

(b) the Sole Article shall be amended as follows:

- (i) in point (b), the words ‘, or, where appropriate, the European Council,’ shall be inserted after ‘the Council’ and the words ‘with regard to the Member State of which the applicant is a national’ shall be added at the end;
- (ii) point (c) shall be replaced by the following:
 - ‘(c) if the Council has adopted a decision in accordance with Article 7(1) of the Treaty on European Union in respect of the Member State of which the applicant is a national or if the European Council has adopted a decision in accordance with Article 7(2) of that Treaty in respect of the Member State of which the applicant is a national;’.

PROTOCOL ON ECONOMIC, SOCIAL AND TERRITORIAL COHESION

23) The Protocol on economic and social cohesion shall be amended as follows:

- (a) throughout the Protocol, the words ‘economic and social cohesion’ shall be replaced by ‘economic, social and territorial cohesion’;
- (b) the preamble shall be amended as follows:

- (i) the first, second, fifth, sixth and fourteenth recitals shall be deleted;
- (ii) the following new first recital shall be inserted:

‘RECALLING that Article 2 of the Treaty on European Union includes the objective of promoting economic, social and territorial cohesion and solidarity between Member States and that the said cohesion figures among the areas of shared competence of the Union listed in Article 2 C(2)(c) of the Treaty on the Functioning of the European Union;’;

- (iii) the fourth recital, which shall become the third recital, shall be replaced by the following:

‘RECALLING that the provisions of Article 161 of the Treaty on the Functioning of the European Union envisage setting up a Cohesion Fund;’;

- (iv) at the end of the eleventh recital, which shall become the eighth recital, the words ‘, and underline the importance of the inclusion of economic and social cohesion in Articles 2 and 3 of this Treaty’ shall be deleted;
- (v) in the fifteenth recital, which shall become the new eleventh recital, the words ‘to be set up before 31 December 1993’ shall be deleted;
- (vi) in the last recital, the reference to the Treaty establishing the European Community shall be replaced by a reference to the Treaty on European Union and the Treaty on the Functioning of the European Union.

OTHER PROTOCOLS

- 24) In the Protocol on the excessive deficit procedure, in the first recital of the preamble, the reference to the Treaty establishing the European Community shall be replaced by a reference to the Treaty on the Functioning of the European Union.
- 25) In the Protocol on France, the words ‘in its overseas territories’ shall be replaced by ‘in New Caledonia, French Polynesia and Wallis and Futuna’.

- 26) In the Protocol on external relations of the Member States with regard to the crossing of external borders, the reference to Article 62(2)(a) of Title IV of the Treaty shall be replaced by a reference to Article 62(2)(b) of the Treaty on the Functioning of the European Union.
- 27) In the Protocol on Article 17 of the Treaty on European Union, in the enacting terms, the final words ‘, within a year from the entry into force of the Treaty of Amsterdam’ shall be deleted.
- 28) In the Protocol on the system of public broadcasting in the Member States, in the final paragraph of the preamble, the words ‘which shall be annexed to the Treaty establishing the European Community’ shall be replaced by ‘which shall be annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union’.
- 29) In the Protocol concerning imports into the European Union of petroleum products refined in the Netherlands Antilles, in the second sentence of Article 3(3), the words ‘by a decision taken by a qualified majority’ shall be deleted.
- 30) The Protocol concerning Article 141 of the Treaty establishing the European Community shall be amended as follows:
- (a) in the title of the Protocol, the reference to the Treaty establishing the European Community shall be replaced by a reference to the Treaty on the Functioning of the European Union;
 - (b) in the sole provision, the words ‘of this Treaty’ shall be replaced by ‘of the Treaty on the Functioning of the European Union’.
- 31) In the Protocol on special arrangements for Greenland, the words ‘Treaty establishing the European Community’ shall be replaced by ‘Treaty on the Functioning of the European Union’, and Article 2 shall be deleted.
- 32) The Protocol annexed to the Treaty on European Union and to the Treaties establishing the European Communities shall be amended as follows:
- (a) the Protocol shall be entitled ‘Protocol on Article 40.3.3 of the Constitution of Ireland’;
 - (b) the words ‘Nothing in the Treaty on European Union, or in the Treaties establishing the European Communities’ shall be replaced by ‘Nothing in the Treaties, or in the Treaty establishing the European Atomic Energy Community’.
- 33) The Protocol on the financial consequences of the expiry of the ECSC Treaty and on the Research Fund for Coal and Steel shall be amended as follows:
- (a) in the preamble, the first two recitals shall be replaced by following new first recital:

‘RECALLING that all assets and liabilities of the European Coal and Steel Community, as they existed on 23 July 2002, were transferred to the European Community on 24 July 2002;’
 - (b) Article 1(1) shall be deleted and the two remaining paragraphs shall be renumbered accordingly;
 - (c) Article 2 shall be split into two paragraphs, the first of which shall end with the words ‘including essential principles.’. Furthermore, that Article shall be amended as follows:
 - (i) in the first paragraph, the words ‘acting unanimously on a proposal from the Commission’ shall be replaced by ‘acting in accordance with a special legislative procedure’ and the word ‘consulting’ shall be replaced by ‘obtaining the consent of’;

- (ii) in the second paragraph, the words ‘and proper decision-making procedures, in particular for the adoption of’ shall be replaced by ‘The Council shall adopt, on a proposal from the Commission and after consulting the European Parliament, measures establishing’;

- (d) Article 4 shall be repealed.

Article 2

1. The articles of the Protocol on the Statute of the European System of Central Banks and of the European Central Bank, of the Protocol on the Statute of the European Investment Bank, and of the Protocol on the privileges and immunities of the European Union, as they are amended by the Treaty of Lisbon, shall be renumbered in accordance with the tables of equivalences set out in the annex to this Protocol. Cross-references to articles of those protocols which appear therein shall be adapted in accordance with the tables.

2. References to recitals of the protocols set out in point 1 of Article 1, or to articles of those protocols, including to paragraphs thereof, as renumbered or rearranged by this Protocol, and which references figure in other protocols or acts of primary legislation shall be adapted in accordance with this Protocol. Such adaptations shall, if necessary, also apply in the event that the provision in question has been repealed.

3. References to recitals and articles, including to paragraphs thereof, of the protocols set out in point 1 of Article 1, as amended by the provisions of this Protocol and which figure in other instruments or acts, shall be understood as references to recitals and articles, including to paragraphs thereof, of those protocols as renumbered or rearranged in accordance with this Protocol.

ANNEX

**TABLES OF EQUIVALENCES REFERRED TO IN ARTICLE 2 OF PROTOCOL (NO 1)
AMENDING THE PROTOCOLS ANNEXED TO THE TREATY ON EUROPEAN UNION, TO
THE TREATY ESTABLISHING THE EUROPEAN COMMUNITY AND/OR TO THE
TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY.**

**A. PROTOCOL ON THE STATUTE OF THE EUROPEAN SYSTEM OF CENTRAL BANKS AND
OF THE EUROPEAN CENTRAL BANK**

Old numbering of the protocol	New numbering of the protocol
Article 1	Article 1
Article 2	Article 2
Article 3	Article 3
Article 4	Article 4
Article 5	Article 5
Article 6	Article 6
Article 7	Article 7
Article 8	Article 8
Article 9	Article 9
Article 10	Article 10
Article 11	Article 11
Article 12	Article 12
Article 13	Article 13
Article 14	Article 14
Article 15	Article 15
Article 16	Article 16
Article 17	Article 17
Article 18	Article 18
Article 19	Article 19
Article 20	Article 20
Article 21	Article 21
Article 22	Article 22
Article 23	Article 23
Article 24	Article 24

Old numbering of the protocol	New numbering of the protocol
Article 25	Article 25
Article 26	Article 26
Article 27	Article 27
Article 28	Article 28
Article 29	Article 29
Article 30	Article 30
Article 31	Article 31
Article 32	Article 32
Article 33	Article 33
Article 34	Article 34
Article 35	Article 35
Article 36	Article 36
Article 37 (repealed)	
Article 38	Article 37
Article 39	Article 38
Article 40	Article 39
Article 41	Article 40
Article 42	Article 41
Article 43	Article 42
Article 44	Article 43
Article 45	Article 44
Article 46	Article 45
Article 47	Article 46
Article 48	Article 47
Article 49	Article 48
Article 50 (repealed)	
Article 51 (repealed)	
Article 52	Article 49
Article 53	Article 50

B. PROTOCOL ON THE STATUTE OF THE EUROPEAN INVESTMENT BANK

Old numbering of the Protocol	New numbering of the Protocol
Article 1	Article 1
Article 2	Article 2
Article 3	Article 3
Article 4	Article 4
Article 5	Article 5
Article 6 (repealed)	
Article 7 (repealed)	
Article 8	Article 6
Article 9	Article 7
Article 10	Article 8
Article 11	Article 9
Article 12	Article 10
Article 13	Article 11
Article 14	Article 12
Article 15	Article 13
Article 16	Article 14
Article 17	Article 15
Article 18	Article 16
Article 19	Article 17
Article 20	Article 18
Article 21	Article 19
Article 22	Article 20
Article 23	Article 21
Article 24	Article 22
Article 25	Article 23
Article 26	Article 24
Article 27	Article 25
Article 28	Article 26
Article 29	Article 27
Article 30	Article 28

C. PROTOCOL ON THE PRIVILEGES AND IMMUNITIES OF THE EUROPEAN UNION

Old numbering of the Protocol	New numbering of the Protocol
Article 1	Article 1
Article 2	Article 2
Article 3	Article 3
Article 4	Article 4
Article 5 (repealed)	
Article 6	Article 5
Article 7	Article 6
Article 8	Article 7
Article 9	Article 8
Article 10	Article 9
Article 11	Article 10
Article 12	Article 11
Article 13	Article 12
Article 14	Article 13
Article 15	Article 14
Article 16	Article 15
Article 17	Article 16
Article 18	Article 17
Article 19	Article 18
Article 20	Article 19
Article 21	Article 20
Article 22	Article 21
Article 23	Article 22

PROTOCOL No 2
AMENDING THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY
COMMUNITY

THE HIGH CONTRACTING PARTIES,

RECALLING the necessity that the provisions of the Treaty establishing the European Atomic Energy Community should continue to have full legal effect;

DESIRING to adapt that Treaty to the new rules laid down by the Treaty on European Union and by the Treaty on the Functioning of the European Union, in particular in the institutional and financial fields,

HAVE AGREED UPON the following provisions, which shall be annexed to the Treaty of Lisbon and which amend the Treaty establishing the European Atomic Energy Community as follows:

Article 1

This Protocol shall amend the Treaty establishing the European Atomic Energy Community (hereinafter referred to as the 'EAEC Treaty') in its version in force at the time of entry into force of the Treaty of Lisbon.

(The second paragraph does not apply to the English version.)

Article 2

The heading of Title III of the EAEC Treaty 'Institutional provisions' shall be replaced by the heading: 'Institutional and financial provisions'.

Article 3

The following chapter shall be inserted at the beginning of Title III of the EAEC Treaty:

'CHAPTER I

APPLICATION OF CERTAIN PROVISIONS OF THE TREATY ON EUROPEAN UNION AND OF THE
TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION

Article 106a

1. Article 7, Articles 9 to 9 F, Article 48(2) to (5), and Articles 49 and 49 A of the Treaty on European Union, Article 16 A, Articles 190 to 201b, Articles 204 to 211a, Article 213, Articles 215 to 236, Articles 238, 239 and 240, Articles 241 to 245, Articles 246 to 262, Articles 268 to 277, Articles 279 to 280 and Articles 283, 290 and 292 of the Treaty on the Functioning of the European Union, and the Protocol on Transitional Provisions, shall apply to this Treaty.

2. Within the framework of this Treaty, the references to the Union, to the “Treaty on European Union”, to the “Treaty on the Functioning of the European Union” or to the “Treaties” in the provisions referred to in paragraph 1 and those in the protocols annexed both to those Treaties and to this Treaty shall be taken, respectively, as references to the European Atomic Energy Community and to this Treaty.

3. The provisions of the Treaty on European Union and of the Treaty on the Functioning of the European Union shall not derogate from the provisions of this Treaty.’.

Article 4

Chapters I, II and III of Title III of the EAEC Treaty shall be renumbered II, III and IV respectively.

Article 5

Article 3, Articles 107 to 132, Articles 136 to 143, Articles 146 to 156, Articles 158 to 163, Articles 165 to 170, Articles 173 and 173 , Article 175, Articles 177 to 179a, and Articles 180b, 181, 183, 183 , 190 and 204 of the EAEC Treaty shall be repealed.

Article 6

The heading of Title IV of the EAEC Treaty ‘Financial provisions’ shall be replaced by the heading: ‘Specific financial provisions’.

Article 7

1. In the third paragraph of Article 38 and the third paragraph of Article 82 of the EAEC Treaty the references to Articles 141 and 142 shall be replaced by references to Articles 226 and 227 respectively of the Treaty on the Functioning of the European Union.

2. In Article 171(2) and Article 176(3) of the EAEC Treaty the references to Article 183 shall be replaced by references to Article 279 of the Treaty on the Functioning of the European Union.

3. In Article 172(4) of the EAEC Treaty the reference to Article 177(5) shall be replaced by a reference to Article 272 of the Treaty on the Functioning of the European Union.

4. In the EAEC Treaty the words ‘Court of Justice’ shall be replaced by ‘Court of Justice of the European Union’.

Article 8

Article 191 of the EAEC Treaty shall be replaced by the following:

‘Article 191

The Community shall enjoy in the territories of the Member States such privileges and immunities as are necessary for the performance of its tasks, under the conditions laid down in the Protocol on the privileges and immunities of the European Union.’

Article 9

Article 206 of the EAEC Treaty shall be replaced by the following:

'Article 206

The Community may conclude with one or more States or international organisations agreements establishing an association involving reciprocal rights and obligations, common action and special procedures.

These agreements shall be concluded by the Council, acting unanimously after consulting the European Parliament.

Where such agreements call for amendments to this Treaty, these amendments shall first be adopted in accordance with the procedure laid down in Article 48(2) to (5) of the Treaty on European Union.'

Article 10

The revenue and expenditure of the European Atomic Energy Community, except for those of the Supply Agency and Joint Undertakings, shall be shown in the budget of the Union.

ANNEX

TABLES OF EQUIVALENCES REFERRED TO IN ARTICLE 5 OF THE TREATY OF LISBON

A. Treaty on European Union

Old numbering of the Treaty on European Union	Numbering in the Treaty of Lisbon	New numbering of the Treaty on European Union
TITLE I — COMMON PROVISIONS	TITLE I — COMMON PROVISIONS	TITLE I — COMMON PROVISIONS
Article 1	Article 1	Article 1
	Article 1a	Article 2
Article 2	Article 2	Article 3
Article 3 (repealed) ⁽¹⁾		
	Article 3a	Article 4
	Article 3b ⁽²⁾	Article 5
Article 4 (repealed) ⁽³⁾		
Article 5 (repealed) ⁽⁴⁾		
Article 6	Article 6	Article 6
Article 7	Article 7	Article 7
	Article 7a	Article 8
TITLE II — PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ECONOMIC COMMUNITY WITH A VIEW TO ESTABLISHING THE EUROPEAN COMMUNITY	TITLE II — PROVISIONS ON DEMOCRATIC PRINCIPLES	TITLE II — PROVISIONS ON DEMOCRATIC PRINCIPLES
Article 8 (repealed) ⁽⁵⁾	Article 8	Article 9
	Article 8 A ⁽⁶⁾	Article 10
	Article 8 B	Article 11
	Article 8 C	Article 12
TITLE III — PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN COAL AND STEEL COMMUNITY	TITLE III — PROVISIONS ON THE INSTITUTIONS	TITLE III — PROVISIONS ON THE INSTITUTIONS
Article 9 (repealed) ⁽⁷⁾	Article 9	Article 13
	Article 9 A ⁽⁸⁾	Article 14

Old numbering of the Treaty on European Union	Numbering in the Treaty of Lisbon	New numbering of the Treaty on European Union
	Article 9 B ⁽⁹⁾	Article 15
	Article 9 C ⁽¹⁰⁾	Article 16
	Article 9 D ⁽¹¹⁾	Article 17
	Article 9 E	Article 18
	Article 9 F ⁽¹²⁾	Article 19
TITLE IV — PROVISIONS AMENDING THE TREATY ESTABLISHING THE EUROPEAN ATOMIC ENERGY COMMUNITY	TITLE IV — PROVISIONS ON ENHANCED COOPERATION	TITLE IV — PROVISIONS ON ENHANCED COOPERATION
Article 10 (repealed) ⁽¹³⁾ Articles 27 A to 27 E (replaced) Articles 40 to 40 B (replaced) Articles 43 to 45 (replaced)	Article 10 ⁽¹⁴⁾	Article 20
TITLE V — PROVISIONS ON A COMMON FOREIGN AND SECURITY POLICY	TITLE V — GENERAL PROVISIONS ON THE UNION'S EXTERNAL ACTION AND SPECIFIC PROVISIONS ON THE COMMON FOREIGN AND SECURITY POLICY	TITLE V — GENERAL PROVISIONS ON THE UNION'S EXTERNAL ACTION AND SPECIFIC PROVISIONS ON THE COMMON FOREIGN AND SECURITY POLICY
	Chapter 1 — General provisions on the Union's external action	Chapter 1 — General provisions on the Union's external action
	Article 10 A	Article 21
	Article 10 B	Article 22
	Chapter 2 — Specific provisions on the common foreign and security policy	Chapter 2 — Specific provisions on the common foreign and security policy
	Section 1 — Common provisions	Section 1 — Common provisions
	Article 10 C	Article 23
Article 11	Article 11	Article 24
Article 12	Article 12	Article 25
Article 13	Article 13	Article 26
	Article 13a	Article 27
Article 14	Article 14	Article 28
Article 15	Article 15	Article 29

Old numbering of the Treaty on European Union	Numbering in the Treaty of Lisbon	New numbering of the Treaty on European Union
<i>Article 22 (moved)</i>	Article 15a	Article 30
<i>Article 23 (moved)</i>	Article 15b	Article 31
Article 16	Article 16	Article 32
Article 17 (moved)	<i>Article 28 A</i>	<i>Article 42</i>
Article 18	Article 18	Article 33
Article 19	Article 19	Article 34
Article 20	Article 20	Article 35
Article 21	Article 21	Article 36
Article 22 (moved)	<i>Article 15a</i>	<i>Article 30</i>
Article 23 (moved)	<i>Article 15b</i>	<i>Article 31</i>
Article 24	Article 24	Article 37
Article 25	Article 25	Article 38
	Article 25a	Article 39
<i>Article 47 (moved)</i>	Article 25b	Article 40
Article 26 (repealed)		
Article 27 (repealed)		
Article 27 A (replaced) ⁽¹⁵⁾	<i>Article 10</i>	<i>Article 20</i>
Article 27 B (replaced) ⁽¹⁵⁾	<i>Article 10</i>	<i>Article 20</i>
Article 27 C (replaced) ⁽¹⁵⁾	<i>Article 10</i>	<i>Article 20</i>
Article 27 D (replaced) ⁽¹⁵⁾	<i>Article 10</i>	<i>Article 20</i>
Article 27 E (replaced) ⁽¹⁵⁾	<i>Article 10</i>	<i>Article 20</i>
Article 28	Article 28	Article 41
	Section 2 — Provisions on the common security and defence policy	Section 2 — Provisions on the common security and defence policy
<i>Article 17 (moved)</i>	Article 28 A	Article 42
	Article 28 B	Article 43
	Article 28 C	Article 44
	Article 28 D	Article 45
	Article 28 E	Article 46

Old numbering of the Treaty on European Union	Numbering in the Treaty of Lisbon	New numbering of the Treaty on European Union
TITLE VI — PROVISIONS ON POLICE AND JUDICIAL COOPERATION IN CRIMINAL MATTERS (repealed) ⁽¹⁶⁾		
Article 29 (replaced) ⁽¹⁷⁾		
Article 30 (replaced) ⁽¹⁸⁾		
Article 31 (replaced) ⁽¹⁹⁾		
Article 32 (replaced) ⁽²⁰⁾		
Article 33 (replaced) ⁽²¹⁾		
Article 34 (repealed)		
Article 35 (repealed)		
Article 36 (replaced) ⁽²²⁾		
Article 37 (repealed)		
Article 38 (repealed)		
Article 39 (repealed)		
Article 40 (replaced) ⁽²³⁾	Article 10	Article 20
Article 40 A (replaced) ⁽²³⁾	Article 10	Article 20
Article 40 B (replaced) ⁽²³⁾	Article 10	Article 20
Article 41 (repealed)		
Article 42 (repealed)		
TITLE VII — PROVISIONS ON ENHANCED COOPERATION (replaced) ⁽²⁴⁾	TITLE IV — PROVISION ON ENHANCED COOPERATION	TITLE IV — PROVISION ON ENHANCED COOPERATION
Article 43 (replaced) ⁽²⁴⁾	Article 10	Article 20
Article 43 A (replaced) ⁽²⁴⁾	Article 10	Article 20
Article 43 B (replaced) ⁽²⁴⁾	Article 10	Article 20
Article 44 (replaced) ⁽²⁴⁾	Article 10	Article 20
Article 44 A (replaced) ⁽²⁴⁾	Article 10	Article 20
Article 45 (replaced) ⁽²⁴⁾	Article 10	Article 20
TITRE VIII — FINAL PROVISIONS	TITLE VI — FINAL PROVISIONS	TITLE VI — FINAL PROVISIONS
Article 46 (repealed)		

Old numbering of the Treaty on European Union	Numbering in the Treaty of Lisbon	New numbering of the Treaty on European Union
	Article 46a	Article 47
Article 47 (moved)	Article 25b	Article 40
Article 48	Article 48	Article 48
Article 49	Article 49	Article 49
	Article 49 A	Article 50
	Article 49 B	Article 51
	Article 49 C	Article 52
Article 50 (repealed)		
Article 51	Article 51	Article 53
Article 52	Article 52	Article 54
Article 53	Article 53	Article 55

- (¹) Replaced, in substance, by Article 2 F (renumbered 7) of the Treaty on the Functioning of the European Union ('TFEU') and by Articles 9(1) and 10 A, paragraph 3, second subparagraph (renumbered 13 and 21) of the Treaty on European Union ('TEU').
- (²) Replaces Article 5 of the Treaty establishing the European Community ('TEC').
- (³) Replaced, in substance, by Article 9 B (renumbered 15).
- (⁴) Replaced, in substance, by Article 9, paragraph 2 (renumbered 13).
- (⁵) Article 8 TEU, which was in force until the entry into force of the Treaty of Lisbon (hereinafter 'current'), amended the TEC. Those amendments are incorporated into the latter Treaty and Article 8 is repealed. Its number is used to insert a new provision.
- (⁶) Paragraph 4 replaces, in substance, the first subparagraph of Article 191 TEC.
- (⁷) The current Article 9 TEU amended the Treaty establishing the European Coal and Steel Community. This latter expired on 23 July 2002. Article 9 is repealed and the number thereof is used to insert another provision.
- (⁸) — Paragraphs 1 and 2 replace, in substance, Article 189 TEC;
— paragraphs 1 to 3 replace, in substance, paragraphs 1 to 3 of Article 190 TEC;
— paragraph 1 replaces, in substance, the first subparagraph of Article 192 TEC;
— paragraph 4 replaces, in substance, the first subparagraph of Article 197 TEC.
- (⁹) Replaces, in substance, Article 4.
- (¹⁰) — Paragraph 1 replaces, in substance, the first and second indents of Article 202 TEC;
— paragraphs 2 and 9 replace, in substance, Article 203 TEC;
— paragraphs 4 and 5 replace, in substance, paragraphs 2 and 4 of Article 205 TEC.
- (¹¹) — Paragraph 1 replaces, in substance, Article 211 TEC;
— paragraphs 3 and 7 replace, in substance, Article 214 TEC.
— paragraph 6 replaces, in substance, paragraphs 1, 3 and 4 of Article 217 TEC.
- (¹²) — Replaces, in substance, Article 220 TEC.
— the second subparagraph of paragraph 2 replaces, in substance, the first subparagraph of Article 221 TEC.
- (¹³) The current Article 10 TEU amended the Treaty establishing the European Atomic Energy Community. Those amendments are incorporated into the Treaty of Lisbon. Article 10 is repealed and the number thereof is used to insert another provision.
- (¹⁴) Also replaces Articles 11 and 11a TEC.
- (¹⁵) The current Articles 27 A to 27 E, on enhanced cooperation, are also replaced by Articles 280 A to 280 I TFEU (renumbered 326 to 334).

- (¹⁶) The current provisions of Title VI of the TEU, on police and judicial cooperation in criminal matters, are replaced by the provisions of Chapters 1, 5 and 5 of Title IV of Part Three of the TFEU.
- (¹⁷) Replaced by Article 61 TFEU (renumbered 67).
- (¹⁸) Replaced by Articles 69 F and 69 G TFEU (renumbered 87 and 88).
- (¹⁹) Replaced by Articles 69 A, 69 B and 69 D TFEU (renumbered 82, 83 and 85).
- (²⁰) Replaced by Article 69 H TFEU (renumbered 89).
- (²¹) Replaced by Article 61 E TFEU (renumbered 72).
- (²²) Replaced by Article 61 D TFEU (renumbered 71).
- (²³) The current Articles 40 to 40 B, on enhanced cooperation, are also replaced by Articles 280 A to 280 I TFEU (renumbered 326 to 334).
- (²⁴) The current Articles 43 to 45 and Title VII of the TEU, on enhanced cooperation, are also replaced by Articles 280 A to 280 I TFEU (renumbered 326 to 334).

B. Treaty on the Functioning of the European Union

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
PART ONE — PRINCIPLES	PART ONE — PRINCIPLES	PART ONE — PRINCIPLES
Article 1 (repealed)		
	Article 1a	Article 1
Article 2 (repealed) (¹)		
	Title I — Categories and areas of union competence	Title I — Categories and areas of union competence
	Article 2 A	Article 2
	Article 2 B	Article 3
	Article 2 C	Article 4
	Article 2 D	Article 5
	Article 2 E	Article 6
	Title II — Provisions having general application	Title II — Provisions having general application
	Article 2 F	Article 7
Article 3, paragraph 1 (repealed) (²)		
Article 3, paragraph 2	Article 3	Article 8
Article 4 (moved)	Article 97b	Article 119
Article 5 (replaced) (³)		
	Article 5a	Article 9

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
	Article 5b	Article 10
Article 6	Article 6	Article 11
Article 153, paragraph 2 (moved)	Article 6a	Article 12
	Article 6b ⁽⁴⁾	Article 13
Article 7 (repealed) ⁽⁵⁾		
Article 8 (repealed) ⁽⁶⁾		
Article 9 (repealed)		
Article 10 (repealed) ⁽⁷⁾		
Article 11 (replaced) ⁽⁸⁾	Articles 280 A to 280 I	Articles 326 to 334
Article 11a (replaced) ⁽⁸⁾	Articles 280 A to 280 I	Articles 326 to 334
Article 12 (repealed)	Article 16 D	Article 18
Article 13 (moved)	Article 16 E	Article 19
Article 14 (moved)	Article 22a	Article 26
Article 15 (moved)	Article 22b	Article 27
Article 16	Article 16	Article 14
Article 255 (moved)	Article 16 A	Article 15
Article 286 (moved)	Article 16 B	Article 16
	Article 16 C	Article 17
PART TWO — CITIZENSHIP OF THE UNION	PART TWO — NON-DISCRIMINATION AND CITIZENSHIP OF THE UNION	PART TWO — NON-DISCRIMINATION AND CITIZENSHIP OF THE UNION
Article 12 (moved)	Article 16 D	Article 18
Article 13 (moved)	Article 16 E	Article 19
Article 17	Article 17	Article 20
Article 18	Article 18	Article 21
Article 19	Article 19	Article 22
Article 20	Article 20	Article 23
Article 21	Article 21	Article 24
Article 22	Article 22	Article 25

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
PART THREE — COMMUNITY POLICIES	PART THREE — POLICIES AND INTERNAL ACTIONS OF THE UNION	PART THREE — POLICIES AND INTERNAL ACTIONS OF THE UNION
	Title I — The internal market	Title I — The internal market
<i>Article 14 (moved)</i>	Article 22a	Article 26
<i>Article 15 (moved)</i>	Article 22b	Article 27
Title I — Free movement of goods	Title Ia — Free movement of goods	Title II — Free movement of goods
Article 23	Article 23	Article 28
Article 24	Article 24	Article 29
Chapter 1 — The customs union	Chapter 1 — The customs union	Chapter 1 — The customs union
Article 25	Article 25	Article 30
Article 26	Article 26	Article 31
Article 27	Article 27	Article 32
<i>Part Three, Title X, Customs cooperation (moved)</i>	Chapter 1a — Customs cooperation	Chapter 2 — Customs cooperation
<i>Article 135 (moved)</i>	Article 27a	Article 33
Chapter 2 — Prohibition of quantitative restrictions between Member States	Chapter 2 — Prohibition of quantitative restrictions between Member States	Chapter 3 — Prohibition of quantitative restrictions between Member States
Article 28	Article 28	Article 34
Article 29	Article 29	Article 35
Article 30	Article 30	Article 36
Article 31	Article 31	Article 37
Title II — Agriculture	Title II — Agriculture and fisheries	Title III — Agriculture and fisheries
Article 32	Article 32	Article 38
Article 33	Article 33	Article 39
Article 34	Article 34	Article 40
Article 35	Article 35	Article 41
Article 36	Article 36	Article 42
Article 37	Article 37	Article 43

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 38	Article 38	Article 44
Title III — Free movement of persons, services and capital	Title III — Free movement of persons, services and capital	Title IV — Free movement of persons, services and capital
Chapter 1 — Workers	Chapter 1 — Workers	Chapter 1 — Workers
Article 39	Article 39	Article 45
Article 40	Article 40	Article 46
Article 41	Article 41	Article 47
Article 42	Article 42	Article 48
Chapter 2 — Right of establishment	Chapter 2 — Right of establishment	Chapter 2 — Right of establishment
Article 43	Article 43	Article 49
Article 44	Article 44	Article 50
Article 45	Article 45	Article 51
Article 46	Article 46	Article 52
Article 47	Article 47	Article 53
Article 48	Article 48	Article 54
Article 294 (<i>moved</i>)	Article 48a	Article 55
Chapter 3 — Services	Chapter 3 — Services	Chapter 3 — Services
Article 49	Article 49	Article 56
Article 50	Article 50	Article 57
Article 51	Article 51	Article 58
Article 52	Article 52	Article 59
Article 53	Article 53	Article 60
Article 54	Article 54	Article 61
Article 55	Article 55	Article 62
Chapter 4 — Capital and payments	Chapter 4 — Capital and payments	Chapter 4 — Capital and payments
Article 56	Article 56	Article 63
Article 57	Article 57	Article 64
Article 58	Article 58	Article 65

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 59	Article 59	Article 66
Article 60 (moved)	Article 61 H	Article 75
Title IV — Visas, asylum, immigration and other policies related to free movement of persons	Title IV — Area of freedom, security and justice	Title V — Area of freedom, security and justice
	Chapter 1 — General provisions	Chapter 1 — General provisions
Article 61	Article 61 ⁽⁹⁾	Article 67
	Article 61 A	Article 68
	Article 61 B	Article 69
	Article 61 C	Article 70
	Article 61 D ⁽¹⁰⁾	Article 71
Article 64, paragraph 1 (replaced)	Article 61 E ⁽¹¹⁾	Article 72
	Article 61 F	Article 73
Article 66 (replaced)	Article 61 G	Article 74
Article 60 (moved)	Article 61 H	Article 75
	Article 61 I	Article 76
	Chapter 2 — Policies on border checks, asylum and immigration	Chapter 2 — Policies on border checks, asylum and immigration
Article 62	Article 62	Article 77
Article 63, points 1 et 2, and Article 64, paragraph 2 ⁽¹²⁾	Article 63	Article 78
Article 63, points 3 and 4	Article 63a	Article 79
	Article 63b	Article 80
Article 64, paragraph 1 (replaced)	Article 61 E	Article 72
	Chapter 3 — Judicial cooperation in civil matters	Chapter 3 — Judicial cooperation in civil matters
Article 65	Article 65	Article 81
Article 66 (replaced)	Article 61 G	Article 74
Article 67 (repealed)		
Article 68 (repealed)		

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 69 (repealed)		
	Chapter 4 — Judicial cooperation in criminal matters	Chapter 4 — Judicial cooperation in criminal matters
	Article 69 A ⁽¹³⁾	Article 82
	Article 69 B ⁽¹³⁾	Article 83
	Article 69 C	Article 84
	Article 69 D ⁽¹³⁾	Article 85
	Article 69 E	Article 86
	Chapter 5 — Police cooperation	Chapter 5 — Police cooperation
	Article 69 F ⁽¹⁴⁾	Article 87
	Article 69 G ⁽¹⁴⁾	Article 88
	Article 69 H ⁽¹⁵⁾	Article 89
Title V — Transport	Title V — Transport	Title VI — Transport
Article 70	Article 70	Article 90
Article 71	Article 71	Article 91
Article 72	Article 72	Article 92
Article 73	Article 73	Article 93
Article 74	Article 74	Article 94
Article 75	Article 75	Article 95
Article 76	Article 76	Article 96
Article 77	Article 77	Article 97
Article 78	Article 78	Article 98
Article 79	Article 79	Article 99
Article 80	Article 80	Article 100
Title VI — Common rules on competition, taxation and approximation of laws	Title VI — Common rules on competition, taxation and approximation of laws	Title VII — Common rules on competition, taxation and approximation of laws
Chapter 1 — Rules on competition	Chapter 1 — Rules on competition	Chapter 1 — Rules on competition

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Section 1 — Rules applying to undertakings	Section 1 — Rules applying to undertakings	Section 1 — Rules applying to undertakings
Article 81	Article 81	Article 101
Article 82	Article 82	Article 102
Article 83	Article 83	Article 103
Article 84	Article 84	Article 104
Article 85	Article 85	Article 105
Article 86	Article 86	Article 106
Section 2 — Aids granted by States	Section 2 — Aids granted by States	Section 2 — Aids granted by States
Article 87	Article 87	Article 107
Article 88	Article 88	Article 108
Article 89	Article 89	Article 109
Chapter 2 — Tax provisions	Chapter 2 — Tax provisions	Chapter 2 — Tax provisions
Article 90	Article 90	Article 110
Article 91	Article 91	Article 111
Article 92	Article 92	Article 112
Article 93	Article 93	Article 113
Chapter 3 — Approximation of laws	Chapter 3 — Approximation of laws	Chapter 3 — Approximation of laws
<i>Article 95 (moved)</i>	Article 94	Article 114
<i>Article 94 (moved)</i>	Article 95	Article 115
Article 96	Article 96	Article 116
Article 97	Article 97	Article 117
	Article 97a	Article 118
Title VII — Economic and monetary policy	Title VII — Economic and monetary policy	Title VIII — Economic and monetary policy
<i>Article 4 (moved)</i>	Article 97b	Article 119
Chapter 1 — Economic policy	Chapter 1 — Economic policy	Chapter 1 — Economic policy

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 98	Article 98	Article 120
Article 99	Article 99	Article 121
Article 100	Article 100	Article 122
Article 101	Article 101	Article 123
Article 102	Article 102	Article 124
Article 103	Article 103	Article 125
Article 104	Article 104	Article 126
Chapter 2 — monetary policy	Chapter 2 — monetary policy	Chapter 2 — monetary policy
Article 105	Article 105	Article 127
Article 106	Article 106	Article 128
Article 107	Article 107	Article 129
Article 108	Article 108	Article 130
Article 109	Article 109	Article 131
Article 110	Article 110	Article 132
Article 111, paragraphs 1 to 3 and 5 (moved)	<i>Article 188 O</i>	<i>Article 219</i>
Article 111, paragraph 4 (moved)	<i>Article 115 C, paragraph 1</i>	<i>Article 138</i>
	Article 111a	Article 133
Chapter 3 — Institutional provisions	Chapter 3 — Institutional provisions	Chapter 3 — Institutional provisions
Article 112 (moved)	<i>Article 245b</i>	<i>Article 283</i>
Article 113 (moved)	<i>Article 245c</i>	<i>Article 294</i>
Article 114	Article 114	Article 134
Article 115	Article 115	Article 135
	Chapter 3a — Provisions specific to Member States whose currency is the euro	Chapter 4 — Provisions specific to Member States whose currency is the euro
	Article 115 A	Article 136
	Article 115 B	Article 137
<i>Article 111, paragraph 4 (moved)</i>	Article 115 C	Article 138

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Chapter 4 — Transitional provisions	Chapter 4 — Transitional provisions	Chapter 5 — Transitional provisions
Article 116 (repealed)		
	Article 116a	Article 139
Article 117, paragraph 2, first five indents (moved)	Article 118a, paragraph 2	Article 141, paragraph 2
Article 117, paragraphs 1, 2, sixth indent, and 3 to 9 (repealed)		
Article 121, paragraph 1 (moved) Article 122, paragraph 2, second sentence (moved) Article 123, paragraph 5 (moved)	Article 117a, first paragraph ⁽¹⁶⁾ Article 117a, second paragraph ⁽¹⁷⁾ Article 117a, third paragraph ⁽¹⁸⁾	Article 140
Article 118 (repealed)		
Article 123, paragraph 3 (moved) Article 117, paragraph 2, first five indents (moved)	Article 118a, paragraph 1 ⁽¹⁹⁾ Article 118a, paragraph 2 ⁽²⁰⁾	Article 141
Article 124, paragraph 1 (moved)	Article 118b	Article 142
Article 119	Article 119	Article 143
Article 120	Article 120	Article 144
Article 121, paragraph 1 (moved)	Article 117a, paragraph 1	Article 140, paragraph 1
Article 121, paragraphs 2 to 4 (repealed)		
Article 122, paragraphs 1, 2, first sentence, 3, 4, 5 and 6 (repealed)		
Article 122, paragraph 2, second sentence (moved)	Article 117a, paragraph 2, first subparagraph	Article 140, paragraph 2, first subparagraph
Article 123, paragraphs 1, 2 and 4 (repealed)		
Article 123, paragraph 3 (moved)	Article 118a, paragraph 1	Article 141, paragraph 1
Article 123, paragraph 5 (moved)	Article 117a, paragraph 3	Article 140, paragraph 3
Article 124, paragraph 1 (moved)	Article 118b	Article 142
Article 124, paragraph 2 (repealed)		
Title VIII — Employment	Title VIII — Employment	Title IX — Employment
Article 125	Article 125	Article 145

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 126	Article 126	Article 146
Article 127	Article 127	Article 147
Article 128	Article 128	Article 148
Article 129	Article 129	Article 149
Article 130	Article 130	Article 150
Title IX — Common commercial policy (moved)	<i>Part Five, Title II, common commercial policy</i>	<i>Part Five, Title II, common commercial policy</i>
Article 131 (moved)	<i>Article 188 B</i>	<i>Article 206</i>
Article 132 (repealed)		
Article 133 (moved)	<i>Article 188 C</i>	<i>Article 207</i>
Article 134 (repealed)		
Title X — Customs cooperation (moved)	<i>Part Three, Title II, Chapter 1a, Customs cooperation</i>	<i>Part Three, Title II, Chapter 2, Customs cooperation</i>
Article 135 (moved)	<i>Article 27a</i>	<i>Article 33</i>
Title XI — Social policy, education, vocational training and youth	Title IX — Social policy	Title X — Social policy
Chapter 1 — social provisions (repealed)		
Article 136	Article 136	Article 151
	Article 136a	Article 152
Article 137	Article 137	Article 153
Article 138	Article 138	Article 154
Article 139	Article 139	Article 155
Article 140	Article 140	Article 156
Article 141	Article 141	Article 157
Article 142	Article 142	Article 158
Article 143	Article 143	Article 159
Article 144	Article 144	Article 160
Article 145	Article 145	Article 161
Chapter 2 — The European Social Fund	Title X — The European Social Fund	Title XI — The European Social Fund

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 146	Article 146	Article 162
Article 147	Article 147	Article 163
Article 148	Article 148	Article 164
Chapter 3 — Education, vocational training and youth	Title XI — Education, vocational training, youth and sport	Title XII — Education, vocational training, youth and sport
Article 149	Article 149	Article 165
Article 150	Article 150	Article 166
Title XII — Culture	Title XII — Culture	Title XIII — Culture
Article 151	Article 151	Article 167
Title XIII — Public health	Title XIII — Public health	Title XIV — Public health
Article 152	Article 152	Article 168
Title XIV — Consumer protection	Title XIV — Consumer protection	Title XV — Consumer protection
Article 153, paragraphs 1, 3, 4 and 5	Article 153	Article 169
Article 153, paragraph 2 (moved)	<i>Article 6a</i>	<i>Article 12</i>
Title XV — Trans-European networks	Title XV — Trans-European networks	Title XVI — Trans-European networks
Article 154	Article 154	Article 170
Article 155	Article 155	Article 171
Article 156	Article 156	Article 172
Title XVI — Industry	Title XVI — Industry	Title XVII — Industry
Article 157	Article 157	Article 173
Title XVII — Economic and social cohesion	Title XVII — Economic, social and territorial cohesion	Title XVIII — Economic, social and territorial cohesion
Article 158	Article 158	Article 174
Article 159	Article 159	Article 175
Article 160	Article 160	Article 176
Article 161	Article 161	Article 177
Article 162	Article 162	Article 178
Title XVIII — Research and technological development	Title XVIII — Research and technological development and space	Title XIX — Research and technological development and space

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 163	Article 163	Article 179
Article 164	Article 164	Article 180
Article 165	Article 165	Article 181
Article 166	Article 166	Article 182
Article 167	Article 167	Article 183
Article 168	Article 168	Article 184
Article 169	Article 169	Article 185
Article 170	Article 170	Article 186
Article 171	Article 171	Article 187
Article 172	Article 172	Article 188
	Article 172bis	Article 189
Article 173	Article 173	Article 190
Title XIX — Environment	Title XIX — Environment	Title XX — Environment
Article 174	Article 174	Article 191
Article 175	Article 175	Article 192
Article 176	Article 176	Article 193
	Title XX — Energy	Titre XXI — Energy
	Article 176 A	Article 194
	Title XXI — Tourism	Title XXII — Tourism
	Article 176 B	Article 195
	Title XXII — Civil protection	Title XXIII — Civil protection
	Article 176 C	Article 196
	Title XXIII — Administrative cooperation	Title XXIV — Administrative cooperation
	Article 176 D	Article 197
Title XX — Development cooperation (moved)	<i>Part Five, Title III, Chapter 1, Development cooperation</i>	<i>Part Five, Title III, Chapter 1, Development cooperation</i>
Article 177 (moved)	<i>Article 188 D</i>	<i>Article 208</i>
Article 178 (repealed) ⁽²¹⁾		

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 179 (moved)	Article 188 E	Article 209
Article 180 (moved)	Article 188 F	Article 210
Article 181 (moved)	Article 188 G	Article 211
Title XXI — Economic, financial and technical cooperation with third countries (moved)	Part Five, Title III, Chapter 2, Economic, financial and technical cooperation with third countries	Part Five, Title III, Chapter 2, Economic, financial and technical cooperation with third countries
Article 181a (moved)	Article 188 H	Article 212
PART FOUR — ASSOCIATION OF THE OVERSEAS COUNTRIES AND TERRITORIES	PART FOUR — ASSOCIATION OF THE OVERSEAS COUNTRIES AND TERRITORIES	PART FOUR — ASSOCIATION OF THE OVERSEAS COUNTRIES AND TERRITORIES
Article 182	Article 182	Article 198
Article 183	Article 183	Article 199
Article 184	Article 184	Article 200
Article 185	Article 185	Article 201
Article 186	Article 186	Article 202
Article 187	Article 187	Article 203
Article 188	Article 188	Article 204
	PART FIVE — EXTERNAL ACTION BY THE UNION	PART FIVE — EXTERNAL ACTION BY THE UNION
	Title I — General provisions on the union's external action	Title I — General provisions on the union's external action
	Article 188 A	Article 205
Part Three, Title IX, Common commercial policy (moved)	Title II — Common commercial policy	Title II — Common commercial policy
Article 131 (moved)	Article 188 B	Article 206
Article 133 (moved)	Article 188 C	Article 207
	Title III — Cooperation with third countries and humanitarian aid	Title III — Cooperation with third countries and humanitarian aid
Part Three, Title XX, Development cooperation (moved)	Chapter 1 — development cooperation	Chapter 1 — development cooperation
Article 177 (moved)	Article 188 D ⁽²²⁾	Article 208
Article 179 (moved)	Article 188 E	Article 209

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
<i>Article 180 (moved)</i>	Article 188 F	Article 210
<i>Article 181 (moved)</i>	Article 188 G	Article 211
<i>Part Three, Title XXI, Economic, financial and technical cooperation with third countries (moved)</i>	Chapter 2 — Economic, financial and technical cooperation with third countries	Chapter 2 — Economic, financial and technical cooperation with third countries
<i>Article 181a (moved)</i>	Article 188 H	Article 212
	Article 188 I	Article 213
	Chapter 3 — Humanitarian aid	Chapter 3 — Humanitarian aid
	Article 188 J	Article 214
	Title IV — Restrictive measures	Title IV — Restrictive measures
<i>Article 301 (replaced)</i>	Article 188 K	Article 215
	Title V — International agreements	Title V — International agreements
	Article 188 L	Article 216
<i>Article 310 (moved)</i>	Article 188 M	Article 217
<i>Article 300 (replaced)</i>	Article 188 N	Article 218
<i>Article 111, paragraphe 1 to 3 and 5 (moved)</i>	Article 188 O	Article 219
	Title VI — The Union's relations with international organisations and third countries and the Union delegations	Title VI — The Union's relations with international organisations and third countries and the Union delegations
<i>Articles 302 to 304 (replaced)</i>	Article 188 P	Article 220
	Article 188 Q	Article 221
	Title VII — Solidarity clause	Title VII — Solidarity clause
	Article 188 R	Article 222
PART FIVE — INSTITUTIONS OF THE COMMUNITY	PART SIX — INSTITUTIONAL AND BUDGETARY PROVISIONS	PART SIX — INSTITUTIONAL AND BUDGETARY PROVISIONS
Title I — Institutional provisions	Title I — Institutional provisions	Title I — Institutional provisions
Chapter 1 — The institutions	Chapter 1 — The institutions	Chapter 1 — The institutions
Section 1 — The European Parliament	Section 1 — The European Parliament	Section 1 — The European Parliament
<i>Article 189 (repealed) ⁽²³⁾</i>		

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 190, paragraphs 1 to 3 (repealed) ⁽²⁴⁾		
Article 190, paragraphs 4 and 5	Article 190	Article 223
Article 191, first paragraph (repealed) ⁽²⁵⁾		
Article 191, second paragraph	Article 191	Article 224
Article 192, first paragraph (repealed) ⁽²⁶⁾		
Article 192, second paragraph	Article 192	Article 225
Article 193	Article 193	Article 226
Article 194	Article 194	Article 227
Article 195	Article 195	Article 228
Article 196	Article 196	Article 229
Article 197, first paragraph (repealed) ⁽²⁷⁾		
Article 197, second, third and fourth paragraphs	Article 197	Article 230
Article 198	Article 198	Article 231
Article 199	Article 199	Article 232
Article 200	Article 200	Article 233
Article 201	Article 201	Article 234
	Section 1a — The European Council	Section 2 — The European Council
	Article 201a	Article 235
	Article 201b	Article 236
Section 2 — The Council	Section 2 — The Council	Section 3 — The Council
Article 202 (repealed) ⁽²⁸⁾		
Article 203 (repealed) ⁽²⁹⁾		
Article 204	Article 204	Article 237
Article 205, paragraphs 2 and 4 (repealed) ⁽³⁰⁾		
Article 205, paragraphs 1 and 3	Article 205	Article 238
Article 206	Article 206	Article 239

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 207	Article 207	Article 240
Article 208	Article 208	Article 241
Article 209	Article 209	Article 242
Article 210	Article 210	Article 243
Section 3 — The Commission	Section 3 — The Commission	Section 4 — The Commission
Article 211 (repealed) ⁽³¹⁾		
	Article 211a	Article 244
Article 212 (moved)	<i>Article 218, paragraph 2</i>	<i>Article 249, paragraph 2</i>
Article 213	Article 213	Article 245
Article 214 (repealed) ⁽³²⁾		
Article 215	Article 215	Article 246
Article 216	Article 216	Article 247
Article 217, paragraphs 1, 3 and 4 (repealed) ⁽³³⁾		
Article 217, paragraph 2	Article 217	Article 248
Article 218, paragraph 1 (repealed) ⁽³⁴⁾		
Article 218, paragraph 2	Article 218	Article 249
Article 219	Article 219	Article 250
Section 4 — The Court of Justice	Section 4 — The Court of Justice of the European Union	Section 5 — The Court of Justice of the European Union
Article 220 (repealed) ⁽³⁵⁾		
Article 221, first paragraph (repealed) ⁽³⁶⁾		
Article 221, second and third paragraphs	Article 221	Article 251
Article 222	Article 222	Article 252
Article 223	Article 223	Article 253
Article 224 ⁽³⁷⁾	Article 224	Article 254
	Article 224a	Article 255
Article 225	Article 225	Article 256

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 225a	Article 225a	Article 257
Article 226	Article 226	Article 258
Article 227	Article 227	Article 259
Article 228	Article 228	Article 260
Article 229	Article 229	Article 261
Article 229a	Article 229a	Article 262
Article 230	Article 230	Article 263
Article 231	Article 231	Article 264
Article 232	Article 232	Article 265
Article 233	Article 233	Article 266
Article 234	Article 234	Article 267
Article 235	Article 235	Article 268
	Article 235a	Article 269
Article 236	Article 236	Article 270
Article 237	Article 237	Article 271
Article 238	Article 238	Article 272
Article 239	Article 239	Article 273
Article 240	Article 240	Article 274
	Article 240a	Article 275
	Article 240b	Article 276
Article 241	Article 241	Article 277
Article 242	Article 242	Article 278
Article 243	Article 243	Article 279
Article 244	Article 244	Article 280
Article 245	Article 245	Article 281
	Section 4a — The European Central Bank	Section 6 — The European Central Bank
	Article 245a	Article 282
Article 112 (<i>moved</i>)	Article 245b	Article 283

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
<i>Article 113 (moved)</i>	Article 245c	Article 284
Section 5 — The Court of Auditors	Section 5 — The Court of Auditors	Section 7 — The Court of Auditors
Article 246	Article 246	Article 285
Article 247	Article 247	Article 286
Article 248	Article 248	Article 287
Chapter 2 — Provisions common to several institutions	Chapter 2 — Legal acts of the Union, adoption procedures and other provisions	Chapter 2 — Legal acts of the Union, adoption procedures and other provisions
	Section 1 — The legal acts of the Union	Section 1 — The legal acts of the Union
Article 249	Article 249	Article 288
	Article 249 A	Article 289
	Article 249 B ⁽³⁸⁾	Article 290
	Article 249 C ⁽³⁸⁾	Article 291
	Article 249 D	Article 292
	Section 2 — Procedures for the adoption of acts and other provisions	Section 2 — Procedures for the adoption of acts and other provisions
Article 250	Article 250	Article 293
Article 251	Article 251	Article 294
Article 252 (repealed)		
	Article 252a	Article 295
Article 253	Article 253	Article 296
Article 254	Article 254	Article 297
	Article 254a	Article 298
Article 255 (moved)	<i>Article 16 A</i>	<i>Article 15</i>
Article 256	Article 256	Article 299
	Chapter 3 — The Union's advisory bodies	Chapter 3 — The Union's advisory bodies
	Article 256a	Article 300
Chapter 3 — The Economic and Social Committee	Section 1 — The Economic and Social Committee	Section 1 — The Economic and Social Committee

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 257 (repealed) ⁽³⁹⁾		
Article 258, first, second and fourth paragraphs ⁽⁴⁰⁾	Article 258	Article 301
Article 258, third paragraph (repealed) ⁽⁴⁰⁾		
Article 259	Article 259	Article 302
Article 260	Article 260	Article 303
Article 261 (repealed)		
Article 262	Article 262	Article 304
Chapter 4 — The Committee of the Regions	Section 2 — The Committee of the Regions	Section 2 — The Committee of the Regions
Article 263, first and fifth paragraphs (repealed) ⁽⁴¹⁾		
Article 263, second to fourth paragraphs	Article 263	Article 305
Article 264	Article 264	Article 306
Article 265	Article 265	Article 307
Chapter 5 — The European Investment Bank	Chapter 4 — The European Investment Bank	Chapter 4 — The European Investment Bank
Article 266	Article 266	Article 308
Article 267	Article 267	Article 309
Title II — Financial provisions	Title II — Financial provisions	Title II — Financial provisions
Article 268	Article 268	Article 310
	Chapter 1 — The Union's own resources	Chapter 1 — The Union's own resources
Article 269	Article 269	Article 311
Article 270 (repealed) ⁽⁴²⁾		
	Chapter 2 — The multiannual financial framework	Chapter 2 — The multiannual financial framework
	Article 270a	Article 312
	Chapter 3 — The Union's annual budget	Chapter 3 — The Union's annual budget
Article 272, paragraph 1 (moved)	Article 270b	Article 313

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 271 (moved)	Article 273a	Article 316
Article 272, paragraph 1 (moved)	Article 270b	Article 313
Article 272, paragraphs 2 to 10	Article 272	Article 314
Article 273	Article 273	Article 315
Article 271 (moved)	Article 273a	Article 316
	Chapter 4 — Implementation of the budget and discharge	Chapter 4 — Implementation of the budget and discharge
Article 274	Article 274	Article 317
Article 275	Article 275	Article 318
Article 276	Article 276	Article 319
	Chapter 5 — Common provisions	Chapter 5 — Common provisions
Article 277	Article 277	Article 320
Article 278	Article 278	Article 321
Article 279	Article 279	Article 322
	Article 279a	Article 323
	Article 279b	Article 324
	Chapter 6 — Combating fraud	Chapter 6 — Combating fraud
Article 280	Article 280	Article 325
	Title III — Enhanced cooperation	Title III — Enhanced cooperation
Articles 11 and 11 A (replaced)	Article 280 A ⁽⁴³⁾	Article 326
Articles 11 and 11 A (replaced)	Article 280 B ⁽⁴³⁾	Article 327
Articles 11 and 11 A (replaced)	Article 280 C ⁽⁴³⁾	Article 328
Articles 11 and 11 A (replaced)	Article 280 D ⁽⁴³⁾	Article 329
Articles 11 and 11 A (replaced)	Article 280 E ⁽⁴³⁾	Article 330
Articles 11 and 11 A (replaced)	Article 280 F ⁽⁴³⁾	Article 331
Articles 11 and 11 A (replaced)	Article 280 G ⁽⁴³⁾	Article 332
Articles 11 and 11 A (replaced)	Article 280 H ⁽⁴³⁾	Article 333
Articles 11 and 11 A (replaced)	Article 280 I ⁽⁴³⁾	Article 334

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
PART SIX — GENERAL AND FINAL PROVISIONS	PART SEVEN — GENERAL AND FINAL PROVISIONS	PART SEVEN — GENERAL AND FINAL PROVISIONS
Article 281 (repealed) ⁽⁴⁴⁾		
Article 282	Article 282	Article 335
Article 283	Article 283	Article 336
Article 284	Article 284	Article 337
Article 285	Article 285	Article 338
Article 286 (replaced)	Article 16 B	Article 16
Article 287	Article 287	Article 339
Article 288	Article 288	Article 340
Article 289	Article 289	Article 341
Article 290	Article 290	Article 342
Article 291	Article 291	Article 343
Article 292	Article 292	Article 344
Article 293 (repealed)		
Article 294 (moved)	Article 48a	Article 55
Article 295	Article 295	Article 345
Article 296	Article 296	Article 346
Article 297	Article 297	Article 347
Article 298	Article 298	Article 348
Article 299, paragraph 1 (repealed) ⁽⁴⁵⁾		
Article 299, paragraph 2, second, third and fourth subparagraphs	Article 299	Article 349
Article 299, paragraph 2, first subparagraph, and paragraphs 3 to 6 (moved)	Article 311a	Article 355
Article 300 (replaced)	Article 188 N	Article 218
Article 301 (replaced)	Article 188 K	Article 215
Article 302 (replaced)	Article 188 P	Article 220
Article 303 (replaced)	Article 188 P	Article 220

Old numbering of the Treaty establishing the European Community	Numbering in the Treaty of Lisbon	New numbering of the Treaty on the Functioning of the European Union
Article 304 (replaced)	<i>Article 188 P</i>	<i>Article 220</i>
Article 305 (repealed)		
Article 306	Article 306	Article 350
Article 307	Article 307	Article 351
Article 308	Article 308	Article 352
	Article 308a	Article 353
Article 309	Article 309	Article 354
Article 310 (moved)	<i>Article 188 M</i>	<i>Article 217</i>
Article 311 (repealed) ⁽⁴⁶⁾		
<i>Article 299, paragraph 2, first subparagraph, and paragraphs 3 to 6 (moved)</i>	Article 311a	Article 355
Article 312	Article 312	Article 356
Final Provisions		
Article 313	Article 313	Article 357
	Article 313a	Article 358
Article 314 (repealed) ⁽⁴⁷⁾		

⁽¹⁾ Replaced, in substance, by Article 2 TEU (renumbered 3).

⁽²⁾ Replaced, in substance, by Articles 2 B to 2 E TFEU (renumbered 3 to 6).

⁽³⁾ Replaced, in substance, by Article 3b TEU (renumbered 5).

⁽⁴⁾ Insertion of the operative part of the protocol on protection and welfare of animals.

⁽⁵⁾ Replaced, in substance, by Article 9 TEU (renumbered 13).

⁽⁶⁾ Replaced, in substance, by Article 9 TEU (renumbered 13) and Article 245a, paragraph 1, TFEU (renumbered 282).

⁽⁷⁾ Replaced, in substance, by Article 3a, paragraph 3, TEU (renumbered 4).

⁽⁸⁾ Also replaced by Article 10 TEU (renumbered 20).

⁽⁹⁾ Also replaces the current Article 29 TEU.

⁽¹⁰⁾ Also replaces the current Article 36 TEU.

⁽¹¹⁾ Also replaces the current Article 33 TEU.

⁽¹²⁾ Points 1 and 2 of Article 63 EC are replaced by paragraphs 1 and 2 of Article 63 TFEU, and paragraph 2 of Article 64 is replaced by paragraph 3 of Article 63 TFEU.

⁽¹³⁾ Replaces the current Article 31 TEU.

⁽¹⁴⁾ Replaces the current Article 30 TEU.

⁽¹⁵⁾ Replaces the current Article 32 TEU.

⁽¹⁶⁾ Article 117a, paragraph 1, (renumbered 140) takes over the wording of paragraph 1 of Article 121.

⁽¹⁷⁾ Article 117a, paragraph 2, (renumbered 140) takes over the second sentence of paragraph 2 of Article 122.

⁽¹⁸⁾ Article 117a, paragraph 3, (renumbered 140) takes over paragraph 5 of Article 123.

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- (¹⁹) Article 118a, paragraph 1, (renumbered 140) takes over paragraph 3 of Article 123.
- (²⁰) Article 118a, paragraph 2, (renumbered 141) takes over the first five indents of paragraph 2 of Article 117.
- (²¹) Replaced, in substance, by the second sentence of the second subparagraph of paragraph 1 of Article 188 D TFUE.
- (²²) The second sentence of the second subparagraph of paragraph 1 replaces, in substance, Article 178 TEC.
- (²³) Replaced, in substance, by Article 9 A, paragraphs 1 and 2, TEU (renumbered 14).
- (²⁴) Replaced, in substance, by Article 9 A, paragraphs 1 to 3, TEU (renumbered 14).
- (²⁵) Replaced, in substance, by Article 8 A, paragraph 4, TEU (renumbered 11).
- (²⁶) Replaced, in substance, by Article 9 A, paragraph 1, TEU (renumbered 14).
- (²⁷) Replaced, in substance, by Article 9 A, paragraph 4, TEU (renumbered 14).
- (²⁸) Replaced, in substance, by Article 9 C, paragraph 1, TEU (renumbered 16) and Articles 249 B and 249 C TFEU (renumbered 290 and 291).
- (²⁹) Replaced, in substance, by Article 9 C, paragraphs 2 and 9 TEU (renumbered 16).
- (³⁰) Replaced, in substance, by Article 9 C, paragraphs 4 and 5 TEU (renumbered 16).
- (³¹) Replaced, in substance, by Article 9 D, paragraph 1 TEU (renumbered 17).
- (³²) Replaced, in substance, by Article 9 D, paragraphs 3 and 7 TEU (renumbered 17).
- (³³) Replaced, in substance, by Article 9 D, paragraph 6, TEU (renumbered 17).
- (³⁴) Replaced, in substance, by Article 252a TFEU (renumbered 295).
- (³⁵) Replaced, in substance, by Article 9 F TEU (renumbered 19).
- (³⁶) Replaced, in substance, by Article 9 F, paragraph 2, first subparagraph, of the TEU (renumbered 19).
- (³⁷) The first sentence of the first subparagraph is replaced, in substance, by Article 9 F, paragraph 2, second subparagraph of the TEU (renumbered 19).
- (³⁸) Replaces, in substance, the third indent of Article 202 TEC.
- (³⁹) Replaced, in substance, by Article 256a, paragraph 2 of the TFEU (renumbered 300).
- (⁴⁰) Replaced, in substance, by Article 256a, paragraph 4 of the TFEU (renumbered 300).
- (⁴¹) Replaced, in substance, by Article 256a, paragraphs 3 and 4, TFEU (renumbered 300).
- (⁴²) Replaced, in substance, by Article 268, paragraph 4, TFEU (renumbered 310).
- (⁴³) Also replaces the current Articles 27 A to 27 E, 40 to 40 B, and 43 to 45 TEU.
- (⁴⁴) Replaced, in substance, by Article 49 C TEU (renumbered 52).
- (⁴⁵) Replaced, in substance by Article 49 C TEU (renumbered 52).
- (⁴⁶) Replaced, in substance by Article 49 B TEU (renumbered 51).
- (⁴⁷) Replaced, in substance by Article 53 TEU (renumbered 55).
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FINAL ACT
(2007/C 306/02)

THE CONFERENCE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, convened in Brussels on 23 July 2007 to adopt by common accord the amendments to be made to the Treaty on European Union, the Treaty establishing the European Community, and to the Treaty establishing the European Atomic Energy Community, has adopted the following texts:

I. The Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community

II. Protocols

A. Protocols annexed to the Treaty on European Union, to the Treaty establishing the European Community, and/or the Treaty establishing the European Atomic Energy Community:

- Protocol on the role of national Parliaments in the European Union
- Protocol on the application of the principles of subsidiarity and proportionality
- Protocol on the Euro Group
- Protocol on permanent structured cooperation established by Article 28 A of the Treaty on European Union
- Protocol relating to Article 6(2) of the Treaty on European Union on the accession of the Union to the European Convention on the Protection of Human Rights and Fundamental Freedoms
- Protocol on the internal market and competition
- Protocol on the application of the Charter of Fundamental Rights of the European Union to Poland and to the United Kingdom
- Protocol on the exercise of shared competence
- Protocol on services of general interest
- Protocol on the Decision of the Council relating to the implementation of Article 9 C(4) of the Treaty on European Union and Article 205(2) of the Treaty on the Functioning of the European Union between 1 November 2014 and 31 March 2017 on the one hand, and as from 1 April 2017 on the other
- Protocol on transitional provisions

B. Protocols annexed to the Treaty of Lisbon

- Protocol No 1 amending the Protocols annexed to the Treaty on European Union, to the Treaty establishing the European Community and/or to the Treaty establishing the European Atomic Energy Community
- Tables of equivalences referred to in Article 2 of Protocol No 1 amending the protocols annexed to the Treaty on European Union, to the Treaty establishing the European Community and/or the Treaty establishing the European Atomic Energy Community
- Protocol No 2 amending the Treaty establishing the European Atomic Energy Community

III. Annex to the Treaty of Lisbon:

- Tables of equivalences referred to in Article 5 of the Treaty of Lisbon

The Conference has adopted the following declarations annexed to this Final Act.

A. Declarations concerning provisions of the Treaties

1. Declaration concerning the Charter of Fundamental Rights of the European Union
2. Declaration on Article 6(2) of the Treaty on European Union
3. Declaration on Article 7a of the Treaty on European Union
4. Declaration on the composition of the European Parliament
5. Declaration on the political agreement by the European Council concerning the draft Decision on the composition of the European Parliament
6. Declaration on Articles 9 B(5) and (6), Articles 9 D(6) and (7), and Article 9 E of the Treaty on European Union
7. Declaration on Article 9 C(4) of the Treaty on European Union and Article 205(2) of the Treaty on the Functioning of the European Union
8. Declaration on practical measures to be taken upon the entry into force of the Treaty of Lisbon as regards the Presidency of the European Council and of the Foreign Affairs Council
9. Declaration on Article 9 C(9) of the Treaty on European Union concerning the European Council decision on the exercise of the Presidency of the Council
10. Declaration on Article 9 D of the Treaty on European Union
11. Declaration on Article 9 D(6) and (7) of the Treaty on European Union

12. Declaration on Article 9 E of the Treaty on European Union
13. Declaration concerning the common foreign and security policy
14. Declaration concerning the common foreign and security policy
15. Declaration on Article 13a of the Treaty on European Union
16. Declaration on Article 53(2) of the Treaty on European Union
17. Declaration concerning primacy
18. Declaration in relation to the delimitation of competences
19. Declaration on Article 3 of the Treaty on the Functioning of the European Union
20. Declaration on Article 16 B of the Treaty on the Functioning of the European Union
21. Declaration on the protection of personal data in the fields of judicial cooperation in criminal matters and police cooperation
22. Declaration on Articles 42 and 63a of the Treaty on the Functioning of the European Union
23. Declaration on the second paragraph of Article 42 of the Treaty on the Functioning of the European Union
24. Declaration concerning the legal personality of the European Union
25. Declaration on Articles 61 H and 188 K of the Treaty on the Functioning of the European Union
26. Declaration on non-participation by a Member State in a measure based on Title IV of Part Three of the Treaty on the Functioning of the European Union
27. Declaration on Article 69 D(1), second subparagraph, of the Treaty on the Functioning of the European Union
28. Declaration on Article 78 of the Treaty on the Functioning of the European Union
29. Declaration on Article 87(2)(c) of the Treaty on the Functioning of the European Union
30. Declaration on Article 104 of the Treaty on the Functioning of the European Union

31. Declaration on Article 140 of the Treaty on the Functioning of the European Union
32. Declaration on Article 152(4)(c) of the Treaty on the Functioning of the European Union
33. Declaration on Article 158 of the Treaty on the Functioning of the European Union
34. Declaration on Article 163 of the Treaty on the Functioning of the European Union
35. Declaration on Article 176 A of the Treaty on the Functioning of the European Union
36. Declaration on Article 188 N of the Treaty on the Functioning of the European Union concerning the negotiation and conclusion of international agreements by Member States relating to the area of freedom, security and justice
37. Declaration on Article 188 R of the Treaty on the Functioning of the European Union
38. Declaration on Article 222 of the Treaty on the Functioning of the European Union regarding the number of Advocates-General in the Court of Justice
39. Declaration on Article 249 B of the Treaty on the Functioning of the European Union
40. Declaration on Article 280 D of the Treaty on the Functioning of the European Union
41. Declaration on Article 308 of the Treaty on the Functioning of the European Union
42. Declaration on Article 308 of the Treaty on the Functioning of the European Union
43. Declaration on Article 311a(6) of the Treaty on the Functioning of the European Union
- B. Declarations concerning Protocols annexed to the Treaties
 44. Declaration on Article 5 of the Protocol on the Schengen *acquis* integrated into the framework of the European Union
 45. Declaration on Article 5(2) of the Protocol on the Schengen *acquis* integrated into the framework of the European Union
 46. Declaration on Article 5(3) of the Protocol on the Schengen *acquis* integrated into the framework of the European Union

47. Declaration on Article 5(3), (4) and (5) of the Protocol on the Schengen *acquis* integrated into the framework of the European Union
48. Declaration concerning the Protocol on the position of Denmark
49. Declaration concerning Italy
50. Declaration concerning Article 10 of the Protocol on transitional provisions

Furthermore, the Conference has noted the declarations listed hereafter and annexed to this Final Act:

51. Declaration by the Kingdom of Belgium on national Parliaments
52. Declaration by the Kingdom of Belgium, the Republic of Bulgaria, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the Italian Republic, the Republic of Cyprus, the Republic of Lithuania, the Grand-Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Portuguese Republic, Romania, the Republic of Slovenia, and the Slovak Republic on the symbols of the European Union
53. Declaration by the Czech Republic on the Charter of Fundamental Rights of the European Union
54. Declaration by the Federal Republic of Germany, Ireland, the Republic of Hungary, the Republic of Austria and the Kingdom of Sweden
55. Declaration by the Kingdom of Spain and the United Kingdom of Great Britain and Northern Ireland
56. Declaration by Ireland on Article 3 of the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice
57. Declaration by the Italian Republic on the composition of the European Parliament
58. Declaration by the Republic of Latvia, the Republic of Hungary and the Republic of Malta on the spelling of the name of the single currency in the Treaties
59. Declaration by the Kingdom of the Netherlands on Article 270a of the Treaty on the Functioning of the European Union
60. Declaration by the Kingdom of the Netherlands on Article 311a of the Treaty on the Functioning of the European Union

61. Declaration by the Republic of Poland on the Charter of Fundamental Rights of the European Union
62. Declaration by the Republic of Poland concerning the Protocol on the application of the Charter of Fundamental Rights of the European Union in relation to Poland and the United Kingdom
63. Declaration by the United Kingdom of Great Britain and Northern Ireland on the definition of the term 'nationals'
64. Declaration by the United Kingdom of Great Britain and Northern Ireland on the franchise for elections to the European Parliament
65. Declaration by the United Kingdom of Great Britain and Northern Ireland on Article 61 H of the Treaty on the Functioning of the European Union

Съставено в Лисабон на тринадесети декември две хиляди и седма година.

Hecho en Lisboa, el trece de diciembre de dos mil siete.

V Lisabonu dne třináctého prosince dva tisíce sedm.

Udfærdiget i Lissabon den trettende december to tusind og syv.

Geschehen zu Lissabon am dreizehnten Dezember zweitausendsieben.

Kahe tuhande seitsmenda aasta detsembrikuu kolmeteistkümnendal päeval Lissabonis.

Έγινε στη Λισσαβόνα, στις δέκα τρεις Δεκεμβρίου δύο χιλιάδες επτά.

Done at Lisbon on the thirteenth day of December in the year two thousand and seven.

Fait à Lisbonne, le treize décembre deux mille sept.

Arna dhéanamh i Liospóin, an tríú lá déag de Nollaig sa bhliain dhá mhíle a seacht.

Fatto a Lisbona, addì tredici dicembre duemilasette.

Lisabonā, divtūkstoš septītā gada trīspadsmitajā decembrī.

Priimta Lisabonoje du tūkstančiai septintųjų metų gruodžio tryliką dieną.

Kelt Lisszabonban, a kétezer-hetedik év december tizenharmadik napján.

Magħmul f'Lisbona, fit-tlettax-il jum ta' Diċembru tas-sena elfejn u sebgha.

Gedaan te Lissabon, de dertiende december tweeduizend zeven.

Sporządzono w Lizbonie dnia trzynastego grudnia roku dwa tysiące siódmego.

Feito em Lisboa, em treze de Dezembro de dois mil e sete.

Întocmit la Lisabona la treisprezece decembrie două mii șapte.

V Lisabone dňa trinásteho decembra dvetisíc sedem.

V Lizboni, dne trinajstega decembra leta dva tisoč sedem.

Tehty Lissabonissa kolmantenatoista päivänä joulukuuta vuonna kaksituhattaseitsemän.

Som skedde i Lissabon den trettonde december tjugohundrasju.

Voor Zijne Majesteit de Koning der Belgen
Pour Sa Majesté le Roi des Belges
Für Seine Majestät den König der Belgier



„Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest.”

«Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.»

„Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel-Hauptstadt.“

За Правителството на Република България



Za prezidenta České republiky

Václav Klaus
~~Václav Klaus~~

For Hendes Majestæt Danmarks Dronning

Beatrix
Anne-Marie

Für den Präsidenten der Bundesrepublik Deutschland

Angela Merkel
Frank-Walter Steinmeier

Eesti Vabariigi Presidendi nimel

Andrus Ansip
Marek Pae

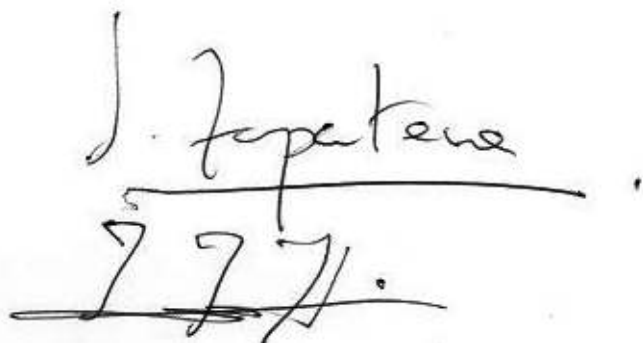
Thar ceann Uachtarán na hÉireann
For the President of Ireland

Bertie Ahern
Dermot Ahern

Για τον Πρόεδρο της Ελληνικής Δημοκρατίας

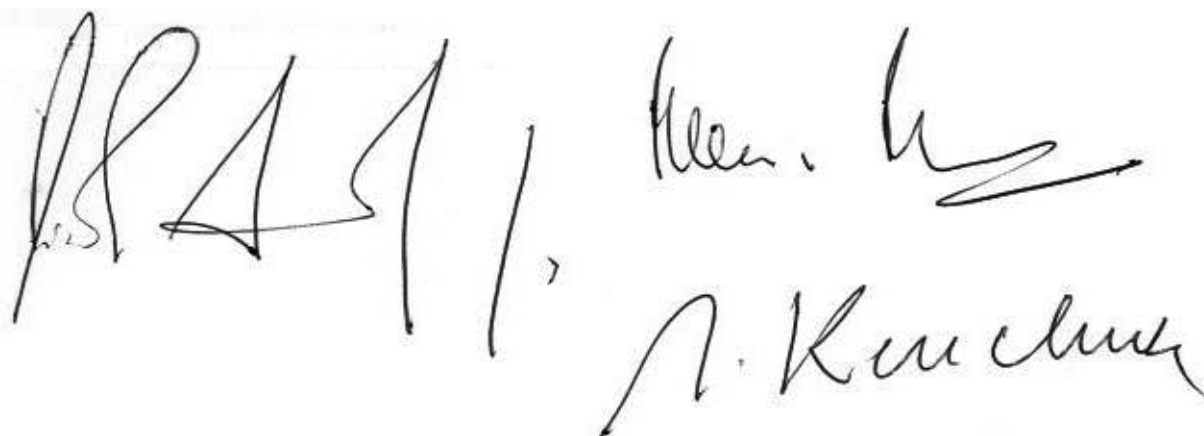
Karamanlis
Nikolaos

Por Su Majestad el Rey de España



J. Zapatero

Pour le Président de la République française



N. Sarkozy

Per il Presidente della Repubblica italiana



Romano Prodi



Nicolas Sarkozy

Για τον Πρόεδρο της Κυπριακής Δημοκρατίας

2000 2000
Eklavon

Latvijas Republikas Valsts prezidenta vārdā

Valdis Zaitles
per Peter H. Higney

Lietuvos Respublikos Prezidento vardu

Valdy Stants,
Bedingens kodila
P. var 2

Pour Son Altesse Royale le Grand-Duc de Luxembourg

A handwritten signature in dark ink, consisting of a stylized 'f' followed by a horizontal line and a large, flowing 'g' and 'h'.

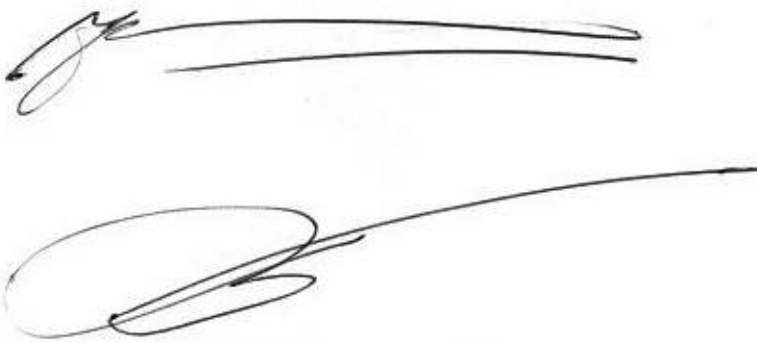
A Magyar Köztársaság Elnöke részéről

A handwritten signature in dark ink, featuring a series of overlapping loops and the words 'A. L. K.' followed by 'Elnöke'.

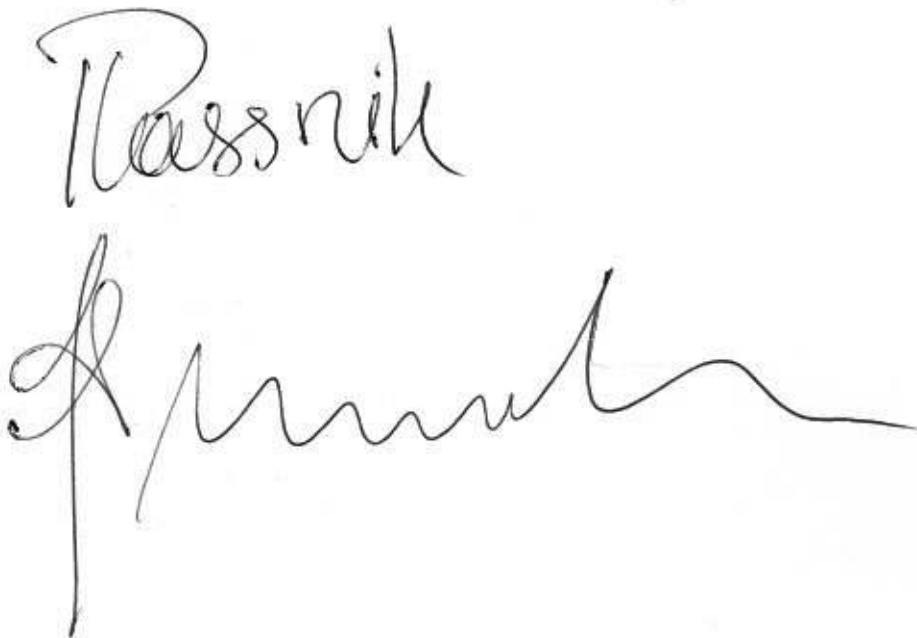
Għall-President ta' Malta

A handwritten signature in dark ink, with the name 'Michael Frendo' written in a cursive style.

Voor Hare Majesteit de Koningin der Nederlanden



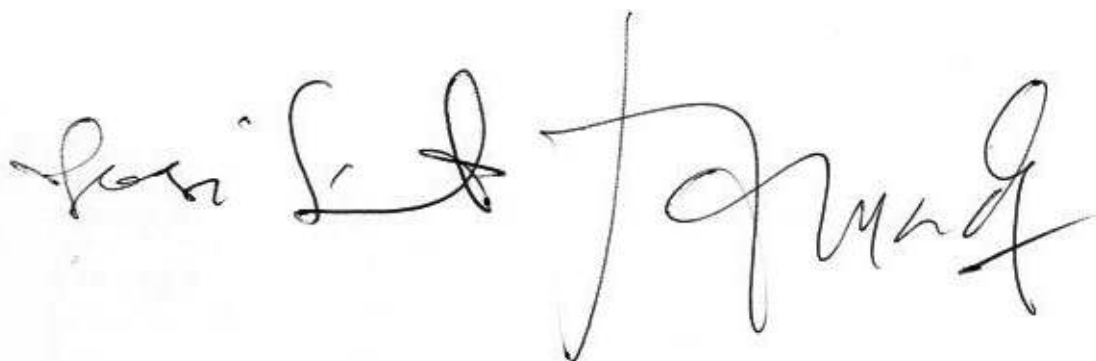
Für den Bundespräsidenten der Republik Österreich



Za Prezydenta Rzeczypospolitej Polskiej



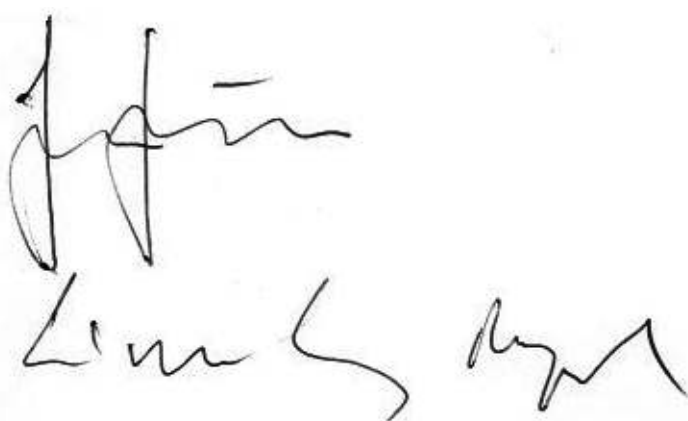
Pelo Presidente da República Portuguesa

A handwritten signature in black ink, appearing to read 'José Sampaio', written in a cursive style.

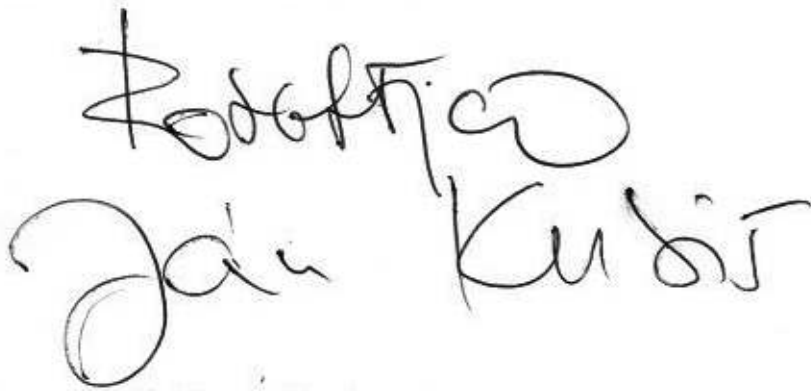
Pentru Președintele României

A handwritten signature in black ink, appearing to read 'Adrian Cioloș', written in a cursive style.

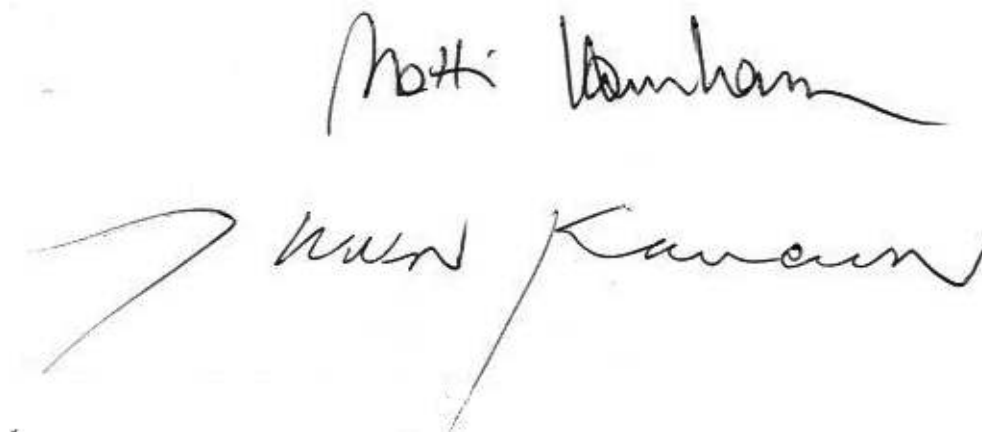
Za predsednika Republike Slovenije

A handwritten signature in black ink, appearing to read 'Danilo Türk', written in a cursive style.

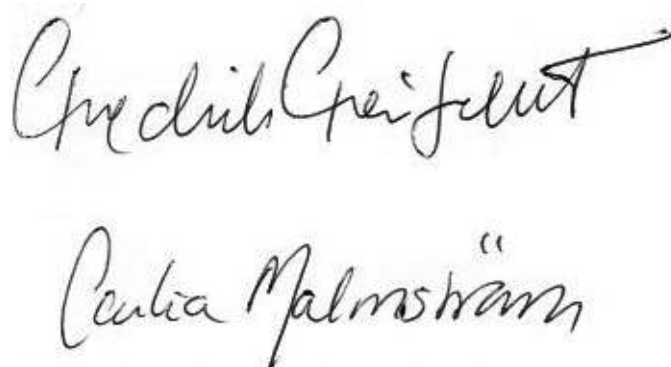
Za prezidenta Slovenskej republiky

Handwritten signature of Ján Kubiš in black ink.

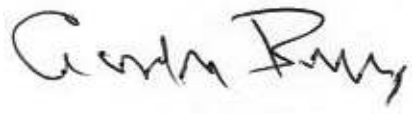
Suomen Tasavallan Presidentin puolesta
För Republiken Finlands President

Handwritten signature of Matti Vanhanen in black ink.

För Konungariket Sveriges regering

Handwritten signature of Cecilia Malmström in black ink.

For Her Majesty the Queen of the United Kingdom of Great Britain and Northern Ireland

A. DECLARATIONS CONCERNING PROVISIONS OF THE TREATIES

1. Declaration concerning the Charter of Fundamental Rights of the European Union

The Charter of Fundamental Rights of the European Union, which has legally binding force, confirms the fundamental rights guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms and as they result from the constitutional traditions common to the Member States.

The Charter does not extend the field of application of Union law beyond the powers of the Union or establish any new power or task for the Union, or modify powers and tasks as defined by the Treaties.

2. Declaration on Article 6(2) of the Treaty on European Union

The Conference agrees that the Union's accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms should be arranged in such a way as to preserve the specific features of Union law. In this connection, the Conference notes the existence of a regular dialogue between the Court of Justice of the European Union and the European Court of Human Rights; such dialogue could be reinforced when the Union accedes to that Convention.

3. Declaration on Article 7a of the Treaty on European Union

The Union will take into account the particular situation of small-sized countries which maintain specific relations of proximity with it.

4. Declaration on the composition of the European Parliament

The additional seat in the European Parliament will be attributed to Italy.

5. Declaration on the political agreement by the European Council concerning the draft Decision on the composition of the European Parliament

The European Council will give its political agreement on the revised draft Decision on the composition of the European Parliament for the legislative period 2009-2014, based on the proposal from the European Parliament.

6. Declaration on Article 9 B(5) and (6), Article 9 D(6) and (7) and Article 9 E of the Treaty on European Union

In choosing the persons called upon to hold the offices of President of the European Council, President of the Commission and High Representative of the Union for Foreign Affairs and Security Policy, due account is to be taken of the need to respect the geographical and demographic diversity of the Union and its Member States.

7. Declaration on Article 9 C(4) of the Treaty on European Union and Article 205(2) of the Treaty on the Functioning of the European Union

The Conference declares that the decision relating to the implementation of Article 9 C(4) of the Treaty on European Union and Article 205(2) of the Treaty on the Functioning of the European Union will be adopted by the Council on the date of the signature of the Treaty of Lisbon and will enter into force on the day that Treaty enters into force. The draft decision is set out below:

Draft decision of the Council

relating to the implementation of Article 9 C(4) of the Treaty on European Union
and Article 205(2) of the Treaty on the Functioning of the European Union
between 1 November 2014 and 31 March 2017 on the one hand, and as from
1 April 2017 on the other

THE COUNCIL OF THE EUROPEAN UNION,

Whereas:

- (1) Provisions should be adopted allowing for a smooth transition from the system for decision-making in the Council by a qualified majority as defined in Article 3(3) of the Protocol on the transitional provisions, which will continue to apply until 31 October 2014, to the voting system provided for in Article 9 C(4) of the Treaty on European Union and Article 205(2) of the Treaty on the Functioning of the European Union, which will apply with effect from 1 November 2014, including, during a transitional period until 31 March 2017, specific provisions laid down in Article 3(2) of that Protocol.
- (2) It is recalled that it is the practice of the Council to devote every effort to strengthening the democratic legitimacy of decisions taken by a qualified majority,

HAS DECIDED AS FOLLOWS:

Section 1

Provisions to be applied from 1 November 2014 to 31 March 2017

Article 1

From 1 November 2014 to 31 March 2017, if members of the Council, representing:

- (a) at least three quarters of the population, or
- (b) at least three quarters of the number of Member States

necessary to constitute a blocking minority resulting from the application of Article 9 C(4), first subparagraph, of the Treaty on European Union or Article 205(2) of the Treaty on the Functioning of the European Union, indicate their opposition to the Council adopting an act by a qualified majority, the Council shall discuss the issue.

Article 2

The Council shall, in the course of these discussions, do all in its power to reach, within a reasonable time and without prejudicing obligatory time limits laid down by Union law, a satisfactory solution to address concerns raised by the members of the Council referred to in Article 1.

Article 3

To this end, the President of the Council, with the assistance of the Commission and in compliance with the Rules of Procedure of the Council, shall undertake any initiative necessary to facilitate a wider basis of agreement in the Council. The members of the Council shall lend him or her their assistance.

Section 2

Provisions to be applied as from 1 April 2017

Article 4

As from 1 April 2017, if members of the Council, representing:

- (a) at least 55 % of the population, or
- (b) at least 55 % of the number of Member States

necessary to constitute a blocking minority resulting from the application of Article 9 C(4), first subparagraph, of the Treaty on European Union or Article 205(2) of the Treaty on the Functioning of the European Union, indicate their opposition to the Council adopting an act by a qualified majority, the Council shall discuss the issue.

Article 5

The Council shall, in the course of these discussions, do all in its power to reach, within a reasonable time and without prejudicing obligatory time limits laid down by Union law, a satisfactory solution to address concerns raised by the members of the Council referred to in Article 4.

Article 6

To this end, the President of the Council, with the assistance of the Commission and in compliance with the Rules of Procedure of the Council, shall undertake any initiative necessary to facilitate a wider basis of agreement in the Council. The members of the Council shall lend him or her their assistance.

Section 3

Entry into force

Article 7

This Decision shall enter into force on the date of the entry into force of the Treaty of Lisbon.

8. Declaration on practical measures to be taken upon the entry into force of the Treaty of Lisbon as regards the Presidency of the European Council and of the Foreign Affairs Council

In the event that the Treaty of Lisbon enters into force later than 1 January 2009, the Conference requests the competent authorities of the Member State holding the six-monthly Presidency of the Council at that time, on the one hand, and the person elected President of the European Council and the person appointed High Representative of the Union for Foreign Affairs and Security Policy, on the other hand, to take the necessary specific measures, in consultation with the following six-monthly Presidency, to allow an efficient handover of the material and organisational aspects of the Presidency of the European Council and of the Foreign Affairs Council.

**9. Declaration on Article 9 C(9) of the Treaty on European Union
concerning the European Council decision on the exercise of the Presidency
of the Council**

The Conference declares that the Council should begin preparing the decision establishing the procedures for implementing the decision on the exercise of the Presidency of the Council as soon as the Treaty of Lisbon is signed, and should give its political approval within six months. A draft decision of the European Council, which will be adopted on the date of entry into force of the said Treaty, is set out below:

Draft decision of the European Council on the exercise of the Presidency of the Council

Article 1

1. The Presidency of the Council, with the exception of the Foreign Affairs configuration, shall be held by pre-established groups of three Member States for a period of 18 months. The groups shall be made up on a basis of equal rotation among the Member States, taking into account their diversity and geographical balance within the Union.

2. Each member of the group shall in turn chair for a six-month period all configurations of the Council, with the exception of the Foreign Affairs configuration. The other members of the group shall assist the Chair in all its responsibilities on the basis of a common programme. Members of the team may decide alternative arrangements among themselves.

Article 2

The Committee of Permanent Representatives of the Governments of the Member States shall be chaired by a representative of the Member State chairing the General Affairs Council.

The Chair of the Political and Security Committee shall be held by a representative of the High Representative of the Union for Foreign Affairs and Security Policy.

The chair of the preparatory bodies of the various Council configurations, with the exception of the Foreign Affairs configuration, shall fall to the member of the group chairing the relevant configuration, unless decided otherwise in accordance with Article 4.

Article 3

The General Affairs Council shall ensure consistency and continuity in the work of the different Council configurations in the framework of multiannual programmes in cooperation with the Commission. The Member States holding the Presidency shall take all necessary measures for the organisation and smooth operation of the Council's work, with the assistance of the General Secretariat of the Council.

Article 4

The Council shall adopt a decision establishing the measures for the implementation of this decision.

10. Declaration on Article 9 D of the Treaty on European Union

The Conference considers that when the Commission no longer includes nationals of all Member States, the Commission should pay particular attention to the need to ensure full transparency in relations with all Member States. Accordingly, the Commission should liaise closely with all Member States, whether or not they have a national serving as member of the Commission, and in this context pay special attention to the need to share information and consult with all Member States.

The Conference also considers that the Commission should take all the necessary measures to ensure that political, social and economic realities in all Member States, including those which have no national serving as member of the Commission, are fully taken into account. These measures should include ensuring that the position of those Member States is addressed by appropriate organisational arrangements.

11. Declaration on Article 9 D(6) and (7) of the Treaty on European Union

The Conference considers that, in accordance with the provisions of the Treaties, the European Parliament and the European Council are jointly responsible for the smooth running of the process leading to the election of the President of the European Commission. Prior to the decision of the European Council, representatives of the European Parliament and of the European Council will thus conduct the necessary consultations in the framework deemed the most appropriate. These consultations will focus on the backgrounds of the candidates for President of the Commission, taking account of the elections to the European Parliament, in accordance with the first subparagraph of Article 9 D(7). The arrangements for such consultations may be determined, in due course, by common accord between the European Parliament and the European Council.

12. Declaration on Article 9 E of the Treaty on European Union

1. The Conference declares that, in the course of the preparatory work preceding the appointment of the High Representative of the Union for Foreign Affairs and Security Policy which is due to take place on the date of entry into force of the Treaty of Lisbon in accordance with Article 9 E of the Treaty on European Union and Article 5 of the Protocol on transitional provisions and whose term of office will be from that date until the end of the term of office of the Commission in office on that date, appropriate contacts will be made with the European Parliament.

2. Furthermore, the Conference recalls that, as regards the High Representative of the Union for Foreign Affairs and Security Policy whose term of office will start in November 2009 at the same time and for the same duration as the next Commission, he or she will be appointed in accordance with the provisions of Articles 9 D and 9 E of the Treaty on European Union.

13. Declaration concerning the common foreign and security policy

The Conference underlines that the provisions in the Treaty on European Union covering the Common Foreign and Security Policy, including the creation of the office of High Representative of the Union for Foreign Affairs and Security Policy and the establishment of an External Action Service, do not affect the responsibilities of the Member States, as they currently exist, for the formulation and conduct of their foreign policy nor of their national representation in third countries and international organisations.

The Conference also recalls that the provisions governing the Common Security and Defence Policy do not prejudice the specific character of the security and defence policy of the Member States.

It stresses that the European Union and its Member States will remain bound by the provisions of the Charter of the United Nations and, in particular, by the primary responsibility of the Security Council and of its Members for the maintenance of international peace and security.

14. Declaration concerning the common foreign and security policy

In addition to the specific rules and procedures referred to in paragraph 1 of Article 11 of the Treaty on European Union, the Conference underlines that the provisions covering the Common Foreign and Security Policy including in relation to the High Representative of the Union for Foreign Affairs and Security Policy and the External Action Service will not affect the existing legal basis, responsibilities, and powers of each Member State in relation to the formulation and conduct of its foreign policy, its national diplomatic service, relations with third countries and participation in international organisations, including a Member State's membership of the Security Council of the United Nations.

The Conference also notes that the provisions covering the Common Foreign and Security Policy do not give new powers to the Commission to initiate decisions nor do they increase the role of the European Parliament.

The Conference also recalls that the provisions governing the Common Security and Defence Policy do not prejudice the specific character of the security and defence policy of the Member States.

15. Declaration on Article 13a of the Treaty on European Union

The Conference declares that, as soon as the Treaty of Lisbon is signed, the Secretary-General of the Council, High Representative for the common foreign and security policy, the Commission and the Member States should begin preparatory work on the European External Action Service.

16. Declaration on Article 53(2) of the Treaty on European Union

The Conference considers that the possibility of producing translations of the Treaties in the languages mentioned in Article 53(2) contributes to fulfilling the objective of respecting the Union's rich cultural and linguistic diversity as set forth in the fourth subparagraph of Article 2(3). In this context, the Conference confirms the attachment of the Union to the cultural diversity of Europe and the special attention it will continue to pay to these and other languages.

The Conference recommends that those Member States wishing to avail themselves of the possibility recognised in Article 53(2) communicate to the Council, within six months from the date of the signature of the Treaty of Lisbon, the language or languages into which translations of the Treaties will be made.

17. Declaration concerning primacy

The Conference recalls that, in accordance with well settled case law of the Court of Justice of the European Union, the Treaties and the law adopted by the Union on the basis of the Treaties have primacy over the law of Member States, under the conditions laid down by the said case law.

The Conference has also decided to attach as an Annex to this Final Act the Opinion of the Council Legal Service on the primacy of EC law as set out in 11197/07 (JUR 260):

'Opinion of the Council Legal Service of 22 June 2007

It results from the case-law of the Court of Justice that primacy of EC law is a cornerstone principle of Community law. According to the Court, this principle is inherent to the specific nature of the European Community. At the time of the first judgment of this established case law (Costa/ENEL, 15 July 1964, Case 6/641 ⁽¹⁾) there was no mention of primacy in the treaty. It is still the case today. The fact that the principle of primacy will not be included in the future treaty shall not in any way change the existence of the principle and the existing case-law of the Court of Justice.

⁽¹⁾ "It follows (...) that the law stemming from the treaty, an independent source of law, could not, because of its special and original nature, be overridden by domestic legal provisions, however framed, without being deprived of its character as Community law and without the legal basis of the Community itself being called into question."

18. Declaration in relation to the delimitation of competences

The Conference underlines that, in accordance with the system of division of competences between the Union and the Member States as provided for in the Treaty on European Union and the Treaty on the Functioning of the European Union, competences not conferred upon the Union in the Treaties remain with the Member States.

When the Treaties confer on the Union a competence shared with the Member States in a specific area, the Member States shall exercise their competence to the extent that the Union has not exercised, or has decided to cease exercising, its competence. The latter situation arises when the relevant EU institutions decide to repeal a legislative act, in particular better to ensure constant respect for the principles of subsidiarity and proportionality. The Council may, at the initiative of one or several of its members (representatives of Member States) and in accordance with Article 208 of the Treaty on the Functioning of the European Union, request the Commission to submit proposals for repealing a legislative act. The Conference welcomes the Commission's declaration that it will devote particular attention to these requests.

Equally, the representatives of the governments of the Member States, meeting in an Intergovernmental Conference, in accordance with the ordinary revision procedure provided for in Article 48(2) to (5) of the Treaty on European Union, may decide to amend the Treaties upon which the Union is founded, including either to increase or to reduce the competences conferred on the Union in the said Treaties.

19. Declaration on Article 3 of the Treaty on the Functioning of the European Union

The Conference agrees that, in its general efforts to eliminate inequalities between women and men, the Union will aim in its different policies to combat all kinds of domestic violence. The Member States should take all necessary measures to prevent and punish these criminal acts and to support and protect the victims.

20. Declaration on Article 16 B of the Treaty on the Functioning of the European Union

The Conference declares that, whenever rules on protection of personal data to be adopted on the basis of Article 15a could have direct implications for national security, due account will have to be taken of the specific characteristics of the matter. It recalls that the legislation presently applicable (see in particular Directive 95/46/EC) includes specific derogations in this regard.

21. Declaration on the protection of personal data in the fields of judicial cooperation in criminal matters and police cooperation

The Conference acknowledges that specific rules on the protection of personal data and the free movement of such data in the fields of judicial cooperation in criminal matters and police cooperation based on Article 16 B of the Treaty on the Functioning of the European Union may prove necessary because of the specific nature of these fields.

22. Declaration on Articles 42 and 63a of the Treaty on the Functioning of the European Union

The Conference considers that in the event that a draft legislative act based on Article 69 A(2) would affect important aspects of the social security system of a Member State, including its scope, cost or financial structure, or would affect the financial balance of that system as set out in the second paragraph of Article 42, the interests of that Member State will be duly taken into account.

23. Declaration on the second paragraph of Article 42 of the Treaty on the Functioning of the European Union

The Conference recalls that in that case, in accordance with Article 9 B(4) of the Treaty on European Union, the European Council acts by consensus.

24. Declaration concerning the legal personality of the European Union

The Conference confirms that the fact that the European Union has a legal personality will not in any way authorise the Union to legislate or to act beyond the competences conferred upon it by the Member States in the Treaties.

25. Declaration on Articles 61 H and 188 K of the Treaty on the Functioning of the European Union

The Conference recalls that the respect for fundamental rights and freedoms implies, in particular, that proper attention is given to the protection and observance of the due process rights of the individuals or entities concerned. For this purpose and in order to guarantee a thorough judicial review of decisions subjecting an individual or entity to restrictive measures, such decisions must be based on clear and distinct criteria. These criteria should be tailored to the specifics of each restrictive measure.

26. Declaration on non-participation by a Member State in a measure based on Title IV of Part Three of the Treaty on the Functioning of the European Union

The Conference declares that, where a Member State opts not to participate in a measure based on Title IV of Part Three of the Treaty on the Functioning of the European Union, the Council will hold a full discussion on the possible implications and effects of that Member State's non-participation in the measure.

In addition, any Member State may ask the Commission to examine the situation on the basis of Article 96 of the Treaty on the Functioning of the European Union.

The above paragraphs are without prejudice to the entitlement of a Member State to refer the matter to the European Council.

27. Declaration on Article 69 D(1), second subparagraph, of the Treaty on the Functioning of the European Union

The Conference considers that the regulations referred to in the second subparagraph of Article 69 D(1) of the Treaty on the Functioning of the European Union should take into account national rules and practices relating to the initiation of criminal investigations.

28. Declaration on Article 78 of the Treaty on the Functioning of the European Union

The Conference notes that the provisions of Article 78 shall be applied in accordance with the current practice. The terms 'such measures are required in order to compensate for the economic disadvantages caused by the division of Germany to the economy of certain areas of the Federal Republic affected by that division' shall be interpreted in accordance with the existing case law of the Court of Justice of the European Union.

29. Declaration on Article 87(2)(c) of the Treaty on the Functioning of the European Union

The Conference notes that Article 87(2)(c) shall be interpreted in accordance with the existing case law of the Court of Justice of the European Union regarding the applicability of the provisions to aid granted to certain areas of the Federal Republic of Germany affected by the former division of Germany.

30. Declaration on Article 104 of the Treaty on the Functioning of the European Union

With regard to Article 104, the Conference confirms that raising growth potential and securing sound budgetary positions are the two pillars of the economic and fiscal policy of the Union and the Member States. The Stability and Growth Pact is an important tool to achieve these goals.

The Conference reaffirms its commitment to the provisions concerning the Stability and Growth Pact as the framework for the coordination of budgetary policies in the Member States.

The Conference confirms that a rule-based system is the best guarantee for commitments to be enforced and for all Member States to be treated equally.

Within this framework, the Conference also reaffirms its commitment to the goals of the Lisbon Strategy: job creation, structural reforms, and social cohesion.

The Union aims at achieving balanced economic growth and price stability. Economic and budgetary policies thus need to set the right priorities towards economic reforms, innovation, competitiveness and strengthening of private investment and consumption in phases of weak economic growth. This should be reflected in the orientations of budgetary decisions at the national and Union level in

particular through restructuring of public revenue and expenditure while respecting budgetary discipline in accordance with the Treaties and the Stability and Growth Pact.

Budgetary and economic challenges facing the Member States underline the importance of sound budgetary policy throughout the economic cycle.

The Conference agrees that Member States should use periods of economic recovery actively to consolidate public finances and improve their budgetary positions. The objective is to gradually achieve a budgetary surplus in good times which creates the necessary room to accommodate economic downturns and thus contribute to the long-term sustainability of public finances.

The Member States look forward to possible proposals of the Commission as well as further contributions of Member States with regard to strengthening and clarifying the implementation of the Stability and Growth Pact. The Member States will take all necessary measures to raise the growth potential of their economies. Improved economic policy coordination could support this objective. This Declaration does not prejudice the future debate on the Stability and Growth Pact.

31. Declaration on Article 140 of the Treaty on the Functioning of the European Union

The Conference confirms that the policies described in Article 140 fall essentially within the competence of the Member States. Measures to provide encouragement and promote coordination to be taken at Union level in accordance with this Article shall be of a complementary nature. They shall serve to strengthen cooperation between Member States and not to harmonise national systems. The guarantees and practices existing in each Member State as regards the responsibility of the social partners will not be affected.

This Declaration is without prejudice to the provisions of the Treaties conferring competence on the Union, including in social matters.

32. Declaration on Article 152(4)(c) of the Treaty on the Functioning of the European Union

The Conference declares that the measures to be adopted pursuant to Article 152(4)(c) must meet common safety concerns and aim to set high standards of quality and safety where national standards affecting the internal market would otherwise prevent a high level of human health protection being achieved.

33. Declaration on Article 158 of the Treaty on the Functioning of the European Union

The Conference considers that the reference in Article 158 to island regions can include island States in their entirety, subject to the necessary criteria being met.

34. Declaration on Article 163 of the Treaty on the Functioning of the European Union

The Conference agrees that the Union's action in the area of research and technological development will pay due respect to the fundamental orientations and choices of the research policies of the Member States.

35. Declaration on Article 176 A of the Treaty on the Functioning of the European Union

The Conference believes that Article 176 A does not affect the right of the Member States to take the necessary measures to ensure their energy supply under the conditions provided for in Article 297.

36. Declaration on Article 188 N of the Treaty on the Functioning of the European Union concerning the negotiation and conclusion of international agreements by Member States relating to the area of freedom, security and justice

The Conference confirms that Member States may negotiate and conclude agreements with third countries or international organisations in the areas covered by Chapters 3, 4 and 5 of Title IV of Part Three insofar as such agreements comply with Union law.

37. Declaration on Article 188 R of the Treaty on the Functioning of the European Union

Without prejudice to the measures adopted by the Union to comply with its solidarity obligation towards a Member State which is the object of a terrorist attack or the victim of natural or man-made disaster, none of the provisions of Article 188 R is intended to affect the right of another Member State to choose the most appropriate means to comply with its own solidarity obligation towards that Member State.

38. Declaration on Article 222 of the Treaty on the Functioning of the European Union regarding the number of Advocates-General in the Court of Justice

The Conference declares that if, in accordance with Article 222, first paragraph, of the Treaty on the Functioning of the European Union, the Court of Justice requests that the number of Advocates-General be increased by three (eleven instead of eight), the Council will, acting unanimously, agree on such an increase.

In that case, the Conference agrees that Poland will, as is already the case for Germany, France, Italy, Spain and the United Kingdom, have a permanent Advocate-General and no longer take part in the rotation system, while the existing rotation system will involve the rotation of five Advocates-General instead of three.

39. Declaration on Article 249 B of the Treaty on the Functioning of the European Union

The Conference takes note of the Commission's intention to continue to consult experts appointed by the Member States in the preparation of draft delegated acts in the financial services area, in accordance with its established practice.

40. Declaration on Article 280 D of the Treaty on the Functioning of the European Union

The Conference declares that Member States may indicate, when they make a request to establish enhanced cooperation, if they intend already at that stage to make use of Article 280 H providing for the extension of qualified majority voting or to have recourse to the ordinary legislative procedure.

41. Declaration on Article 308 of the Treaty on the Functioning of the European Union

The Conference declares that the reference in Article 308(1) of the Treaty on the Functioning of the European Union to objectives of the Union refers to the objectives as set out in Article 2(2) and (3) of the Treaty on European Union and to the objectives of Article 3(5) of the said Treaty with respect to external action under Part Five of the Treaty on the Functioning of the European Union. It is therefore excluded that an action based on Article 308 of the Treaty on the Functioning of the European Union would only pursue objectives set out in Article 2(1) of the Treaty on European Union. In this connection, the Conference notes that in accordance with Article 15b(1) of the Treaty on European Union, legislative acts may not be adopted in the area of the Common Foreign and Security Policy.

42. Declaration on Article 308 of the Treaty on the Functioning of the European Union

The Conference underlines that, in accordance with the settled case law of the Court of Justice of the European Union, Article 308 of the Treaty on the Functioning of the European Union, being an integral part of an institutional system based on the principle of conferred powers, cannot serve as a basis for widening the scope of Union powers beyond the general framework created by the provisions of the Treaties as a whole and, in particular, by those that define the tasks and the activities of the Union. In any event, this Article cannot be used as a basis for the adoption of provisions whose effect would, in substance, be to amend the Treaties without following the procedure which they provide for that purpose.

43. Declaration on Article 311a(6) of the Treaty on the Functioning of the European Union

The High Contracting Parties agree that the European Council, pursuant to Article 311a(6), will take a decision leading to the modification of the status of Mayotte with regard to the Union in order to make this territory an outermost region within the meaning of Article 311a(1) and Article 299, when the French authorities notify the European Council and the Commission that the evolution currently under way in the internal status of the island so allows.

B. DECLARATIONS CONCERNING PROTOCOLS ANNEXED TO THE TREATIES

44. Declaration on Article 5 of the Protocol on the Schengen *acquis* integrated into the framework of the European Union

The Conference notes that where a Member State has made a notification under Article 5(2) of the Protocol on the Schengen *acquis* integrated into the framework of the European Union that it does not wish to take part in a proposal or initiative, that notification may be withdrawn at any moment before the adoption of the measure building upon the Schengen *acquis*.

45. Declaration on Article 5(2) of the Protocol on the Schengen *acquis* integrated into the framework of the European Union

The Conference declares that whenever the United Kingdom or Ireland indicates to the Council its intention not to participate in a measure building upon a part of the Schengen *acquis* in which it participates, the Council will have a full discussion on the possible implications of the non-participation of that Member State in that measure. The discussion within the Council should be conducted in the light of the indications given by the Commission concerning the relationship between the proposal and the Schengen *acquis*.

46. Declaration on Article 5(3) of the Protocol on the Schengen *acquis* integrated into the framework of the European Union

The Conference recalls that if the Council does not take a decision after a first substantive discussion of the matter, the Commission may present an amended proposal for a further substantive re-examination by the Council within the deadline of 4 months.

47. Declaration on Article 5(3), (4) and (5) of the Protocol on the Schengen *acquis* integrated into the framework of the European Union

The Conference notes that the conditions to be determined in the decision referred to in paragraphs 3, 4 or 5 of Article 5 of the Protocol on the Schengen *acquis* integrated into the framework of the European Union may determine that the Member State concerned shall bear the direct financial consequences, if any, necessarily and unavoidably incurred as a result of the cessation of its participation in some or all of the *acquis* referred to in any decision taken by the Council pursuant to Article 4 of the said Protocol.

48. **Declaration concerning the Protocol on the position of Denmark**

The Conference notes that with respect to legal acts to be adopted by the Council acting alone or jointly with the European Parliament and containing provisions applicable to Denmark as well as provisions not applicable to Denmark because they have a legal basis to which Part I of the Protocol on the position of Denmark applies, Denmark declares that it will not use its voting right to prevent the adoption of the provisions which are not applicable to Denmark.

Furthermore, the Conference notes that on the basis of the Declaration by the Conference on Article 188 R, Denmark declares that Danish participation in actions or legal acts pursuant to Article 188 R will take place in accordance with Part I and Part II of the Protocol on the position of Denmark.

49. **Declaration concerning Italy**

The Conference notes that the Protocol on Italy annexed in 1957 to the Treaty establishing the European Economic Community, as amended upon adoption of the Treaty on European Union, stated that:

‘THE HIGH CONTRACTING PARTIES,

DESIRING to settle certain particular problems relating to Italy,

HAVE AGREED UPON the following provisions, which shall be annexed to this Treaty:

THE MEMBER STATES OF THE COMMUNITY

TAKE NOTE of the fact that the Italian Government is carrying out a ten-year programme of economic expansion designed to rectify the disequilibria in the structure of the Italian economy, in particular by providing an infrastructure for the less developed areas in Southern Italy and in the Italian islands and by creating new jobs in order to eliminate unemployment;

RECALL that the principles and objectives of this programme of the Italian Government have been considered and approved by organisations for international cooperation of which the Member States are members;

RECOGNISE that it is in their common interest that the objectives of the Italian programme should be attained;

AGREE, in order to facilitate the accomplishment of this task by the Italian Government, to recommend to the institutions of the Community that they should employ all the methods and procedures provided in this Treaty and, in particular, make appropriate use of the resources of the European Investment Bank and the European Social Fund;

ARE OF THE OPINION that the institutions of the Community should, in applying this Treaty, take account of the sustained effort to be made by the Italian economy in the coming years and of the desirability of avoiding dangerous stresses in particular within the balance of payments or the level of employment, which might jeopardise the application of this Treaty in Italy;

RECOGNISE that in the event of Articles 109 H and 109 I being applied it will be necessary to take care that any measures required of the Italian Government do not prejudice the completion of its programme for economic expansion and for raising the standard of living of the population.’.

50. Declaration concerning Article 10 of the Protocol on transitional provisions

The Conference invites the European Parliament, the Council and the Commission, within their respective powers, to seek to adopt, in appropriate cases and as far as possible within the five-year period referred to in Article 10(3) of the Protocol on transitional provisions, legal acts amending or replacing the acts referred to in Article 10(1) of that Protocol.

C. DECLARATIONS BY MEMBER STATES

Furthermore, the Conference has noted the declarations listed hereafter and annexed to this Final Act:

51. Declaration by the Kingdom of Belgium on national Parliaments

Belgium wishes to make clear that, in accordance with its constitutional law, not only the Chamber of Representatives and Senate of the Federal Parliament but also the parliamentary assemblies of the Communities and the Regions act, in terms of the competences exercised by the Union, as components of the national parliamentary system or chambers of the national Parliament.

52. Declaration by the Kingdom of Belgium, the Republic of Bulgaria, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the Italian Republic, the Republic of Cyprus, the Republic of Lithuania, the Grand-Duchy of Luxembourg, the Republic of Hungary, the Republic of Malta, the Republic of Austria, the Portuguese Republic, Romania, the Republic of Slovenia and the Slovak Republic on the symbols of the European Union

Belgium, Bulgaria, Germany, Greece, Spain, Italy, Cyprus, Lithuania, Luxemburg, Hungary, Malta, Austria, Portugal, Romania, Slovenia and the Slovak Republic declare that the flag with a circle of twelve golden stars on a blue background, the anthem based on the 'Ode to Joy' from the Ninth Symphony by Ludwig van Beethoven, the motto 'United in diversity', the euro as the currency of the European Union and Europe Day on 9 May will for them continue as symbols to express the sense of community of the people in the European Union and their allegiance to it.

53. Declaration by the Czech Republic on the Charter of Fundamental Rights of the European Union

1. The Czech Republic recalls that the provisions of the Charter of Fundamental Rights of the European Union are addressed to the institutions and bodies of the European Union with due regard for the principle of subsidiarity and division of competences between the European Union and its Member States, as reaffirmed in Declaration (No 18) in relation to the delimitation of competences. The Czech Republic stresses that its provisions are addressed to the Member States only when they are implementing Union law, and not when they are adopting and implementing national law independently from Union law.

2. The Czech Republic also emphasises that the Charter does not extend the field of application of Union law and does not establish any new power for the Union. It does not diminish the field of application of national law and does not restrain any current powers of the national authorities in this field.

3. The Czech Republic stresses that, in so far as the Charter recognises fundamental rights and principles as they result from constitutional traditions common to the Member States, those rights and principles are to be interpreted in harmony with those traditions.

4. The Czech Republic further stresses that nothing in the Charter may be interpreted as restricting or adversely affecting human rights and fundamental freedoms as recognised, in their respective field of application, by Union law and by international agreements to which the Union or all the Member States are party, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, and by the Member States' Constitutions.

54. Declaration by the Federal Republic of Germany, Ireland, the Republic of Hungary, the Republic of Austria and the Kingdom of Sweden

Germany, Ireland, Hungary, Austria and Sweden note that the core provisions of the Treaty establishing the European Atomic Energy Community have not been substantially amended since its entry into force and need to be brought up to date. They therefore support the idea of a Conference of the Representatives of the Governments of the Member States, which should be convened as soon as possible.

55. Declaration by the Kingdom of Spain and the United Kingdom of Great Britain and Northern Ireland

The Treaties apply to Gibraltar as a European territory for whose external relations a Member State is responsible. This shall not imply changes in the respective positions of the Member States concerned.

56. Declaration by Ireland on Article 3 of the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice

Ireland affirms its commitment to the Union as an area of freedom, security and justice respecting fundamental rights and the different legal systems and traditions of the Member States within which citizens are provided with a high level of safety.

Accordingly, Ireland declares its firm intention to exercise its right under Article 3 of the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice to take part in the adoption of measures pursuant to Title IV of Part Three of the Treaty on the Functioning of the European Union to the maximum extent it deems possible.

Ireland will, in particular, participate to the maximum possible extent in measures in the field of police cooperation.

Furthermore, Ireland recalls that in accordance with Article 8 of the Protocol it may notify the Council in writing that it no longer wishes to be covered by the terms of the Protocol. Ireland intends to review the operation of these arrangements within three years of the entry into force of the Treaty of Lisbon.

57. Declaration by the Italian Republic on the composition of the European Parliament

Italy notes that, pursuant to Article 8 A (renumbered Article 10) and Article 9 A (renumbered Article 14) of the Treaty on European Union, the European Parliament is to be composed of representatives of the Union's citizens; this representation is to be degressively proportional.

Italy likewise notes that on the basis of Article 8 (renumbered Article 9) of the Treaty on European Union and Article 17 (renumbered Article 20) of the Treaty on the Functioning of the European Union, every national of a Member State is a citizen of the Union.

Italy therefore considers that, without prejudice to the decision on the 2009/2014 legislative period, any decision adopted by the European Council, at the initiative of the European Parliament and with its consent, establishing the composition of the European Parliament, must abide by the principles laid down out in the first subparagraph of Article 9 A(2) (renumbered Article 14).

58. Declaration by the Republic of Latvia, the Republic of Hungary and the Republic of Malta on the spelling of the name of the single currency in the Treaties

Without prejudice to the unified spelling of the name of the single currency of the European Union referred to in the Treaties as displayed on the banknotes and on the coins, Latvia, Hungary and Malta declare that the spelling of the name of the single currency, including its derivatives as applied throughout the Latvian, Hungarian and Maltese text of the Treaties, has no effect on the existing rules of the Latvian, Hungarian or Maltese languages.

59. Declaration by the Kingdom of the Netherlands on Article 270a of the Treaty on the Functioning of the European Union

The Kingdom of the Netherlands will agree to a decision as referred to in the second subparagraph of Article 270a(2) of the Treaty on the Functioning of the European Union once a revision of the decision referred to in the third paragraph of Article 269 of that Treaty has provided the Netherlands with a satisfactory solution for its excessive negative net payment position vis-à-vis the Union budget.

60. Declaration by the Kingdom of the Netherlands on Article 311a of the Treaty on the Functioning of the European Union

The Kingdom of the Netherlands declares that an initiative for a decision, as referred to in Article 311a(6) aimed at amending the status of the Netherlands Antilles and/or Aruba with regard to the Union, will be submitted only on the basis of a decision taken in conformity with the Charter for the Kingdom of the Netherlands.

61. Declaration by the Republic of Poland on the Charter of Fundamental Rights of the European Union

The Charter does not affect in any way the right of Member States to legislate in the sphere of public morality, family law, as well as the protection of human dignity and respect for human physical and moral integrity.

62. Declaration by the Republic of Poland concerning the Protocol on the application of the Charter of Fundamental Rights of the European Union in relation to Poland and the United Kingdom

Poland declares that, having regard to the tradition of social movement of 'Solidarity' and its significant contribution to the struggle for social and labour rights, it fully respects social and labour rights, as established by European Union law, and in particular those reaffirmed in Title IV of the Charter of Fundamental Rights of the European Union.

63. Declaration by the United Kingdom of Great Britain and Northern Ireland on the definition of the term 'nationals'

In respect of the Treaties and the Treaty establishing the European Atomic Energy Community, and in any of the acts deriving from those Treaties or continued in force by those Treaties, the United Kingdom reiterates the Declaration it made on 31 December 1982 on the definition of the term 'nationals' with the exception that the reference to 'British Dependent Territories Citizens' shall be read as meaning 'British overseas territories citizens'.

64. Declaration by the United Kingdom of Great Britain and Northern Ireland on the franchise for elections to the European Parliament

The United Kingdom notes that Article 9 A of the Treaty on European Union and other provisions of the Treaties are not intended to change the basis for the franchise for elections to the European Parliament.

65. Declaration by the United Kingdom of Great Britain and Northern Ireland on Article 61 H of the Treaty on the Functioning of the European Union

The United Kingdom fully supports robust action with regard to adopting financial sanctions designed to prevent and combat terrorism and related activities. Therefore, the United Kingdom declares that it intends to exercise its right under Article 3 of the Protocol on the position of the United Kingdom and Ireland in respect of the area of freedom, security and justice to take part in the adoption of all proposals made under Article 61 H of the Treaty on the Functioning of the European Union.

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