 and to reduce the duty on each product by at least 5 % of the basic duty.

In the case, however, of products on which the duty is still in excess of 30 %, each reduction must be at least 10 % of the basic duty.

4. The total customs receipts of each Member State, as referred to in paragraph 3, shall be calculated by multiplying the value of its imports from other Member States during 1956 by the basic duties.

5. Any special problems raised in applying paragraphs 1 to 4 shall be settled by directives issued by the Council acting by a qualified majority on a proposal from the Commission.

6. Member States shall report to the Commission on the manner in which effect has been given to the preceding rules for the reduction of duties. They shall endeavour to ensure that the reduction made in the duties on each product shall amount:

- at the end of the first stage, to at least 25 % of the basic duty;
- at the end of the second stage, to at least 50 % of the basic duty.

If the Commission finds that there is a risk that the objectives laid down in Article 13, and the percentages laid down in this paragraph, cannot be attained, it shall make all appropriate recommendations to Member States.

7. The provisions of this Article may be amended by the Council, acting unanimously on a proposal from the Commission and after consulting the Assembly.
**Maastricht version 1992**

Article 15\(^{128}\)

(ex Article 15 TEEC Single European Act 1986)

1. Irrespective of the provisions of Article 14, any Member State may, in the course of the transitional period, suspend in whole or in part the collection of duties applied by it to products imported from other Member States. It shall inform the other Member States and the Commission thereof.

2. The Member States declare their readiness to reduce customs duties against the other Member States more rapidly than is provided for in Article 14 if their general economic situation and the situation of the economic sector concerned so permit. To this end, the Commission shall make recommendations to the Member States concerned.

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**Single European Act version 1986**

Article 15

(ex Article 15 TEEC Rome 1957)

1. Irrespective of the provisions of Article 14, any Member State may, in the course of the transitional period, suspend in whole or in part the collection of duties applied by it to products imported from other Member States. It shall inform the other Member States and the Commission thereof.

2. The Member States declare their readiness to reduce customs duties against the other Member States more rapidly than is provided for in Article 14 if their general economic situation and the situation of the economic sector concerned so permit. To this end, the Commission shall make recommendations to the Member States concerned.

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**Rome version 1957**

Article 15

(New Article)

1. Irrespective of the provisions of Article 14, any Member State may, in the course of the transitional period, suspend in whole or in part the collection of duties applied by it to products imported from other Member States. It shall inform the other Member States and the Commission thereof.

2. The Member States declare their readiness to reduce customs duties against the other Member States more rapidly than is provided for in Article 14 if their general economic situation and the situation of the economic sector concerned so permit. To this end, the Commission shall make recommendations to the Member States concerned.

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\(^{128}\) Article repealed by Art. 6, §13 of Amsterdam Treaty
**Maastricht version 1992**

**Article 16**\(^{129}\)

(ex Article 16 TEEC Single European Act 1986)

Member States shall abolish between themselves customs duties on exports and charges having equivalent effect by the end of the first stage at the latest.

**Single European Act version 1986**

**Article 16**

(ex Article 16 TEEC Rome 1957)

Member States shall abolish between themselves customs duties on exports and charges having equivalent effect by the end of the first stage at the latest.

**Rome version 1957**

**Article 16**

(New Article)

Member States shall abolish between themselves customs duties on exports and charges having equivalent effect by the end of the first stage at the latest.

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\(^{129}\) Article repealed by Art. 6, §13 of Amsterdam Treaty

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**Maastricht version 1992**

**Article 17**\(^{130}\)

(ex Article 17 TEEC Single European Act 1986)

1. The provisions of Articles 9 to 15, §1 shall also apply to customs duties of a fiscal nature. Such duties shall not, however, be taken into consideration for the purpose of calculating either total customs receipts or the reduction of customs duties as a whole as referred to in Article 14, §§3 and 4.

Such duties shall, at each reduction, be lowered by not less than 10 % of the basic duty. Member States may reduce such duties more rapidly than is provided for in Article 14.

2. Member States shall, before the end of the first year after the entry into force of this Treaty, inform the Commission of their customs duties of a fiscal nature.

3. Member States shall retain the right to substitute for these duties an internal tax which complies with the provisions of Article 95.

4. If the Commission finds that substitution for any customs duty of a fiscal nature meets with serious difficulties in a Member State, it shall authorize that State to retain the duty on condition that it shall abolish it not later than six years after the entry into force of this Treaty. Such authorization must be applied for before the end of the first year after the entry into force of this Treaty.

**Single European Act version 1986**

**Article 17**

(ex Article 17 TEEC Rome 1957)

1. The provisions of Articles 9 to 15, §1 shall also apply to customs duties of a fiscal nature. Such duties shall not, however, be taken into consideration for the purpose of calculating either total customs receipts or the reduction of customs duties as a whole as referred to in Article 14, §§3 and 4.

Such duties shall, at each reduction, be lowered by not less than 10 % of the basic duty. Member States may reduce such duties more rapidly than is provided for in Article 14.

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\(^{130}\) Article repealed by Art. 6, §13 of Amsterdam Treaty
2. Member States shall, before the end of the first year after the entry into force of this Treaty, inform the Commission of their customs duties of a fiscal nature.

3. Member States shall retain the right to substitute for these duties an internal tax which complies with the provisions of Article 95.

4. If the Commission finds that substitution for any customs duty of a fiscal nature meets with serious difficulties in a Member State, it shall authorize that State to retain the duty on condition that it shall abolish it not later than six years after the entry into force of this Treaty. Such authorization must be applied for before the end of the first year after the entry into force of this Treaty.

Rome version 1957

Article 17

(New Article)

1. The provisions of Articles 9 to 15, §1 shall also apply to customs duties of a fiscal nature. Such duties shall not, however, be taken into consideration for the purpose of calculating either total customs receipts or the reduction of customs duties as a whole as referred to in Article 14, §§3 and 4.

Such duties shall, at each reduction, be lowered by not less than 10% of the basic duty. Member States may reduce such duties more rapidly than is provided for in Article 14.

2. Member States shall, before the end of the first year after the entry into force of this Treaty, inform the Commission of their customs duties of a fiscal nature.

3. Member States shall retain the right to substitute for these duties an internal tax which complies with the provisions of Article 95.

4. If the Commission finds that substitution for any customs duty of a fiscal nature meets with serious difficulties in a Member State, it shall authorize that State to retain the duty on condition that it shall abolish it not later than six years after the entry into force of this Treaty. Such authorization must be applied for before the end of the first year after the entry into force of this Treaty.

Single European Act version 1986

SECTION 2

SETTING UP OF THE COMMON CUSTOMS TARIFF

Article 18

(ex Article 18 TEEC Rome 1957)

The Member States declare their readiness to contribute to the development of international trade and the lowering of barriers to trade by entering into agreements designed, on a basis of reciprocity and mutual advantage, to reduce customs duties below the general level of which they could avail themselves as a result of the establishment of a customs union between them.

Rome version 1957

SECTION 2

SETTING UP OF THE COMMON CUSTOMS TARIFF

Article 18

(New Article)
agreements designed, on a basis of reciprocity and mutual advantage, to reduce customs duties below the general level of which they could avail themselves as a result of the establishment of a customs union between them.

Maastricht version 1992

Article 19\(^{133}\)

(ex Article 19 TEEC Single European Act 1986)

1. Subject to the conditions and within the limits provided for hereinafter, duties in the common customs tariff shall be at the level of the arithmetical average of the duties applied in the four customs territories comprised in the Community.

2. The duties taken as the basis for calculating this average shall be those applied by Member States on 1 January 1957.

In the case of the Italian tariff, however, the duty applied shall be that without the temporary 10 % reduction. Furthermore, with respect to items on which the Italian tariff contains a conventional duty, this duty shall be substituted for the duty applied as defined above, provided that it does not exceed the latter by more than 10 %. Where the conventional duty exceeds the duty applied as defined above by more than 10 %, the latter duty plus 10 % shall be taken as the basis for calculating the arithmetical average.

With regard to the tariff headings in List A, the duties shown in that List shall, for the purpose of calculating the arithmetical average, be substituted for the duties applied.

3. The duties in the common customs tariff shall not exceed:

(a) 3 % for products within the tariff headings in List B;

(b) 10 % for products within the tariff headings in List C;

(c) 15 % for products within the tariff headings in List D;

(d) 25 % for products within the tariff headings in List E; where in respect of such products, the tariff of the Benelux countries contains a duty not exceeding 3 %, such duty shall, for the purpose of calculating the arithmetical average, be raised to 12 %.

4. List F prescribes the duties applicable to the products listed therein.

\(^{133}\) Article repealed by Art. 6, §15 of Amsterdam Treaty
5. The Lists of tariff headings referred to in this Article and in Article 20 are set out in Annex I to this Treaty.

**Single European Act version 1986**

**Article 19**

(ex Article 19 TEEC Rome 1957)

1. Subject to the conditions and within the limits provided for hereinafter, duties in the common customs tariff shall be at the level of the arithmetical average of the duties applied in the four customs territories comprised in the Community.

2. The duties taken as the basis for calculating this average shall be those applied by Member States on 1 January 1957.

In the case of the Italian tariff, however, the duty applied shall be that without the temporary 10 % reduction. Furthermore, with respect to items on which the Italian tariff contains a conventional duty, this duty shall be substituted for the duty applied as defined above, provided that it does not exceed the latter by more than 10 %. Where the conventional duty exceeds the duty applied as defined above by more than 10 %, the latter duty plus 10 % shall be taken as the basis for calculating the arithmetical average.

With regard to the tariff headings in List A, the duties shown in that List shall, for the purpose of calculating the arithmetical average, be substituted for the duties applied.

3. The duties in the common customs tariff shall not exceed:

   (a) 3 % for products within the tariff headings in List B;

   (b) 10 % for products within the tariff headings in List C;

   (c) 15 % for products within the tariff headings in List D;

   (d) 25 % for products within the tariff headings in List E; where in respect of such products, the tariff of the Benelux countries contains a duty not exceeding 3 %, such duty shall, for the purpose of calculating the arithmetical average, be raised to 12 %.

4. List F prescribes the duties applicable to the products listed therein.

**Rome version 1957**

**Article 19**

(New Article)

1. Subject to the conditions and within the limits provided for hereinafter, duties in the common customs tariff shall be at the level of the arithmetical average of the duties applied in the four customs territories comprised in the Community.

2. The duties taken as the basis for calculating this average shall be those applied by Member States on 1 January 1957.

In the case of the Italian tariff, however, the duty applied shall be that without the temporary 10 % reduction. Furthermore, with respect to items on which the Italian tariff contains a conventional duty, this duty shall be substituted for the duty applied as defined above, provided that it does not exceed the latter by more than 10 %. Where the conventional duty exceeds the duty applied as defined above by more than 10 %, the latter duty plus 10 % shall be taken as the basis for calculating the arithmetical average.

With regard to the tariff headings in List A, the duties shown in that List shall, for the purpose of calculating the arithmetical average, be substituted for the duties applied.

3. The duties in the common customs tariff shall not exceed:

   (a) 3 % for products within the tariff headings in List B;

   (b) 10 % for products within the tariff headings in List C;

   (c) 15 % for products within the tariff headings in List D;

   (d) 25 % for products within the tariff headings in List E; where in respect of such products, the tariff of the Benelux countries contains a duty not exceeding 3 %, such duty shall, for the purpose of calculating the arithmetical average, be raised to 12 %.
4. List F prescribes the duties applicable to the products listed therein.

5. The Lists of tariff headings referred to in this Article and in Article 20 are set out in Annex I to this Treaty.

Maastricht version 1992

Article 20\textsuperscript{134}

(ex Article 20 TEEC Single European Act 1986)

The duties applicable to the products in List G shall be determined by negotiation between the Member States. Each Member State may add further products to this List to a value not exceeding 2% of the total value of its imports from third countries in the course of the year 1956.

The Commission shall take all appropriate steps to ensure that such negotiations shall be undertaken before the end of the second year after the entry into force of this Treaty and be concluded before the end of the first stage.

If, for certain products, no agreement can be reached within these periods, the Council shall, on a proposal from the Commission, acting unanimously until the end of the second stage and by a qualified majority thereafter, determine the duties in the common customs tariff.

Single European Act version 1986

Article 20

(ex Article 20 TEEC Rome 1957)

The duties applicable to the products in List G shall be determined by negotiation between the Member States. Each Member State may add further products to this List to a value not exceeding 2% of the total value of its imports from third countries in the course of the year 1956.

The Commission shall take all appropriate steps to ensure that such negotiations shall be undertaken before the end of the second year after the entry into force of this Treaty and be concluded before the end of the first stage.

If, for certain products, no agreement can be reached within these periods, the Council shall, on a proposal from the Commission, acting unanimously until the end of the second stage and by a qualified majority thereafter, determine the duties in the common customs tariff.

\textsuperscript{134} Article repealed by Art. 6, §15 of Amsterdam Treaty
Rome version 1957

Article 20

(New Article)

The duties applicable to the products in List G shall be determined by negotiation between the Member States. Each Member State may add further products to this List to a value not exceeding 2% of the total value of its imports from third countries in the course of the year 1956.

The Commission shall take all appropriate steps to ensure that such negotiations shall be undertaken before the end of the second year after the entry into force of this Treaty and be concluded before the end of the first stage.

If, for certain products, no agreement can be reached within these periods, the Council shall, on a proposal from the Commission, acting unanimously until the end of the second stage and by a qualified majority thereafter, determine the duties in the common customs tariff.

Maastricht version 1992

Article 21\[135\]

(ex Article 21 TEEC Single European Act 1986)

1. Technical difficulties which may arise in applying Articles 19 and 20 shall be resolved, within two years of the entry into force of this Treaty, by directives issued by the Council acting by a qualified majority on a proposal from the Commission.

2. Before the end of the first stage, or at latest when the duties are determined, the Council shall, acting by a qualified majority on a proposal from the Commission, decide on any adjustments required in the interests of the internal consistency of the common customs tariff as a result of applying the rules set out in Articles 19 and 20, taking account in particular of the degree of processing undergone by the various goods to which the common tariff applies.

Single European Act version 1986

Article 21

(ex Article 21 TEEC Rome 1957)

1. Technical difficulties which may arise in applying Articles 19 and 20 shall be resolved, within two years of the entry into force of this Treaty, by directives issued by the Council acting by a qualified majority on a proposal from the Commission.

2. Before the end of the first stage, or at latest when the duties are determined, the Council shall, acting by a qualified majority on a proposal from the Commission, decide on any adjustments required in the interests of the internal consistency of the common customs tariff as a result of applying the rules set out in Articles 19 and 20, taking account in particular of the degree of processing undergone by the various goods to which the common tariff applies.

Rome version 1957

Article 21

(New Article)

1. Technical difficulties which may arise in applying Articles 19 and 20 shall be resolved, within two years of the entry into force of this Treaty, by

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\[135\] Article repealed by Art. 6, §15 of Amsterdam Treaty
directives issued by the Council acting by a qualified majority on a proposal from the Commission.

2. Before the end of the first stage, or at latest when the duties are determined, the Council shall, acting by a qualified majority on a proposal from the Commission, decide on any adjustments required in the interests of the internal consistency of the common customs tariff as a result of applying the rules set out in Articles 19 and 20, taking account in particular of the degree of processing undergone by the various goods to which the common tariff applies.

Maastricht version 1992

Article 22\textsuperscript{136}

(ex Article 22 TEEC Single European Act 1986)

The Commission shall, within two years of the entry into force of this Treaty, determine the extent to which the customs duties of a fiscal nature referred to in Article 17, §2 shall be taken into account in calculating the arithmetical average provided for in Article 19, §1. The Commission shall take account of any protective character which such duties may have.

Within six months of such determination, any Member State may request that the procedure provided for in Article 20 should be applied to the product in question, but in this event the percentage limit provided in that Article shall not be applicable to that State.

Single European Act version 1986

Article 22

(ex Article 22 TEEC Rome 1957)

The Commission shall, within two years of the entry into force of this Treaty, determine the extent to which the customs duties of a fiscal nature referred to in Article 17, §2 shall be taken into account in calculating the arithmetical average provided for in Article 19, §1. The Commission shall take account of any protective character which such duties may have.

Within six months of such determination, any Member State may request that the procedure provided for in Article 20 should be applied to the product in question, but in this event the percentage limit provided in that Article shall not be applicable to that State.

Rome version 1957

Article 22

(New Article)

The Commission shall, within two years of the entry into force of this Treaty, determine the extent to which the customs duties of a fiscal nature referred to in Article 17, §2 shall be taken into account in calculating the arithmetical average provided for in

\textsuperscript{136} Article repealed by Art. 6, §15 of Amsterdam Treaty
Article 19, §1. The Commission shall take account of any protective character which such duties may have.

Within six months of such determination, any Member State may request that the procedure provided for in Article 20 should be applied to the product in question, but in this event the percentage limit provided in that Article shall not be applicable to that State.

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Maastricht version 1992

Article 23\(^{137}\)

(ex Article 23 TEEC Single European Act 1986)

1. For the purpose of the progressive introduction of the common customs tariff, Member States shall amend their tariffs applicable to third countries as follows:

(a) in the case of tariff headings on which the duties applied in practice on 1 January 1957 do not differ by more than 15 % in either direction from the duties in the common customs tariff, the latter duties shall be applied at the end of the fourth year after the entry into force of this Treaty;

(b) in any other case, each Member State shall, as from the same date, apply a duty reducing by 30 % the difference between the duty applied in practice on 1 January 1957 and the duty in the common customs tariff;

(c) at the end of the second stage this difference shall again be reduced by 30 %;

(d) in the case of tariff headings for which the duties in the common customs tariff are not yet available at the end of the first stage, each Member State shall, within six months of the Council’s action in accordance with Article 20, apply such duties as would result from application of the rules contained in this paragraph.

2. Where a Member State has been granted an authorization under Article 17, §4, it need not, for as long as that authorization remains valid, apply the preceding provisions to the tariff headings to which the authorization applies. When such authorization expires, the Member State concerned shall apply such duty as would have resulted from application of the rules contained in paragraph 1.

3. The common customs tariff shall be applied in its entirety by the end of the transitional period at the latest.

\(^{137}\) Article repealed by Art. 6, §15 of Amsterdam Treaty
Single European Act version 1986

Article 23

(ex Article 23 TEEC Rome 1957)

1. For the purpose of the progressive introduction of the common customs tariff, Member States shall amend their tariffs applicable to third countries as follows:

(a) in the case of tariff headings on which the duties applied in practice on 1 January 1957 do not differ by more than 15% in either direction from the duties in the common customs tariff, the latter duties shall be applied at the end of the fourth year after the entry into force of this Treaty;

(b) in any other case, each Member State shall, as from the same date, apply a duty reducing by 30% the difference between the duty applied in practice on 1 January 1957 and the duty in the common customs tariff;

(c) at the end of the second stage this difference shall again be reduced by 30%;

(d) in the case of tariff headings for which the duties in the common customs tariff are not yet available at the end of the first stage, each Member State shall, within six months of the Council’s action in accordance with Article 20, apply such duties as would result from application of the rules contained in this paragraph.

2. Where a Member State has been granted an authorization under Article 17, §4, it need not, for as long as that authorization remains valid, apply the preceding provisions to the tariff headings to which the authorization applies. When such authorization expires, the Member State concerned shall apply such duty as would have resulted from application of the rules contained in paragraph 1.

3. The common customs tariff shall be applied in its entirety by the end of the transitional period at the latest.

Rome version 1957

Article 23

(New Article)

1. For the purpose of the progressive introduction of the common customs tariff, Member States shall amend their tariffs applicable to third countries as follows:

(a) in the case of tariff headings on which the duties applied in practice on 1 January 1957 do not differ by more than 15% in either direction from the duties in the common customs tariff, the latter duties shall be applied at the end of the fourth year after the entry into force of this Treaty;

(b) in any other case, each Member State shall, as from the same date, apply a duty reducing by 30% the difference between the duty applied in practice on 1 January 1957 and the duty in the common customs tariff;

(c) at the end of the second stage this difference shall again be reduced by 30%;

(d) in the case of tariff headings for which the duties in the common customs tariff are not yet available at the end of the first stage, each Member State shall, within six months of the Council’s action in accordance with Article 20, apply such duties as would result from application of the rules contained in this paragraph.

2. Where a Member State has been granted an authorization under Article 17, §4, it need not, for as long as that authorization remains valid, apply the preceding provisions to the tariff headings to which the authorization applies. When such authorization expires, the Member State concerned shall apply such duty as would have resulted from application of the rules contained in paragraph 1.

3. The common customs tariff shall be applied in its entirety by the end of the transitional period at the latest.
**Article repealed by the Treaty of Amsterdam - TEC**

**Maastricht version 1992**

**Article 24**

(ex Article 24 TEEC Single European Act 1986)

Member States shall remain free to change their duties more rapidly than is provided for in Article 23 in order to bring them into line with the common customs tariff.

**Single European Act version 1986**

Article 24

(ex Article 24 TEEC Rome 1957)

Member States shall remain free to change their duties more rapidly than is provided for in Article 23 in order to bring them into line with the common customs tariff.

**Rome version 1957**

Article 24

(New Article)

Member States shall remain free to change their duties more rapidly than is provided for in Article 23 in order to bring them into line with the common customs tariff.

138 Article repealed by Art. 6, §15 of Amsterdam Treaty

**Maastricht version 1992**

**Article 25**

(ex Article 25 TEEC Single European Act 1986)

1. If the Commission finds that the production in Member States of particular products contained in Lists B, C and D is insufficient to supply the demands of one of the Member States, and that such supply traditionally depends to a considerable extent on imports from third countries, the Council shall, acting by a qualified majority on a proposal from the Commission, grant the Member State concerned tariff quotas at a reduced rate of duty or duty free.

   Such quotas may not exceed the limits beyond which the risk might arise of activities being transferred to the detriment of other Member States.

2. In the case of the products in List E, and of those in List G for which the rates of duty have been determined in accordance with the procedure provided for in the third paragraph of Article 20, the Commission shall, where a change in sources of supply or shortage of supplies within the Community is such as to entail harmful consequences for the processing industries of a Member State, at the request of that Member State, grant it tariff quotas at a reduced rate of duty or duty free.

   Such quotas may not exceed the limits beyond which the risk might arise of activities being transferred to the detriment of other Member States.

3. In the case of the products listed in Annex II to this Treaty, the Commission may authorize any Member State to suspend, in whole or in part, collection of the duties applicable or may grant such Member State tariff quotas at a reduced rate of duty or duty free, provided that no serious disturbance of the market of the products concerned results therefrom.

4. The Commission shall periodically examine tariff quotas granted pursuant to this Article.

139 Article repealed by Art. 6, §15 of Amsterdam Treaty
Single European Act version 1986

Article 25
(ex Article 25 TEEC Rome 1957)

1. If the Commission finds that the production in Member States of particular products contained in Lists B, C and D is insufficient to supply the demands of one of the Member States, and that such supply traditionally depends to a considerable extent on imports from third countries, the Council shall, acting by a qualified majority on a proposal from the Commission, grant the Member State concerned tariff quotas at a reduced rate of duty or duty free.

Such quotas may not exceed the limits beyond which the risk might arise of activities being transferred to the detriment of other Member States.

2. In the case of the products in List E, and of those in List G for which the rates of duty have been determined in accordance with the procedure provided for in the third paragraph of Article 20, the Commission shall, where a change in sources of supply or shortage of supplies within the Community is such as to entail harmful consequences for the processing industries of a Member State, at the request of that Member State, grant it tariff quotas at a reduced rate of duty or duty free.

Such quotas may not exceed the limits beyond which the risk might arise of activities being transferred to the detriment of other Member States.

3. In the case of the products listed in Annex II to this Treaty, the Commission may authorize any Member State to suspend, in whole or in part, collection of the duties applicable or may grant such Member State tariff quotas at a reduced rate of duty or duty free, provided that no serious disturbance of the market of the products concerned results therefrom.

4. The Commission shall periodically examine tariff quotas granted pursuant to this Article.
Maastricht version 1992

Article 26\textsuperscript{140}

(ex Article 26 TEEC Single European Act 1986)

The Commission may authorize any Member State encountering special difficulties to postpone the lowering or raising of duties provided for in Article 23 in respect of particular headings in its tariff.

Such authorization may only be granted for a limited period and in respect of tariff headings which, taken together, represent for such State not more than 5\% of the value of its imports from third countries in the course of the latest year for which statistical data are available.

Single European Act version 1986

Article 26

(ex Article 26 TEEC Rome 1957)

The Commission may authorize any Member State encountering special difficulties to postpone the lowering or raising of duties provided for in Article 23 in respect of particular headings in its tariff.

Such authorization may only be granted for a limited period and in respect of tariff headings which, taken together, represent for such State not more than 5\% of the value of its imports from third countries in the course of the latest year for which statistical data are available.

Rome version 1957

Article 26

(New Article)

The Commission may authorize any Member State encountering special difficulties to postpone the lowering or raising of duties provided for in Article 23 in respect of particular headings in its tariff.

Such authorization may only be granted for a limited period and in respect of tariff headings which, taken together, represent for such State not more than 5\% of the value of its imports from third countries in the course of the latest year for which statistical data are available.

\textsuperscript{140} Article repealed by Art. 6, §15 of Amsterdam Treaty

Maastricht version 1992

Article 27\textsuperscript{141}

(ex Article 27 TEEC Single European Act 1986)

Before the end of the first stage, Member States shall, in so far as may be necessary, take steps to approximate their provisions laid down by law, regulation or administrative action in respect of customs matters. To this end, the Commission shall make all appropriate recommendations to Member States.

Single European Act version 1986

Article 27

(ex Article 27 TEEC Rome 1957)

Before the end of the first stage, Member States shall, in so far as may be necessary, take steps to approximate their provisions laid down by law, regulation or administrative action in respect of customs matters. To this end, the Commission shall make all appropriate recommendations to Member States.

Rome version 1957

Article 27

(New Article)

Before the end of the first stage, Member States shall, in so far as may be necessary, take steps to approximate their provisions laid down by law, regulation or administrative action in respect of customs matters. To this end, the Commission shall make all appropriate recommendations to Member States.

\textsuperscript{141} Article repealed by Art. 6, §15 of Amsterdam Treaty
Maastricht version 1992

Article 31\[142\]

(ex Article 31 TEEC Single European Act 1986)

Member States shall refrain from introducing between themselves any new quantitative restrictions or measures having equivalent effect.

This obligation shall, however, relate only to the degree of liberalization attained in pursuance of the decisions of the Council of the Organization for European Economic Cooperation of 14 January 1955. Member States shall supply the Commission, not later than six months after the entry into force of this Treaty, with lists of the products liberalized by them in pursuance of these decisions. These lists shall be consolidated between Member States.

Single European Act version 1986

Article 31

(ex Article 31 TEEC Rome 1957)

Member States shall refrain from introducing between themselves any new quantitative restrictions or measures having equivalent effect.

This obligation shall, however, relate only to the degree of liberalization attained in pursuance of the decisions of the Council of the Organization for European Economic Cooperation of 14 January 1955. Member States shall supply the Commission, not later than six months after the entry into force of this Treaty, with lists of the products liberalized by them in pursuance of these decisions. These lists shall be consolidated between Member States.

Rome version 1957

Article 31

(New Article)

Member States shall refrain from introducing between themselves any new quantitative restrictions or measures having equivalent effect.

This obligation shall, however, relate only to the degree of liberalization attained in pursuance of the decisions of the Council of the Organization for European Economic Cooperation of 14 January 1955. Member States shall supply the Commission, not later than six months after the entry into force of this Treaty, with lists of the products liberalized by them in pursuance of these decisions. These lists shall be consolidated between Member States.

\[142\] Article repealed by Art. 6, §20 of Amsterdam Treaty
**Maastricht version 1992**

**Article 32**

(ex Article 32 TEEC Single European Act 1986)

In their trade with one another Member States shall refrain from making more restrictive the quotas and measures having equivalent effect existing at the date of the entry into force of this Treaty.

These quotas shall be abolished by the end of the transitional period at the latest. During that period, they shall be progressively abolished in accordance with the following provisions.

**Single European Act version 1986**

**Article 32**

(ex Article 32 TEEC Rome 1957)

In their trade with one another Member States shall refrain from making more restrictive the quotas and measures having equivalent effect existing at the date of the entry into force of this Treaty.

These quotas shall be abolished by the end of the transitional period at the latest. During that period, they shall be progressively abolished in accordance with the following provisions.

**Rome version 1957**

**Article 32**

(New Article)

In their trade with one another Member States shall refrain from making more restrictive the quotas and measures having equivalent effect existing at the date of the entry into force of this Treaty.

These quotas shall be abolished by the end of the transitional period at the latest. During that period, they shall be progressively abolished in accordance with the following provisions.

143 Article repealed by Art. 6, §20 of Amsterdam Treaty

144 Article repealed by Art. 6, §20 of Amsterdam Treaty

1. One year after the entry into force of this Treaty, each Member State shall convert any bilateral quotas open to any other Member States into global quotas open without discrimination to all other Member States.

On the same date, Member States shall increase the aggregate of the global quotas so established in such a manner as to bring about an increase of not less than 20 % in their total value as compared with the preceding year. The global quota for each product, however, shall be increased by not less than 10 %.

The quotas shall be increased annually in accordance with the same rules and in the same proportions in relation to the preceding year.

The fourth increase shall take place at the end of the fourth year after the entry into force of this Treaty; the fifth, one year after the beginning of the second stage.

2. Where, in the case of a product which has not been liberalized, the global quota does not amount to 3 % of the national production of the State concerned, a quota equal to not less than 3 % of such national production shall be introduced not later than one year after the entry into force of this Treaty. This quota shall be raised to 4 % at the end of the second year, and to 5 % at the end of the third. Thereafter, the Member State concerned shall increase the quota by not less than 15 % annually.

Where there is no such national production, the Commission shall take a decision establishing an appropriate quota.

3. At the end of the tenth year, each quota shall be equal to not less than 20 % of the national production.

4. If the Commission finds by means of a decision that during two successive years the imports of any product have been below the level of the quota opened, this global quota shall not be taken into account in calculating the total value of the global quotas. In such case, the Member State shall abolish quota restrictions on the product concerned.
5. In the case of quotas representing more than 20% of the national production of the product concerned, the Council may, acting by a qualified majority on a proposal from the Commission, reduce the minimum percentage of 10% laid down in paragraph 1. This alteration shall not, however, affect the obligation to increase the total value of global quotas by 20% annually.

6. Member States which have exceeded their obligations as regards the degree of liberalization attained in pursuance of the decisions of the Council of the Organization for European Economic Cooperation of 14 January 1955 shall be entitled, when calculating the annual total increase of 20% provided for in paragraph 1, to take into account the amount of imports liberalized by autonomous action. Such calculation shall be submitted to the Commission for its prior approval.

7. The Commission shall issue directives establishing the procedure and timetable in accordance with which Member States shall abolish, as between themselves, any measures in existence when this Treaty enters into force which have an effect equivalent to quotas.

8. If the Commission finds that the application of the provisions of this Article, and in particular of the provisions concerning percentages, makes it impossible to ensure that the abolition of quotas provided for in the second paragraph of Article 32 is carried out progressively, the Council may, on a proposal from the Commission, acting unanimously during the first stage and by a qualified majority thereafter, amend the procedure laid down in this Article and may, in particular, increase the percentages fixed.

Single European Act version 1986

Article 33

(ex Article 33 TEEC Rome 1957)

1. One year after the entry into force of this Treaty, each Member State shall convert any bilateral quotas open to any other Member States into global quotas open without discrimination to all other Member States.

On the same date, Member States shall increase the aggregate of the global quotas so established in such a manner as to bring about an increase of not less than 20% in their total value as compared with the preceding year. The global quota for each product, however, shall be increased by not less than 10%.

The quotas shall be increased annually in accordance with the same rules and in the same proportions in relation to the preceding year.

The fourth increase shall take place at the end of the fourth year after the entry into force of this Treaty; the fifth, one year after the beginning of the second stage.

2. Where, in the case of a product which has not been liberalized, the global quota does not amount to 3% of the national production of the State concerned, a quota equal to not less than 3% of such national production shall be introduced not later than one year after the entry into force of this Treaty. This quota shall be raised to 4% at the end of the second year, and to 5% at the end of the third. Thereafter, the Member State concerned shall increase the quota by not less than 15% annually.

Where there is no such national production, the Commission shall take a decision establishing an appropriate quota.

3. At the end of the tenth year, each quota shall be equal to not less than 20% of the national production.

4. If the Commission finds by means of a decision that during two successive years the imports of any product have been below the level of the quota opened, this global quota shall not be taken into account in calculating the total value of the global quotas. In such case, the Member State shall abolish quota restrictions on the product concerned.

5. In the case of quotas representing more than 20% of the national production of the product concerned, the Council may, acting by a qualified majority on a proposal from the Commission, reduce the minimum percentage of 10% laid down in paragraph 1. This alteration shall not, however, affect the obligation to increase the total value of global quotas by 20% annually.

6. Member States which have exceeded their obligations as regards the degree of liberalization attained in pursuance of the decisions of the Council of the Organization for European Economic Cooperation of 14 January 1955 shall be entitled, when calculating the annual total increase of 20% provided for in paragraph 1, to take into account the amount of imports liberalized by autonomous action. Such calculation shall be submitted to the Commission for its prior approval.

7. The Commission shall issue directives establishing the procedure and timetable in
accordance with which Member States shall abolish, as between themselves, any measures in existence when this Treaty enters into force which have an effect equivalent to quotas.

8. If the Commission finds that the application of the provisions of this Article, and in particular of the provisions concerning percentages, makes it impossible to ensure that the abolition of quotas provided for in the second paragraph of Article 32 is carried out progressively, the Council may, on a proposal from the Commission, acting unanimously during the first stage and by a qualified majority thereafter, amend the procedure laid down in this Article and may, in particular, increase the percentages fixed.

Rome version 1957

Article 33

(New Article)

1. One year after the entry into force of this Treaty, each Member State shall convert any bilateral quotas open to any other Member States into global quotas open without discrimination to all other Member States.

On the same date, Member States shall increase the aggregate of the global quotas so established in such a manner as to bring about an increase of not less than 20 % in their total value as compared with the preceding year. The global quota for each product, however, shall be increased by not less than 10 %.

The quotas shall be increased annually in accordance with the same rules and in the same proportions in relation to the preceding year.

The fourth increase shall take place at the end of the fourth year after the entry into force of this Treaty; the fifth, one year after the beginning of the second stage.

2. Where, in the case of a product which has not been liberalized, the global quota does not amount to 3 % of the national production of the State concerned, a quota equal to not less than 3 % of such national production shall be introduced not later than one year after the entry into force of this Treaty. This quota shall be raised to 4 % at the end of the second year, and to 5 % at the end of the third. Thereafter, the Member State concerned shall increase the quota by not less than 15 % annually.

Where there is no such national production, the Commission shall take a decision establishing an appropriate quota.

3. At the end of the tenth year, each quota shall be equal to not less than 20 % of the national production.

4. If the Commission finds by means of a decision that during two successive years the imports of any product have been below the level of the quota opened, this global quota shall not be taken into account in calculating the total value of the global quotas. In such case, the Member State shall abolish quota restrictions on the product concerned.

5. In the case of quotas representing more than 20 % of the national production of the product concerned, the Council may, acting by a qualified majority on a proposal from the Commission, reduce the minimum percentage of 10 % laid down in paragraph 1. This alteration shall not, however, affect the obligation to increase the total value of global quotas by 20 % annually.

6. Member States which have exceeded their obligations as regards the degree of liberalization attained in pursuance of the decisions of the Council of the Organization for European Economic Cooperation of 14 January 1955 shall be entitled, when calculating the annual total increase of 20 % provided for in paragraph 1, to take into account the amount of imports liberalized by autonomous action. Such calculation shall be submitted to the Commission for its prior approval.

7. The Commission shall issue directives establishing the procedure and timetable in accordance with which Member States shall abolish, as between themselves, any measures in existence when this Treaty enters into force which have an effect equivalent to quotas.

8. If the Commission finds that the application of the provisions of this Article, and in particular of the provisions concerning percentages, makes it impossible to ensure that the abolition of quotas provided for in the second paragraph of Article 32 is carried out progressively, the Council may, on a proposal from the Commission, acting unanimously during the first stage and by a qualified majority thereafter, amend the procedure laid down in this Article and may, in particular, increase the percentages fixed.
Maastricht version 1992
Article 35\(^{145}\)
(ex Article 35 TEEC Single European Act 1986)

The Member States declare their readiness to abolish quantitative restrictions on imports from and exports to other Member States more rapidly than is provided for in the preceding Articles, if their general economic situation and the situation of the economic sector concerned so permit.

To this end, the Commission shall make recommendations to the Member States concerned.

Single European Act version 1986
Article 35
(ex Article 35 TEEC Rome 1957)

The Member States declare their readiness to abolish quantitative restrictions on imports from and exports to other Member States more rapidly than is provided for in the preceding Articles, if their general economic situation and the situation of the economic sector concerned so permit.

To this end, the Commission shall make recommendations to the States concerned.

Rome version 1957
Article 35
(New Article)

The Member States declare their readiness to abolish quantitative restrictions on imports from and exports to other Member States more rapidly than is provided for in the preceding Articles, if their general economic situation and the situation of the economic sector concerned so permit.

To this end, the Commission shall make recommendations to the States concerned.

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145 Article repealed by Art. 6, §22 of Amsterdam Treaty

146 Article repealed by Art. 6, §28 of Amsterdam Treaty
These criteria and the procedure for revising them shall be determined by the Council acting unanimously within three years of the entry into force of this Treaty.

4. Until the decision of the Council takes effect, Member States may fix minimum prices on condition that these are communicated beforehand to the Commission and to the other Member States so that they may submit their comments.

Once the Council has taken its decision. Member States shall fix minimum prices on the basis of the criteria determined as above.

The Council may, acting by a qualified majority on a proposal from the Commission, rectify any decisions taken by Member States which do not conform to the criteria defined above.

5. If it does not prove possible to determine the said objective criteria for certain products by the beginning of the third stage, the Council may, acting by a qualified majority on a proposal from the Commission, vary the minimum prices applied to these products.

6. At the end of the transitional period, a table of minimum prices still in force shall be drawn up. The Council shall, acting on a proposal from the Commission and by a majority of nine votes in accordance with the weighting laid down in the first subparagraph of Article 148, §2, determine the system to be applied within the framework of the common agricultural policy.

Single European Act version 1986

Article 44

(ex Article 44 TEEC Rome 1957)

1. In so far as progressive abolition of customs duties and quantitative restrictions between Member States may result in prices likely to jeopardize the attainment of the objectives set out in Article 39, each Member State shall, during the transitional period, be entitled to apply to particular products, in a non-discriminatory manner and in substitution for quotas and to such an extent as shall not impede the expansion of the volume of trade provided for in Article 45, §2, a system of minimum prices below which imports may be either:

- temporarily suspended or reduced; or

Articles repealed by the Treaty of Amsterdam - TEC

- allowed, but subjected to the condition that they are made at a price higher than the minimum price for the product concerned.

In the latter case the minimum prices shall not include customs duties.

2. Minimum prices shall neither cause a reduction of the trade existing between Member States when this Treaty enters into force nor form an obstacle to progressive expansion of this trade. Minimum prices shall not be applied so as to form an obstacle to the development of a natural preference between Member States.

3. As soon as this Treaty enters into force the Council shall, on a proposal from the Commission, determine objective criteria for the establishment of minimum price systems and for the fixing of such prices.

These criteria shall in particular take account of the average national production costs in the Member State applying the minimum price, of the position of the various undertakings concerned in relation to such average production costs, and of the need to promote both the progressive improvement of agricultural practice and the adjustments and specialization needed within the common market.

The Commission shall further propose a procedure for revising these criteria in order to allow for and speed up technical progress and to approximate prices progressively within the common market.

These criteria and the procedure for revising them shall be determined by the Council acting unanimously within three years of the entry into force of this Treaty.

4. Until the decision of the Council takes effect, Member States may fix minimum prices on condition that these are communicated beforehand to the Commission and to the other Member States so that they may submit their comments.

Once the Council has taken its decision. Member States shall fix minimum prices on the basis of the criteria determined as above.

The Council may, acting by a qualified majority on a proposal from the Commission, rectify any decisions taken by Member States which do not conform to the criteria defined above.

5. If it does not prove possible to determine the said objective criteria for certain products by the beginning of the third stage, the Council may, acting
by a qualified majority on a proposal from the Commission, vary the minimum prices applied to these products.

6. At the end of the transitional period, a table of minimum prices still in force shall be drawn up. The Council shall, acting on a proposal from the Commission and by a majority of nine votes in accordance with the weighting laid down in the first subparagraph of Article 148, §2, determine the system to be applied within the framework of the common agricultural policy.

Rome version 1957

Article 44

(New Article)

1. In so far as progressive abolition of customs duties and quantitative restrictions between Member States may result in prices likely to jeopardize the attainment of the objectives set out in Article 39, each Member State shall, during the transitional period, be entitled to apply to particular products, in a non-discriminatory manner and in substitution for quotas and to such an extent as shall not impede the expansion of the volume of trade provided for in Article 45, §2, a system of minimum prices below which imports may be either:

- temporarily suspended or reduced; or

- allowed, but subjected to the condition that they are made at a price higher than the minimum price for the product concerned.

In the latter case the minimum prices shall not include customs duties.

2. Minimum prices shall neither cause a reduction of the trade existing between Member States when this Treaty enters into force nor form an obstacle to progressive expansion of this trade. Minimum prices shall not be applied so as to form an obstacle to the development of a natural preference between Member States.

3. As soon as this Treaty enters into force the Council shall, on a proposal from the Commission, determine objective criteria for the establishment of minimum price systems and for the fixing of such prices.

These criteria shall in particular take account of the average national production costs in the Member State applying the minimum price, of the position of the various undertakings concerned in relation to such average production costs, and of the need to promote both the progressive improvement of agricultural practice and the adjustments and specialization needed within the common market.

The Commission shall further propose a procedure for revising these criteria in order to allow for and speed up technical progress and to approximate prices progressively within the common market.

These criteria and the procedure for revising them shall be determined by the Council acting unanimously within three years of the entry into force of this Treaty.

4. Until the decision of the Council takes effect, Member States may fix minimum prices on condition that these are communicated beforehand to the Commission and to the other Member States so that they may submit their comments.

Once the Council has taken its decision. Member States shall fix minimum prices on the basis of the criteria determined as above.

The Council may, acting by a qualified majority on a proposal from the Commission, rectify any decisions taken by Member States which do not conform to the criteria defined above.

5. If it does not prove possible to determine the said objective criteria for certain products by the beginning of the third stage, the Council may, acting by a qualified majority on a proposal from the Commission, vary the minimum prices applied to these products.

6. At the end of the transitional period, a table of minimum prices still in force shall be drawn up. The Council shall, acting on a proposal from the Commission and by a majority of nine votes in accordance with the weighting laid down in the first subparagraph of Article 148, §2, determine the system to be applied within the framework of the common agricultural policy.
Articles repealed by the Treaty of Amsterdam - TEC

If the first stage is extended, these agreements or contracts shall continue to be carried out in accordance with the conditions applicable at the end of the fourth year after the entry into force of this Treaty, the obligation to increase quantities and to approximate prices being suspended until the transition to the second stage.

Member States shall avail themselves of any opportunity open to them under their legislation, particularly in respect of import policy, to ensure the conclusion and carrying out of these agreements or contracts.

3. To the extent that Member States require raw materials for the manufacture of products to be exported outside the Community in competition with products of third countries, the above agreements or contracts shall not form an obstacle to the importation of raw materials for this purpose form third countries. This provision shall not, however, apply if the Council unanimously decides to make provision for payments required to compensate for the higher price paid on goods imported for this purpose on the basis of these agreements or contracts in relation to the delivered price of the same goods purchased on the world market.

Single European Act version 1986

Article 45

(ex Article 45 TEEC Rome 1957)

1. Until national market organizations have been replaced by one of the forms of common organization referred to in Article 40, §2, trade in products in respect of which certain Member States:

- have arrangements designed to guarantee national producers a market for their products; and

- are in need of imports,

shall be developed by the conclusion of long-term agreements or contracts between importing and exporting Member States.

These agreements or contracts shall be directed towards the progressive abolition of any discrimination in the application of these arrangements of the various producers within the Community.

Such agreements or contracts shall be concluded during the first stage; account shall be taken of the principle of reciprocity.

2. As regards quantities, these agreements or contracts shall be based on the average volume of trade between Member States in the products concerned during the three years before the entry into force of this Treaty and shall provide for an increase in the volume of trade within the limits of existing requirements, account being taken of traditional patterns of trade.

As regards prices, these agreements or contracts shall enable producers to dispose of the agreed quantities at prices which shall be progressively approximated to those paid to national producers on the domestic market of the purchasing country.

This approximation shall proceed as steadily as possible and shall be completed by the end of the transitional period at the latest.

Prices shall be negotiated between the parties concerned within the framework of directives issued by the Commission for the purpose of implementing the two preceding subparagraphs.

147 Article repealed by Art. 6, §28 of Amsterdam Treaty
2. As regards quantities, these agreements or contracts shall be based on the average volume of trade between Member States in the products concerned during the three years before the entry into force of this Treaty and shall provide for an increase in the volume of trade within the limits of existing requirements, account being taken of traditional patterns of trade.

As regards prices, these agreements or contracts shall enable producers to dispose of the agreed quantities at prices which shall be progressively approximated to those paid to national producers on the domestic market of the purchasing country.

This approximation shall proceed as steadily as possible and shall be completed by the end of the transitional period at the latest.

Prices shall be negotiated between the parties concerned within the framework of directives issued by the Commission for the purpose of implementing the two preceding subparagraphs.

If the first stage is extended, these agreements or contracts shall continue to be carried out in accordance with the conditions applicable at the end of the fourth year after the entry into force of this Treaty, the obligation to increase quantities and to approximate prices being suspended until the transition to the second stage.

Member States shall avail themselves of any opportunity open to them under their legislation, particularly in respect of import policy, to ensure the conclusion and carrying out of these agreements or contracts.

3. To the extent that Member States require raw materials for the manufacture of products to be exported outside the Community in competition with products of third countries, the above agreements or contracts shall not form an obstacle to the importation of raw materials for this purpose from third countries. This provision shall not, however, apply if the Council unanimously decides to make provision for payments required to compensate for the higher price paid on goods imported for this purpose on the basis of these agreements or contracts in relation to the delivered price of the same goods purchased on the world market.

Rome version 1957

Article 45

(New Article)

1. Until national market organizations have been replaced by one of the forms of common organization referred to in Article 40, §2, trade in products in respect of which certain Member States:

- have arrangements designed to guarantee national producers a market for their products; and

- are in need of imports,

shall be developed by the conclusion of long-term agreements or contracts between importing and exporting Member States.

These agreements or contracts shall be directed towards the progressive abolition of any discrimination in the application of these arrangements of the various producers within the Community.

Such agreements or contracts shall be concluded during the first stage; account shall be taken of the principle or reciprocity.

2. As regards quantities, these agreements or contracts shall be based on the average volume of trade between Member States in the products concerned during the three years before the entry into force of this Treaty and shall provide for an increase in the volume of trade within the limits of existing requirements, account being taken of traditional patterns of trade.

As regards prices, these agreements or contracts shall enable producers to dispose of the agreed quantities at prices which shall be progressively approximated to those paid to national producers on the domestic market of the purchasing country.

This approximation shall proceed as steadily as possible and shall be completed by the end of the transitional period at the latest.

Prices shall be negotiated between the parties concerned within the framework of directives issued
by the Commission for the purpose of implementing the two preceding subparagraphs.

If the first stage is extended, these agreements or contracts shall continue to be carried out in accordance with the conditions applicable at the end of the fourth year after the entry into force of this Treaty, the obligation to increase quantities and to approximate prices being suspended until the transition to the second stage.

Member States shall avail themselves of any opportunity open to them under their legislation, particularly in respect of import policy, to ensure the conclusion and carrying out of these agreements or contracts.

3. To the extent that Member States require raw materials for the manufacture of products to be exported outside the Community in competition with products of third countries, the above agreements or contracts shall not form an obstacle to the importation of raw materials for this purpose from third countries. This provision shall not, however, apply if the Council unanimously decides to make provision for payments required to compensate for the higher price paid on goods imported for this purpose on the basis of these agreements or contracts in relation to the delivered price of the same goods purchased on the world market.

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**Maastricht version 1992**

Article 47

(ex Article 47 TEEC Single European Act 1986)

As to the functions to be performed by the Economic and Social Committee in pursuance of this Title, its agricultural section shall hold itself at the disposal of the Commission to prepare, in accordance with the provisions of Articles 197 and 198, the deliberations of the Committee.

**Single European Act version 1986**

Article 47

(ex Article 47 TEEC Rome 1957)

As to the functions to be performed by the Economic and Social Committee in pursuance of this Title, its agricultural section shall hold itself at the disposal of the Commission to prepare, in accordance with the provisions of Articles 197 and 198, the deliberations of the Committee.

**Rome version 1957**

Article 47

(New Article)

As to the functions to be performed by the Economic and Social Committee in pursuance of this Title, its agricultural section shall hold itself at the disposal of the Commission to prepare, in accordance with the provisions of Articles 197 and 198, the deliberations of the Committee.

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148 Article repealed by Art. 6, §28 of Amsterdam Treaty
**Maastricht version 1992**

Article 53\(^{149}\)

(ex Article 53 TEEC Single European Act 1986)

Member States shall not introduce any new restrictions on the right of establishment in their territories of nationals of other Member States, save as otherwise provided in this Treaty.

**Single European Act version 1986**

Article 53

(ex Article 53 TEEC Rome 1957)

Member States shall not introduce any new restrictions on the right of establishment in their territories of nationals of other Member States, save as otherwise provided in this Treaty.

**Rome version 1957**

Article 53

(New Article)

Member States shall not introduce any new restrictions on the right of establishment in their territories of nationals of other Member States, save as otherwise provided in this Treaty.

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**Maastricht version 1992**

Article 62\(^{150}\)

(ex Article 62 TEEC Single European Act 1986)

Save as otherwise provided in this Treaty, Member States shall not introduce any new restrictions on the freedom to provide services which have in fact been attained at the date of the entry into force of this Treaty.

**Single European Act version 1986**

Article 62

(ex Article 62 TEEC Rome 1957)

Save as otherwise provided in this Treaty, Member States shall not introduce any new restrictions on the freedom to provide services which have in fact been attained at the date of the entry into force of this Treaty.

**Rome version 1957**

Article 62

(New Article)

Save as otherwise provided in this Treaty, Member States shall not introduce any new restrictions on the freedom to provide services which have in fact been attained at the date of the entry into force of this Treaty.

\(^{149}\) Article repealed by Art. 6, §32 of Amsterdam Treaty

\(^{150}\) Article repealed by Art. 6, §36 of Amsterdam Treaty
1. During the transitional period and to the extent necessary to ensure the proper functioning of the common market, Member States shall progressively abolish between themselves all restrictions on the movement of capital belonging to persons resident in Member States and any discrimination based on the nationality or on the place of residence of the parties or on the place where such capital is invested.

2. Current payments connected with the movement of capital between Member States shall be freed from all restrictions by the end of the first stage at the latest.

1. During the transitional period and to the extent necessary to ensure the proper functioning of the common market, Member States shall progressively abolish between themselves all restrictions on the movement of capital belonging to persons resident in Member States and any discrimination based on the nationality or on the place of residence of the parties or on the place where such capital is invested.

2. Current payments connected with the movement of capital between Member States shall be freed from all restrictions by the end of the first stage at the latest.

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1 As amended by Art. G, §14 of Maastricht Treaty
2 Article repealed by Art. 6, §39 of Amsterdam Treaty
Articles repealed by the Treaty of Amsterdam - TEC

Maastricht version 1992

Article 68\(^{153}\)

(ex Article 68 TEEC Single European Act 1986)

1. Member States shall, as regards the matters dealt with in this Chapter, be as liberal as possible in granting such exchange authorizations as are still necessary after the entry into force of this Treaty.

2. Where a Member State applies to the movements of capital liberalized in accordance with the provisions of this Chapter the domestic rules governing the capital market and the credit system, it shall do so in a non-discriminatory manner.

3. Loans for the direct or indirect financing of a Member State or its regional or local authorities shall not be issued or placed in other Member States unless the States concerned have reached agreement thereon. This provision shall not preclude the application of Article 22 of the Protocol on the Statute of the European Investment Bank.

Single European Act version 1986

Article 68

(ex Article 68 TEEC Rome 1957)

1. Member States shall, as regards the matters dealt with in this Chapter, be as liberal as possible in granting such exchange authorizations as are still necessary after the entry into force of this Treaty.

2. Where a Member State applies to the movements of capital liberalized in accordance with the provisions of this Chapter the domestic rules governing the capital market and the credit system, it shall do so in a non-discriminatory manner.

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Rome version 1957

Article 68

(New Article)

1. Member States shall, as regards the matters dealt with in this Chapter, be as liberal as possible in granting such exchange authorizations as are still necessary after the entry into force of this Treaty.

2. Where a Member State applies to the movements of capital liberalized in accordance with the provisions of this Chapter the domestic rules governing the capital market and the credit system, it shall do so in a non-discriminatory manner.

3. Loans for the direct or indirect financing of a Member State or its regional or local authorities shall not be issued or placed in other Member States unless the States concerned have reached agreement thereon. This provision shall not preclude the application of Article 22 of the Protocol on the Statute of the European Investment Bank.

\(^{153}\) Article repealed by Art. 6, §39 of Amsterdam Treaty
Maastricht version 1992

Article 69\textsuperscript{154}

(ex Article 69 TEEC Single European Act 1986)

The Council shall, on a proposal from the Commission, which for its purpose shall consult the Monetary Committee provided for in Article 105, issue the necessary directives for the progressive implementation of the provisions of Article 67, acting unanimously during the first two stages and by a qualified majority thereafter.

Single European Act version 1986

Article 69

(ex Article 69 TEEC Rome 1957)

The Council shall, on a proposal from the Commission, which for its purpose shall consult the Monetary Committee provided for in Article 105, issue the necessary directives for the progressive implementation of the provisions of Article 67, acting unanimously during the first two stages and by a qualified majority thereafter.

Rome version 1957

Article 69

(New Article)

The Council shall, on a proposal from the Commission, which for its purpose shall consult the Monetary Committee provided for in Article 105, issue the necessary directives for the progressive implementation of the provisions of Article 67, acting unanimously during the first two stages and by a qualified majority thereafter.

\textsuperscript{154} Article repealed by Art. 6, §39 of Amsterdam Treaty

Maastricht version 1992

Article 70\textsuperscript{155}

(ex Article 70 TEEC Single European Act 1986)

1. The Commission shall propose to the Council measures for the progressive coordination of the exchange policies of Member States in respect of the movement of capital between those States and third countries. For this purpose the Council shall issue directives, acting by a qualified majority. It shall endeavour to attain the highest possible degree of liberalization. Unanimity shall be required for measures which constitute a step back as regards the liberalization of capital movements.

2. Where the measures taken in accordance with paragraph 1 do not permit the elimination of differences between the exchange rules of Member States and where such differences could lead persons resident in one of the Member States to use the freer transfer facilities within the Community which are provided for in Article 67 in order to evade the rules of one of the Member States concerning the movement of capital to or from third countries; that State may, after consulting the other Member States and the Commission, take appropriate measures to overcome these difficulties.

Should the Council find that these measures are restricting the free movement of capital within the Community to a greater extent than is required for the purpose of overcoming the difficulties, it may, acting by a qualified majority on a proposal from the Commission, decide that the State concerned shall amend or abolish these measures.

Single European Act version 1986

Article 70

(ex Article 70 TEEC Rome 1957)

1. The Commission shall propose to the Council measures for the progressive coordination of the exchange policies of Member States in respect of the movement of capital between those States and third countries. For this purpose the Council shall issue directives, acting by a qualified majority.\textsuperscript{156} It shall endeavour to attain the highest possible degree of liberalization. 	extbf{Unanimity shall be required for}

\textsuperscript{155} Article repealed by Art. 6, §39 of Amsterdam Treaty
\textsuperscript{156} As amended by Art. 16, §4 of the Single European Act
measures which constitute a step back as regards the liberalization of capital movements.\textsuperscript{157}

2. Where the measures taken in accordance with paragraph 1 do not permit the elimination of differences between the exchange rules of Member States and where such differences could lead persons resident in one of the Member States to use the freer transfer facilities within the Community which are provided for in Article 67 in order to evade the rules of one of the Member States concerning the movement of capital to or from third countries; that State may, after consulting the other Member States and the Commission, take appropriate measures to overcome these difficulties.

Should the Council find that these measures are restricting the free movement of capital within the Community to a greater extent than is required for the purpose of overcoming the difficulties, it may, acting by a qualified majority on a proposal from the Commission, decide that the State concerned shall amend or abolish these measures.

\begin{center}
Rome version 1957
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Article 70
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(New Article)

1. The Commission shall propose to the Council measures for the progressive coordination of the exchange policies of Member States in respect of the movement of capital between those States and third countries. For this purpose the Council shall issue directives, acting \textit{unanimously}.\textsuperscript{158} It shall endeavour to attain the highest possible degree of liberalisation.

2. Where the measures taken in accordance with paragraph 1 do not permit the elimination of differences between the exchange rules of Member States and where such differences could lead persons resident in one of the Member States to use the freer transfer facilities within the Community which are provided for in Article 67 in order to evade the rules of one of the Member States concerning the movement of capital to or from third countries, that State may, after consulting the other Member States and the Commission, take appropriate measures to overcome these difficulties.

Should the Council find that these measures are restricting the free movement of capital within the Community to a greater extent than is required for the purpose of overcoming the difficulties, it may, acting by a qualified majority on a proposal from the Commission, decide that the State concerned shall amend or abolish these measures.

\begin{footnotesize}
\begin{footnotes}
\textsuperscript{157} Sentence inserted by Art. 16, §4 of the Single European Act
\textsuperscript{158} As amended by Art. 16, §4 of the Single European Act
\end{footnotes}
\end{footnotesize}
Member States shall endeavour to avoid introducing within the Community any new exchange restrictions on the movement of capital and currency payments connected with such movements, and shall endeavour not to make existing rules more restrictive.

They declare their readiness to go beyond the degree of liberalization of capital movements provided for in the preceding Articles in so far as their economic situation, in particular the situation of their balance of payments, so permits.

The Commission may, after consulting the Monetary Committee, make recommendations to Member States on this subject.

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They declare their readiness to go beyond the degree of liberalization of capital movements provided for in the preceding Articles in so far as their economic situation, in particular the situation of their balance of payments, so permits.

The Commission may, after consulting the Monetary Committee, make recommendations to Member States on this subject.
Maastricht version 1992

Article 72\(^{160}\)

(ex Article 72 TEEC Single European Act 1986)

Member States shall keep the Commission informed of any movements of capital to and from third countries which come to their knowledge. The Commission may deliver to Member States any opinions which it considers appropriate on this subject.

Single European Act version 1986

Article 72

(ex Article 72 TEEC Rome 1957)

Member States shall keep the Commission informed of any movements of capital to and from third countries which come to their knowledge. The Commission may deliver to Member States any opinions which it considers appropriate on this subject.

Rome version 1957

Article 72

(New Article)

Member States shall keep the Commission informed of any movements of capital to and from third countries which come to their knowledge. The Commission may deliver to Member States any opinions which it considers appropriate on this subject.

Maastricht version 1992

Article 73\(^{161}\)

(ex Article 73 TEEC Single European Act 1986)

1. If movements of capital lead to disturbances in the functioning of the capital market in any Member State, the Commission shall, after consulting the Monetary Committee, authorize that State to take protective measures in the field of capital movements, the conditions and details of which the Commission shall determine.

The Council may, acting by a qualified majority, revoke this authorization or amend the conditions or details thereof.

2. A Member State which is in difficulties may, however, on grounds of secrecy or urgency, take the measures mentioned above, where this proves necessary, on its own initiative. The Commission and the other Member States shall be informed of such measures by the date of their entry into force at the latest. In this event the Commission may, after consulting the Monetary Committee, decide that the State concerned shall amend or abolish the measures.

Single European Act version 1986

Article 73

(ex Article 73 TEEC Rome 1957)

1. If movements of capital lead to disturbances in the functioning of the capital market in any Member State, the Commission shall, after consulting the Monetary Committee, authorize that State to take protective measures in the field of capital movements, the conditions and details of which the Commission shall determine.

The Council may, acting by a qualified majority, revoke this authorization or amend the conditions or details thereof.

2. A Member State which is in difficulties may, however, on grounds of secrecy or urgency, take the measures mentioned above, where this proves necessary, on its own initiative. The Commission and the other Member States shall be informed of such measures by the date of their entry into force at the latest. In this event the Commission may, after consulting the Monetary Committee, decide that the State concerned shall amend or abolish the measures.

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\(^{160}\) Article repealed by Art. 6, §39 of Amsterdam Treaty

\(^{161}\) Article repealed by Art. 6, §39 of Amsterdam Treaty
State concerned shall amend or abolish the measures.

**Rome version 1957**

**Article 73**

*(New Article)*

1. If movements of capital lead to disturbances in the functioning of the capital market in any Member State, the Commission shall, after consulting the Monetary Committee, authorize that State to take protective measures in the field of capital movements, the conditions and details of which the Commission shall determine.

The Council may, acting by a qualified majority, revoke this authorization or amend the conditions or details thereof.

2. A Member State which is in difficulties may, however, on grounds of secrecy or urgency, take the measures mentioned above, where this proves necessary, on its own initiative. The Commission and the other Member States shall be informed of such measures by the date of their entry into force at the latest. In this event the Commission may, after consulting the Monetary Committee, decide that the State concerned shall amend or abolish the measures.

**Maastricht version 1992**

*Article 73 A*[^162]

*(New Article)*[^163]

As from 1 January 1994, Articles 67 to 73 shall be replaced by Articles 73 B, C, D, E, F and G.

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[^162]: Article repealed by Art. 6, §39 of Amsterdam Treaty
[^163]: Article inserted by Art. G, §15 of Maastricht Treaty
Maastricht version 1992

Article 73 E\textsuperscript{164}

(\textbf{New Article})\textsuperscript{165}

By way of derogation from Article 73b, Member States which, on 31 December 1993, enjoy a derogation on the basis of existing Community law, shall be entitled to maintain, until 31 December 1995 at the latest, restrictions on movements of capital authorized by such derogations as exist on that date.

\textsuperscript{164} Article repealed by Art. 6, §39 of Amsterdam Treaty
\textsuperscript{165} Article inserted by Art. G, §15 of Maastricht Treaty

Maastricht version 1992

Article 73 H\textsuperscript{166}

(\textbf{New Article})\textsuperscript{167}

Until 1 January 1994, the following provisions shall be applicable:

1) Each Member State undertakes to authorize, in the currency of the Member State in which the creditor or the beneficiary resides, any payments connected with the movement of goods, services or capital, and any transfers of capital and earnings, to the extent that the movement of goods, services, capital and persons between Member States has been liberalized pursuant to this Treaty.

The Member States declare their readiness to undertake the liberalization of payments beyond the extent provided in the preceding subparagraph, in so far as their economic situation in general and the state of their balance of payments in particular so permit.

2) In so far as movements of goods, services and capital are limited only by restrictions on payments connected therewith, these restrictions shall be progressively abolished by applying, mutatis mutandis, the provisions of this Chapter and the Chapters relating to the abolition of quantitative restrictions and to the liberalization of services.

3) Member States undertake not to introduce between themselves any new restrictions on transfers connected with the invisible transactions listed in Annex III to this Treaty.

The progressive abolition of existing restrictions shall be effected in accordance with the provisions of Articles 63 to 65, in so far as such abolition is not governed by the provisions contained in paragraphs 1 and 2 or by the other provisions of this Chapter.

4) If need be, Member States shall consult each other on the measures to be taken to enable the payments and transfers mentioned in this Article to be effected; such measures shall not prejudice the attainment of the objectives set out in this Treaty.

\textsuperscript{166} Article repealed by Art. 6, §39 of Amsterdam Treaty
\textsuperscript{167} Article inserted by Art. G, §15 of Maastricht Treaty
Maastricht version 1992

SECTION 2

DUMPING\(^{168}\)

Article 91\(^{169}\)

(ex Article 91 TEEC Single European Act 1986)

1. If during the transitional period, the Commission, on application by a Member State or by any other interested party, finds that dumping is being practised within the common market, it shall address recommendations to the person or persons with whom such practices originate for the purpose of putting an end to them.

Should the practices continue, the Commission shall authorize the injured Member State to take protective measures, the conditions and details of which the Commission shall determine.

2. As soon as this Treaty enters into force, products which originate in or are in free circulation in one Member State and which have been exported to another Member State shall, on reimportation, be admitted into the territory of the first-mentioned State free of all customs duties, quantitative restrictions or measures having equivalent effect. The Commission shall lay down appropriate rules for the application of this paragraph.

Single European Act version 1986

SECTION 2

DUMPING

Article 91

(ex Article 91 TEEC Rome 1957)

1. If during the transitional period, the Commission, on application by a Member State or by any other interested party, finds that dumping is being practised within the common market, it shall address recommendations to the person or persons with whom such practices originate for the purpose of putting an end to them.

Should the practices continue, the Commission shall authorize the injured Member State to take protective measures, the conditions and details of which the Commission shall determine.

2. As soon as this Treaty enters into force, products which originate in or are in free circulation in one Member State and which have been exported to another Member State shall, on reimportation, be admitted into the territory of the first-mentioned State free of all customs duties, quantitative restrictions or measures having equivalent effect. The Commission shall lay down appropriate rules for the application of this paragraph.

\(^{168}\) Section repealed by Art. 6, §48 of Amsterdam Treaty

\(^{169}\) Article repealed by Art. 6, §49 of Amsterdam Treaty
Maastricht version 1992

Article 97\(^{170}\)

(ex Article 97 TEEC Single European Act 1986)

Member States which levy a turnover tax calculated on a cumulative multi-stage tax system may, in the case of internal taxation imposed by them on imported products or of repayments allowed by them on exported products, establish average rates for products or groups of products, provided that there is no infringement of the principles laid down in Articles 95 and 96.

Where the average rates established by a Member State do not conform to these principles, the Commission shall address appropriate directives or decisions to the State concerned.

Single European Act version 1986

Article 97

(ex Article 97 TEEC Rome 1957)

Member States which levy a turnover tax calculated on a cumulative multi-stage tax system may, in the case of internal taxation imposed by them on imported products or of repayments allowed by them on exported products, establish average rates for products or groups of products, provided that there is no infringement of the principles laid down in Articles 95 and 96.

Where the average rates established by a Member State do not conform to these principles, the Commission shall address appropriate directives or decisions to the State concerned.

Rome version 1957

Article 97

(New Article)

Member States which levy a turnover tax calculated on a cumulative multi-stage tax system may, in the case of internal taxation imposed by them on imported products or of repayments allowed by them on exported products, establish average rates for products or groups of products, provided that there is no infringement of the principles laid down in Articles 95 and 96.

Where the average rates established by a Member State do not conform to these principles, the Commission shall address appropriate directives or decisions to the State concerned.

\(^{170}\) Article repealed by Art. 6, §53 of Amsterdam Treaty
Maastricht version 1992

Article 100 B\(^{171}\)

(ex Article 100 B TEEC Single European Act 1986)

1. During 1992, the Commission shall, together with each Member State draw up an inventory of national laws, regulations and administrative provisions which fall under Article 100 A and which have not been harmonized pursuant to that Article.

The Council, acting in accordance with the provisions of Article 100 A, may decide that the provisions in force in a Member State must be recognized as being equivalent to those applied by another Member State.

2. The provisions of Article 100 A, §4 shall apply by analogy.

3. The Commission shall draw up the inventory referred to in the first subparagraph of paragraph 1 and shall submit appropriate proposals in good time to allow the Council to act before the end of 1992.

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Single European Act version 1986

Article 100 B

(New Article)\(^{172}\)

1. During 1992, the Commission shall, together with each Member State draw up an inventory of national laws, regulations and administrative provisions which fall under Article 100 A and which have not been harmonized pursuant to that Article.

The Council, acting in accordance with the provisions of Article 100 A, may decide that the provisions in force in a Member State must be recognized as being equivalent to those applied by another Member State.

2. The provisions of Article 100 A, §4 shall apply by analogy.

3. The Commission shall draw up the inventory referred to in the first subparagraph of paragraph 1 and shall submit appropriate proposals in good time to allow the Council to act before the end of 1992.

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Maastricht version 1992

Article 100 C\(^{173}\)

(New Article)\(^{174}\)

1. The Council, acting unanimously on a proposal from the Commission and after consulting the European Parliament, shall determine the third countries whose nationals must be in possession of a visa when crossing the external borders of the Member States.

2. However, in the event of an emergency situation in a third country posing a threat of a sudden inflow of nationals from that country into the Community, the Council, acting by a qualified majority on a recommendation from the Commission, may introduce, for a period not exceeding six months, a visa requirement for nationals from the country in question. The visa requirements established under this paragraph may be extended in accordance with the procedure referred to in paragraph 1.

3. From 1 January 1996, the Council shall adopt the decisions referred to in paragraph 1 by a qualified majority. The Council shall, before that date, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament, adopt measures relating to a uniform format for visas.

4. In the areas referred to in this Article, the Commission shall examine any request made by a Member State that it submit a proposal to the Council.

5. This Article shall be without prejudice to the exercise of the responsibilities incumbent upon the Member States with regard to the maintenance of law and order and the safeguarding of internal security.

6. This Article shall apply to other areas if so decided pursuant to Article K.9 of the provisions of the Treaty on European Union which relate to cooperation in the fields of justice and home affairs, subject to the voting conditions determined at the same time.

7. The provisions of the conventions in force between the Member States governing areas covered by this Article shall remain in force until their content has been replaced by directives or measures adopted pursuant to this Article.

\(^{171}\) Article repealed by Art. 6, §53 of Amsterdam Treaty

\(^{172}\) Article inserted by Art. 19 of the Single European Act

\(^{173}\) Article repealed by Art. 2, §18 of Amsterdam Treaty

\(^{174}\) Article inserted by Art. G, §23 of Maastricht Treaty
The Coordinating Committee consisting of senior officials set up by Article K.4 of the Treaty on European Union shall contribute, without prejudice to the provisions of Article 151, to the preparation of the proceedings of the Council in the fields referred to in Article 100 C.

175 Article repealed by Art. 2, §18 of Amsterdam Treaty
176 Article inserted by Art. G, §23 of Maastricht Treaty

The following provisions shall, without prejudice to Articles 115 and 116, apply during the transitional period:

1. Member States shall co-ordinate their trade relations with third countries so as to bring about, by the end of the transitional period, the conditions needed for implementing a common policy in the field of external trade.

The Commission shall submit to the Council proposals regarding the procedure for common action to be followed during the transitional period and regarding the achievement of uniformity in their commercial policies.

2. The Commission shall submit to the Council recommendations for tariff negotiations with third countries in respect of the common customs tariff. The Council shall authorise the Commission to open such negotiations.

The Commission shall conduct these negotiations in consultation with a special committee appointed by the Council to assist the Commission in this task and within the framework of such directives as the Council may issue to it.

3. In exercising the powers conferred upon it by this Article, the Council shall act unanimously during the first two stages and by a qualified majority thereafter.

4. Member States shall, in consultation with the Commission, take all necessary measures, particularly those designed to bring about an adjustment of tariff agreements in force with third countries, in order that the entry into force of the common customs tariff shall not be delayed.

177 Article repealed by Art. G, §27 of Maastricht Treaty
5. Member States shall aim at securing as high a level of uniformity as possible between themselves as regards their liberalisation lists in relation to third countries or groups of third countries. To this end, the Commission shall make all appropriate recommendations to Member States.

If Member States abolish or reduce quantitative restrictions in relation to third countries, they shall inform the Commission beforehand and shall accord the same treatment to other Member States.

Rome version 1957

Article 111

(New Article)

The following provisions shall, without prejudice to Articles 115 and 116, apply during the transitional period:

1. Member States shall co-ordinate their trade relations with third countries so as to bring about, by the end of the transitional period, the conditions needed for implementing a common policy in the field of external trade.

The Commission shall submit to the Council proposals regarding the procedure for common action to be followed during the transitional period and regarding the achievement of uniformity in their commercial policies.

2. The Commission shall submit to the Council recommendations for tariff negotiations with third countries in respect of the common customs tariff.

The Council shall authorise the Commission to open such negotiations.

The Commission shall conduct these negotiations in consultation with a special committee appointed by the Council to assist the Commission in this task and within the framework of such directives as the Council may issue to it.

3. In exercising the powers conferred upon it by this Article, the Council shall act unanimously during the first two stages and by a qualified majority thereafter.

4. Member States shall, in consultation with the Commission, take all necessary measures, particularly those designed to bring about an adjustment of tariff agreements in force with third countries, in order that the entry into force of the common customs tariff shall not be delayed.

5. Member States shall aim at securing as high a level of uniformity as possible between themselves as regards their liberalisation lists in relation to third countries or groups of third countries. To this end, the Commission shall make all appropriate recommendations to Member States.

If Member States abolish or reduce quantitative restrictions in relation to third countries, they shall inform the Commission beforehand and shall accord the same treatment to other Member States.
Articles repealed by the Treaty of Amsterdam - TEC

Maastricht version 1992

Article 114\textsuperscript{178}

(ex Article 114 TEEC Single European Act 1986)

Text not reproduced

Single European Act version 1986

Article 114

(ex Article 114 TEEC Rome 1957)

The agreements referred to in Article 111, §2 and in Article 113 shall be concluded by the Council on behalf of the Community, acting unanimously during the first two stages and by a qualified majority thereafter.

Rome version 1957

Article 114

(New Article)

The agreements referred to in Article 111, §2 and in Article 113 shall be concluded by the Council on behalf of the Community, acting unanimously during the first two stages and by a qualified majority thereafter.

Maastricht version 1992

Article 116\textsuperscript{179}

(ex Article 116 TEEC Single European Act 1986)

Text not reproduced

Single European Act version 1986

Article 116

(ex Article 116 TEEC Rome 1957)

From the end of the transitional period onwards, Member States shall, in respect of all matters of particular interest to the common market, proceed within the framework of international organisations of an economic character only by common action. To this end, the Commission shall submit to the Council, which shall act by a qualified majority, proposals concerning the scope and implementation of such common action.

During the transitional period, Member States shall consult each other for the purpose of concerting the action they take and adopting as far as possible a uniform attitude.

Rome version 1957

Article 116

(New Article)

From the end of the transitional period onwards, Member States shall, in respect of all matters of particular interest to the common market, proceed within the framework of international organisations of an economic character only by common action. To this end, the Commission shall submit to the Council, which shall act by a qualified majority, proposals concerning the scope and implementation of such common action.

During the transitional period, Member States shall consult each other for the purpose of concerting the action they take and adopting as far as possible a uniform attitude.

\textsuperscript{178} Article repealed by Art. G, §29 of Maastricht Treaty

\textsuperscript{179} Article repealed by Art. G, §31 of Maastricht Treaty
1. The Council shall, acting unanimously on a proposal from the Commission and after consulting the European Parliament and the Economic and Social Committee, adopt the provisions referred to in Articles 130 I and 130 O.

2. The Council shall, acting by a qualified majority on a proposal from the Commission, after consulting the Economic Social Committee, and in cooperation with the European Parliament, adopt the provisions referred to in Articles 130 K, 130 L, 130 M, 130 N and 130 P, §1. The adoption of these supplementary programmes shall also require the agreement of the Member States concerned.

1. Where, in pursuance of this Treaty, the Council acts on a proposal from the Commission, unanimity shall be required for an act constituting an amendment to that proposal.

2. Where, in pursuance of this Treaty, the Council acts in co-operation with the European Parliament, the following procedure shall apply:

(a) The Council, acting by a qualified majority under the conditions of paragraph 1, on a proposal from the Commission and after obtaining the Opinion of the European Parliament, shall adopt a common position.

(b) The Council’s common position shall be communicated to the European Parliament. The Council and the Commission shall inform the European Parliament fully of the reasons which led the Council to adopt its common position and also of the Commission’s position.

If, within three months of such communication, the European Parliament approves this common position or has not taken a decision within that period, the Council shall definitively adopt the act in question in accordance with the common position.

(c) The European Parliament may within the period of three months referred to in point (b), by an absolute majority of its component members, propose amendments to the Council’s common position. The European Parliament may also, by the same majority, reject the Council’s common position. The result of the proceedings shall be transmitted to the Council and the Commission.

If the European Parliament has rejected the Council’s common position, unanimity shall be

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180 Article repealed by Art. G, §38 of Maastricht Treaty
181 Article inserted by Art. 24 of the Single European Act
182 Article repealed by Art. G, §45 of Maastricht Treaty
required for the Council to act on a second reading.

(d) The Commission shall, within a period of one month, re-examine the proposal on the basis of which the Council adopted its common position, by taking into account the amendments proposed by the European Parliament.

The Commission shall forward to the Council, at the same time as its re-examined proposal, the amendments of the European Parliament which it has not accepted, and shall express its opinion on them. The Council may adopt these amendments unanimously.

(e) The Council, acting by a qualified majority, shall adopt the proposal as reexamined by the Commission.

Unanimity shall be required for the Council to amend the proposal as re-examined by the Commission.

(f) In the cases referred to in points (c), (d) and (e), the Council shall be required to act within a period of three months. If no decision is taken within this period, the Commission proposal shall be deemed not to have been adopted.

(g) The periods referred to in points (b) and (f) may be extended by a maximum of one month by common accord between the Council and the European Parliament.

3. As long as the Council has not acted, the Commission may alter its proposal at any time during the procedures mentioned in paragraphs 1 and 2.\(^{183}\)

\[\text{Rome version 1957}\]

\[\text{Article 149}\]

\[\text{(New Article)}\]

\[\text{Where, in pursuance of this Treaty, the Council acts}\]
\[\text{on a proposal from the Commission, unanimity shall}\]
\[\text{be required for an act constituting an amendment to}\]
\[\text{that proposal.}\]\(^{184}\)

\[\text{As long as the Council has not acted, the}\]
\[\text{Commission may alter its original proposal, in particular where the Assembly has been consulted on that proposal.}\]\(^{184}\)

\(^{183}\) Text of the Article replaced by Art. 7 of the Single European Act

\(^{184}\) Text of the Article replaced by Art. 7 of the Single European Act
1. The budget revenue shall include, irrespective of any other revenue, financial contributions of Member States on the following scale:

<table>
<thead>
<tr>
<th>Member State</th>
<th>Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Netherlands</td>
<td>7.9</td>
</tr>
<tr>
<td>Germany</td>
<td>28</td>
</tr>
<tr>
<td>France</td>
<td>28</td>
</tr>
<tr>
<td>Italy</td>
<td>28</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>0.2</td>
</tr>
<tr>
<td>Netherlands</td>
<td>7.9</td>
</tr>
</tbody>
</table>

2. The financial contributions of Member States to cover the expenditure of the European Social Fund, however shall be determined on the following scale:

<table>
<thead>
<tr>
<th>Member State</th>
<th>Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>Belgium</td>
<td>8.8</td>
</tr>
<tr>
<td>Germany</td>
<td>32</td>
</tr>
<tr>
<td>France</td>
<td>32</td>
</tr>
<tr>
<td>Italy</td>
<td>20</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>0.2</td>
</tr>
<tr>
<td>Netherlands</td>
<td>7.0</td>
</tr>
</tbody>
</table>

3. The scales may be modified by the Council, acting unanimously.
1. The Court of Auditors shall examine the accounts of all revenue and expenditure of the Community. It shall also examine the accounts of all revenue and expenditure of all bodies set up by the Community in so far as the relevant constituent instrument does not preclude such examination.

2. The Court of Auditors shall examine whether all revenue has been received and all expenditure incurred in a lawful and regular manner and whether the financial management has been sound.

3. The audit shall be based on records and, if necessary, performed on the spot in the institutions of the Community and in the Member States. In the Member States the audit shall be carried out in liaison with the national audit bodies or, if these do not have the necessary powers, with the competent national departments. These bodies or departments shall inform the Court of Auditors whether they intend to take part in the audit.

4. The Court of Auditors shall draw up an annual report after the close of each financial year. It shall be forwarded to the institutions of the Community and shall be published, together with the replies of these institutions to the observations of the Court of Auditors, in the Official Journal of the European Communities.

The Court of Auditors may also, at any time, submit observations on specific questions and deliver opinions at the request of one of the institutions of the Community.

It shall adopt its annual reports or opinions by a majority of its members.

It shall assist the European Parliament and the Council in exercising their powers of control over the implementation of the budget.
Articles repealed by the Treaty of Amsterdam - TEC

Maastricht version 1992

Article 206 B\textsuperscript{188}

(ex Article 206 B TEEC Single European Act 1986)

Text not reproduced

Single European Act version 1986

Article 206 B

(New Article)\textsuperscript{189}

The European Parliament, acting on a recommendation from the Council which shall act by a qualified majority, shall give a discharge to the Commission in respect of the implementation of the budget. To this end, the Council and the European Parliament in turn shall examine the accounts and the financial statement referred to in Article 205 A and the annual report by the Court of Auditors together with the replies of the institutions under audit to the observations of the Court of Auditors.

\textsuperscript{188} Article repealed by Art. G, §75 of Maastricht Treaty

\textsuperscript{189} Article inserted by Art. 17 of the Treaty amending Certain Financial Provisions (22 July 1975)

Maastricht version 1992

Article 226\textsuperscript{190}

(ex Article 226 TEEC Single European Act 1986)

1. If, during the transitional period, difficulties arise which are serious and liable to persist in any sector of the economy or which could bring about serious deterioration in the economic situation of a given area, a Member State may apply for authorization to take protective measures in order to rectify the situation and adjust the sector concerned to the economy of the common market.

2. On application by the State concerned, the Commission shall, by emergency procedure, determine without delay the protective measures which it considers necessary, specifying the circumstances and the manner in which they are to be put into effect.

3. The measures authorized under paragraph 2 may involve derogations from the rules of this Treaty, to such an extent and for such periods as are strictly necessary in order to attain the objectives referred to in paragraph 1. Priority shall be given to such measures as will least disturb the functioning of the common market.

\textsuperscript{190} Article repealed by Art. 6, §75 of Amsterdam Treaty

[97]
necessary in order to attain the objectives referred to in paragraph 1. Priority shall be given to such measures as will least disturb the functioning of the common market.

**Rome version 1957**

Article 226

**(New Article)**

1. If, during the transitional period, difficulties arise which are serious and liable to persist in any sector of the economy or which could bring about serious deterioration in the economic situation of a given area, a Member State may apply for authorization to take protective measures in order to rectify the situation and adjust the sector concerned to the economy of the common market.

2. On application by the State concerned, the Commission shall, by emergency procedure, determine without delay the protective measures which it considers necessary, specifying the circumstances and the manner in which they are to be put into effect.

3. The measures authorized under paragraph 2 may involve derogations from the rules of this Treaty, to such an extent and for such periods as are strictly necessary in order to attain the objectives referred to in paragraph 1. Priority shall be given to such measures as will least disturb the functioning of the common market.

**Maastricht version 1992**

Article 236

**(ex Article 236 TEEC Single European Act 1986)**

Text not reproduced

**Single European Act version 1986**

Article 236

**(ex Article 236 TEEC Rome 1957)**

The Government of any Member State or the Commission may submit to the Council proposals for the amendment of this Treaty.

If the Council, after consulting the **European Parliament** and, where appropriate, the Commission, delivers an opinion in favour of calling a conference of representatives of the Governments of the Member States, the conference shall be convened by the President of the Council for the purpose of determining by common accord the amendments to be made to this Treaty.

The amendments shall enter into force after being ratified by all the Member States in accordance with their respective constitutional requirements.

**Rome version 1957**

Article 236

**(New Article)**

The Government of any Member State or the Commission may submit to the Council proposals for the amendment of this Treaty.

If the Council, after consulting the **Assembly** and, where appropriate, the Commission, delivers an opinion in favour of calling a conference of representatives of the Governments of the Member States, the conference shall be convened by the President of the Council for the purpose of determining by common accord the amendments to be made to this Treaty.

The amendments shall enter into force after being ratified by all the Member States in accordance with their respective constitutional requirements.

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191 Article repealed by Art. G, §83 of Maastricht Treaty
Any European State may apply to become a member of the Community. It shall address its application to the Council, which shall act unanimously after **consulting the Commission and after receiving the assent of the European Parliament which shall act by an absolute majority of its component members.**

The conditions of admission and the adjustments to this Treaty necessitated thereby shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the Contracting States in accordance with their respective constitutional requirements.

Any European State may apply to become a member of the Community. It shall address its application to the Council, which shall act unanimously after **obtaining the opinion of the Commission.**

The conditions of admission and the adjustments to this Treaty necessitated thereby shall be the subject of an agreement between the Member States and the applicant State. This agreement shall be submitted for ratification by all the Contracting States in accordance with their respective constitutional requirements.
Maastricht version 1992
Article 242\textsuperscript{196}

(ex Article 242 TEEC Single European Act 1986)

The Council shall, within three months of its first meeting, take all appropriate measures to constitute the Economic and Social Committee.

\textit{Single European Act version 1986}

Article 242

(ex Article 242 TEEC Rome 1957)

The Council shall, within three months of its first meeting, take all appropriate measures to constitute the Economic and Social Committee.

\textit{Rome version 1957}

Article 242

(New Article)

The Council shall, within three months of its first meeting, take all appropriate measures to constitute the Economic and Social Committee.

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196 Article repealed by Art. 6, §80 of Amsterdam Treaty

Maastricht version 1992
Article 243\textsuperscript{197}

(ex Article 243 TEEC Single European Act 1986)

The Assembly\textsuperscript{198} shall meet within two months of the first meeting of the Council, having been convened by the President of the Council, in order to elect its officers and draw up its rules of procedure. Pending the election of its officers, the oldest member shall take the chair.

\textit{Single European Act version 1986}

Article 243

(ex Article 243 TEEC Rome 1957)

The Assembly shall meet within two months of the first meeting of the Council, having been convened by the President of the Council, in order to elect its officers and draw up its rules of procedure. Pending the election of its officers, the oldest member shall take the chair.

\textit{Rome version 1957}

Article 243

(New Article)

The Assembly shall meet within two months of the first meeting of the Council, having been convened by the President of the Council, in order to elect its officers and draw up its rules of procedure. Pending the election of its officers, the oldest member shall take the chair.

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197 Article repealed by Art. 6, §80 of Amsterdam Treaty

198 Notwithstanding the provisions of Article 3 of the Single European Act, and for historical reasons, the term "Assembly" has not been replaced by "European Parliament"
**Maastricht version 1992**

Article 244\(^{199}\)

(ex Article 244 TEEC Single European Act 1986)

The Court of Justice shall take up its duties as soon as its members have been appointed. Its first President shall be appointed for three years in the same manner as its members.

The Court of Justice shall adopt its rules of procedure within three months of taking up its duties.

No matter may be brought before the Court of Justice until its rules of procedure have been published. The time within which an action must be brought shall run only from the date of this publication.

Upon his appointment, the President of the Court of Justice shall exercise the powers conferred upon him by this Treaty.

**Single European Act version 1986**

Article 244

(ex Article 244 TEEC Rome 1957)

The Court of Justice shall take up its duties as soon as its members have been appointed. Its first President shall be appointed for three years in the same manner as its members.

**Rome version 1957**

Article 244

(New Article)

The Court of Justice shall take up its duties as soon as its members have been appointed. Its first President shall be appointed for three years in the same manner as its members.

The Court of Justice shall adopt its rules of procedure within three months of taking up its duties.

No matter may be brought before the Court of Justice until its rules of procedure have been published. The time within which an action must be brought shall run only from the date of this publication.

Upon his appointment, the President of the Court of Justice shall exercise the powers conferred upon him by this Treaty.

\(^{199}\) Article repealed by Art. 6, §80 of Amsterdam Treaty
Maastricht version 1992

Article 245\textsuperscript{200}

(ex Article 245 TEEC Single European Act 1986)

The Commission shall take up its duties and assume the responsibilities conferred upon it by this Treaty as soon as its members have been appointed.

Upon taking up its duties, the Commission shall undertake the studies and arrange the contacts needed for making an overall survey of the economic situation of the Community.

Single European Act version 1986

Article 245

(ex Article 245 TEEC Rome 1957)

The Commission shall take up its duties and assume the responsibilities conferred upon it by this Treaty as soon as its members have been appointed.

Upon taking up its duties, the Commission shall undertake the studies and arrange the contacts needed for making an overall survey of the economic situation of the Community.

Rome version 1957

Article 245

(New Article)

The Commission shall take up its duties and assume the responsibilities conferred upon it by this Treaty as soon as its members have been appointed.

Upon taking up its duties, the Commission shall undertake the studies and arrange the contacts needed for making an overall survey of the economic situation of the Community.

Article repealed by Art. 6, §80 of Amsterdam Treaty

Maastricht version 1992

Article 246\textsuperscript{201}

(ex Article 246 TEEC Single European Act 1986)

1. The first financial year shall run from the date on which this Treaty enters into force until 31 December following. Should this Treaty, however, enter into force during the second half of the year, the first financial year shall run until 31 December of the following year.

2. Until the budget for the first financial year has been established, Member States shall make the Community interest-free advances which shall be deducted from their financial contributions to the implementation of the budget.

3. Until the Staff Regulations of officials and the Conditions of Employment of other servants of the Community provided for in Article 212 have been laid down, each institution shall recruit the Staff it needs and to this end conclude contracts of limited duration.

Each institution shall examine together with the Council any question concerning the number, remuneration and distribution of posts.

Article repealed by Art. 6, §80 of Amsterdam Treaty

\textsuperscript{200} Article repealed by Art. 6, §80 of Amsterdam Treaty

\textsuperscript{201} Article repealed by Art. 6, §80 of Amsterdam Treaty
Each institution shall examine together with the Council any question concerning the number, remuneration and distribution of posts.

**Rome version 1957**

Article 246

(New Article)

1. The first financial year shall run from the date on which this Treaty enters into force until 31 December following. Should this Treaty, however, enter into force during the second half of the year, the first financial year shall run until 31 December of the following year.

2. Until the budget for the first financial year has been established, Member States shall make the Community interest-free advances which shall be deducted from their financial contributions to the implementation of the budget.

3. Until the Staff Regulations of officials and the Conditions of Employment of other servants of the Community provided for in Article 212 have been laid down, each institution shall recruit the Staff it needs and to this end conclude contracts of limited duration.

Each institution shall examine together with the Council any question concerning the number, remuneration and distribution of posts.
ARTICLES REPEALED BY THE TREATY OF MAASTRICHT

SINGLE EUROPEAN ACT 1986

TREATY ON THE EUROPEAN UNION

No Articles repealed by the Treaty of Maastricht
SINGLE EUROPEAN ACT 1986

TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY

Single European Act version 1986

Article 6\(^\text{202}\)

(ex Article 6 TEEC Rome 1957)

1. Member States shall, in close co-operation with the institutions of the Community, co-ordinate their respective economic policies to the extent necessary to attain the objectives of this Treaty.

2. The institutions of the Community shall take care not to prejudice the internal and external financial stability of the Member States.

Rome version 1957

Article 6

(New Article)

1. Member States shall, in close co-operation with the institutions of the Community, co-ordinate their respective economic policies to the extent necessary to attain the objectives of this Treaty.

2. The institutions of the Community shall take care not to prejudice the internal and external financial stability of the Member States.

\(^{202}\) Article repealed by Art. G, §8 of Maastricht Treaty
Articles repealed by the Treaty of Maastricht - TEEC

Single European Act version 1986

CHAPTER 3203

BALANCE OF PAYMENTS

Article 104204

(ex Article 104 TEEC Rome 1957)

Each Member State shall pursue the economic policy needed to ensure the equilibrium of its overall balance of payments and to maintain confidence in its currency, while taking care to ensure a high level of employment and a stable level of prices.

Rome version 1957

CHAPTER 2205

BALANCE OF PAYMENTS

Article 104

(New Article)

Each Member State shall pursue the economic policy needed to ensure the equilibrium of its overall balance of payments and to maintain confidence in its currency, while taking care to ensure a high level of employment and a stable level of prices.

1. Each Member State undertakes to authorise, in the currency of the Member State in which the creditor or the beneficiary resides, any payments connected with the movement of goods, services or capital, and any transfers of capital and earnings, to the extent that the movement of goods, services, capital and persons between Member States has been liberalised pursuant to this Treaty.

The Member States declare their readiness to undertake the liberalisation of payments beyond the extent provided in the preceding sub-paragraph, in so far as their economic situation in general and the state of their balance of payments in particular so permit.

2. In so far as movements of goods, services, and capital are limited only by restrictions on payments connected therewith, these restrictions shall be progressively abolished by applying, mutatis mutandis, the provisions of the Chapters relating to the abolition of quantitative restrictions, to the liberalisation of services and to the free movement of capital.

3. Member States undertake not to introduce between themselves any new restrictions on transfers connected with the invisible transactions listed in Annex III to this Treaty.

The progressive abolition of existing restrictions shall be effected in accordance with the provisions of Articles 63 to 65, in so far as such abolition is not governed by the provisions contained in Paragraphs 1 and 2 or by the Chapter relating to the free movement of capital.

4. If need be, Member States shall consult each other on the measures to be taken to enable the payments and transfers mentioned in this Article to be effected; such measures shall not prejudice the attainment of the objectives set out in this Chapter.

205 Chapter renumbered by Art. 20, §2 of the Single European Act

206 Article repealed by Art. G, §25 of Maastricht Treaty
Rome version 1957

Article 106

(New Article)

1. Each Member State undertakes to authorise, in the currency of the Member State in which the creditor or the beneficiary resides, any payments connected with the movement of goods, services or capital, and any transfers of capital and earnings, to the extent that the movement of goods, services, capital and persons between Member States has been liberalised pursuant to this Treaty.

The Member States declare their readiness to undertake the liberalisation of payments beyond the extent provided in the preceding sub-paragraph, in so far as their economic situation in general and the state of their balance of payments in particular so permit.

2. In so far as movements of goods, services, and capital are limited only by restrictions on payments connected therewith, these restrictions shall be progressively abolished by applying, mutatis mutandis, the provisions of the Chapters relating to the abolition of quantitative restrictions, to the liberalisation of services and to the free movement of capital.

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The progressive abolition of existing restrictions shall be effected in accordance with the provisions of Articles 63 to 65, in so far as such abolition is not governed by the provisions contained in Paragraphs 1 and 2 or by the Chapter relating to the free movement of capital.

4. If need be, Member States shall consult each other on the measures to be taken to enable the payments and transfers mentioned in this Article to be effected; such measures shall not prejudice the attainment of the objectives set out in this Chapter.

Single European Act version 1986

Article 125

(ex Article 125 TEEC Rome 1957)

1. On application by a Member State the Fund shall, within the framework of the rules provided for in Article 127, meet 50% of the expenditure incurred after the entry into force of this Treaty by that State or by a body governed by public law for the purposes of:

(a) ensuring productive re-employment of workers by means of:

   - vocational retraining;

   - resettlement allowances;

(b) granting aid for the benefit of workers whose employment is reduced or temporarily suspended, in whole or in part, as a result of the conversion of an undertaking to other production, in order that they may retain the same wage level pending their full re-employment.

2. Assistance granted by the Fund towards the cost of vocational retraining shall be granted only if the unemployed workers could not be found employment except in a new occupation and only if they have been in productive employment for at least six months in the occupation for which they have been retrained.

Assistance towards resettlement allowances shall be granted only if the unemployed workers have been caused to change their home within the Community and have been in productive employment for at least six months in their new place of residence.

Assistance for workers in the case of the conversion of an undertaking shall be granted only if:

(a) the workers concerned have again been fully employed in that undertaking for at least six months;

(b) the Government concerned has submitted a plan beforehand, drawn up by the undertaking in question, for that particular conversion and for financing it;

(c) the Commission has given its prior approval to the conversion plan.

207 Article repealed by Art. G, §35 of Maastricht Treaty
Rome version 1957

Article 125

(New Article)

1. On application by a Member State the Fund shall, within the framework of the rules provided for in Article 127, meet 50% of the expenditure incurred after the entry into force of this Treaty by that State or by a body governed by public law for the purposes of:

(a) ensuring productive re-employment of workers by means of:
   - vocational retraining;
   - resettlement allowances;

(b) granting aid for the benefit of workers whose employment is reduced or temporarily suspended, in whole or in part, as a result of the conversion of an undertaking to other production, in order that they may retain the same wage level pending their full re-employment.

2. Assistance granted by the Fund towards the cost of vocational retraining shall be granted only if the unemployed workers could not be found employment except in a new occupation and only if they have been in productive employment for at least six months in the occupation for which they have been retrained.

Assistance towards resettlement allowances shall be granted only if the unemployed workers have been caused to change their home within the Community and have been in productive employment for at least six months in their new place of residence.

Assistance for workers in the case of the conversion of an undertaking shall be granted only if:

(a) the workers concerned have again been fully employed in that undertaking for at least six months;

(b) the Government concerned has submitted a plan beforehand, drawn up by the undertaking in question, for that particular conversion and for financing it;

(c) the Commission has given its prior approval to the conversion plan.

Single European Act version 1986

Article 126\(^{208}\)

(ex Article 126 TEEC Rome 1957)

When the transitional period has ended, the Council, after receiving the opinion of the Commission and after consulting the Economic and Social Committee and the European Parliament, may:

(a) rule, by a qualified majority, that all or part of the assistance referred to in Article 125 shall no longer be granted; or

(b) unanimously determine what new tasks may be entrusted to the Fund within the framework of its terms of reference as laid down in Article 123.

208 Article repealed by Art. G, §36 of Maastricht Treaty
The Council shall, acting on a proposal from the Commission and after consulting the Economic and Social Committee, lay down general principles for implementing a common vocational training policy capable of contributing to the harmonious development both of the national economies and of the common market.

Rome version 1957

Article 128

(New Article)

The Council shall, acting on a proposal from the Commission and after consulting the Economic and Social Committee, lay down general principles for implementing a common vocational training policy capable of contributing to the harmonious development both of the national economies and of the common market.

1. The detailed arrangements for financing each programme, including any Community contribution, shall be established at the time of the adoption of the programme.

2. The amount of the Community’s annual contribution shall be laid down under the budgetary procedure, without prejudice to other possible methods of Community financing. The estimated cost of the specific programmes must not in aggregate exceed the financial provision in the framework programme.

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209 Article repealed by Art. G, §36 of Maastricht Treaty

210 Article repealed by Art. G, §38 of Maastricht Treaty

211 Article inserted by Art. 24 of the Single European Act
ARTICLES REPEALED BY THE SINGLE EUROPEAN ACT

ROME 1957

TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY

No Articles repealed by the Single European Act