

PART TWO

SIMPLIFICATION

Article 6

The Treaty establishing the European Community, including the annexes and protocols thereto, shall be amended in accordance with the provisions of this Article for the purpose of deleting lapsed provisions of the Treaty and adapting in consequence the text of certain of its provisions.

I. TEXT OF THE ARTICLES OF THE TREATY

1. In Article 3, point (a), the word 'elimination' shall be replaced by 'prohibition'.
2. Article 7 shall be repealed.
3. Article 7a shall be amended as follows:
 - (a) the first and second paragraphs shall be numbered and thus become paragraphs 1 and 2;
 - (b) in the new paragraph 1, the following references shall be deleted: '7b', '70(1)' and 'and 100b'; before the citation of Article 100a, the comma shall be replaced by the word 'and';
 - (c) there shall be added a paragraph 3 with the wording of the second paragraph of Article 7b which reads as follows:

'3. The Council, acting by a qualified majority on a proposal from the Commission, shall determine the guidelines and conditions necessary to ensure balanced progress in all the sectors concerned.'
4. Article 7b shall be repealed.
5. Article 8b shall be amended as follows:
 - (a) in paragraph 1 the words 'to be adopted before 31 December 1994' shall be replaced by 'adopted';
 - (b) in paragraph 2, first sentence, the reference to 'Article 138(3)' shall become 'Article 138(4)';
 - (c) in paragraph 2, second sentence, the words 'to be adopted before 31 December 1993' shall be replaced by 'adopted'.
6. In Article 8c, second sentence, the words 'Before 31 December 1993, Member States ...' shall be replaced by 'Member States ...'.
7. In Article 8e, first paragraph, the words 'before 31 December 1993 and then,' shall be deleted, as well as the comma after the words 'every three years'.

8. In Article 9(2), the words 'The provisions of Chapter 1, Section 1, and of Chapter 2 ...' shall be replaced by 'The provisions of Article 12 and of Chapter 2 ...'.
9. In Article 10, paragraph 2 shall be deleted and paragraph 1 shall remain without a number.
10. Article 11 shall be repealed.
11. In Chapter 1, The Customs Union, the heading 'Section 1 — Elimination of customs duties between Member States' shall be deleted.
12. Article 12 shall be replaced by the following:

'Article 12

Customs duties on imports and exports and charges having equivalent effect shall be prohibited between Member States. This prohibition shall also apply to customs duties of a fiscal nature.'
13. Articles 13 to 17 shall be repealed.
14. The heading 'Section 2 — Setting up of the Common Customs Tariff' shall be deleted.
15. Articles 18 to 27 shall be repealed.
16. Article 28 shall be replaced by the following:

'Article 28

Common Customs Tariff duties shall be fixed by the Council acting by a qualified majority on a proposal from the Commission.'
17. In the introductory part of Article 29, the words 'this Section' shall be replaced by 'this Chapter'.
18. In the title of Chapter 2, the word 'Elimination' shall be replaced by 'Prohibition'.
19. In Article 30, the words 'shall, without prejudice to the following provisions, be prohibited ...' shall be replaced by 'shall be prohibited ...'.
20. Articles 31, 32 and 33 shall be repealed.
21. In Article 34, paragraph 2 shall be deleted and paragraph 1 shall remain without a number.
22. Article 35 shall be repealed.
23. In Article 36, the words 'The provisions of Articles 30 to 34' shall be replaced by 'The provisions of Articles 30 and 34'.

24. Article 37 shall be amended as follows:

- (a) in paragraph 1, first subparagraph, the word 'progressively' and the words 'when the transitional period has ended' shall be deleted;
- (b) in paragraph 2, the word 'abolition' shall be replaced by 'prohibition';
- (c) paragraphs 3, 5 and 6 shall be deleted and paragraph 4 shall become paragraph 3;
- (d) in the new paragraph 3, the words 'account being taken of the adjustments that will be possible and the specialization that will be needed with the passage of time.' shall be deleted and the comma after 'concerned' shall become a full stop.

25. Article 38 shall be amended as follows:

- (a) in paragraph 3, first sentence, the reference to Annex II shall be replaced by a reference to Annex I and the second sentence, beginning with the words 'Within two years of the entry into force ...' shall be deleted;
- (b) in paragraph 4, the words 'among the Member States.' shall be deleted.

26. Article 40 shall be amended as follows:

- (a) paragraph 1 shall be deleted and paragraphs 2, 3 and 4 shall become paragraphs 1, 2 and 3;
- (b) (does not concern the English language version);
- (c) in new paragraph 2, the reference to 'paragraph 2' shall become 'paragraph 1';
- (d) in new paragraph 3, the reference to 'paragraph 2' shall become 'paragraph 1';

27. Article 43 shall be amended as follows:

- (a) in paragraph 2, third subparagraph, the words 'acting unanimously during the first two stages and by a qualified majority thereafter' shall be replaced by 'acting by a qualified majority';
- (b) in paragraphs 2 and 3, the reference to 'Article 40(2)' shall become 'Article 40(1)'.

28. Articles 44 and 45 and Article 47 shall be repealed.

29. In Article 48(1), the words 'by the end of the transitional period at the latest' shall be deleted.

30. Article 49 shall be amended as follows:

- (a) in the introductory part, the words 'As soon as this Treaty enters into force, the Council ...' shall be replaced by 'The Council ...' and the words 'by progressive stages' together with the commas preceding and following those words shall be deleted;
- (b) in points (b) and (c) respectively, the words 'systematically and progressively' shall be deleted.

31. The first paragraph of Article 52 shall be amended as follows:
- (a) in the first sentence, the words 'abolished by progressive stages in the course of the transitional period' shall be replaced by the word 'prohibited';
 - (b) in the second sentence, the words 'progressive abolition' shall be replaced by the word 'prohibition'.
32. Article 53 shall be repealed.
33. Article 54 shall be amended as follows:
- (a) paragraph 1 shall be deleted and paragraphs 2 and 3 shall become paragraphs 1 and 2;
 - (b) in new paragraph 1, the words 'implement this general programme or, in the absence of such a programme, in order to achieve a stage in attaining' shall be replaced by 'attain'.
34. In Article 59, first paragraph, the words 'progressively abolished during the transitional period' shall be replaced by 'prohibited'.
35. In Article 61(2), the word 'progressive' shall be deleted.
36. Article 62 shall be repealed.
37. Article 63 shall be amended as follows:
- (a) paragraph 1 shall be deleted and paragraphs 2 and 3 shall become paragraphs 1 and 2;
 - (b) in new paragraph 1, the words 'implement this general programme or, in the absence of such a programme, in order to achieve a stage in' shall be replaced by the word 'achieve' and the words 'unanimously until the end of the first stage and by a qualified majority thereafter' shall be replaced by the words 'by a qualified majority';
 - (c) in new paragraph 2, the words 'As regards the proposals and decisions referred to in paragraphs 1 and 2' shall be replaced by 'As regards the directives referred to in paragraph 1'.
38. In Article 64, first paragraph, 'Article 63(2)' shall be replaced by 'Article 63(1)'.
39. Articles 67 to 73a, Article 73e and Article 73h shall be repealed.
40. Article 75(2) shall be deleted and paragraph 3 shall become paragraph 2.
41. In Article 76, the words 'when this Treaty enters into force' shall be replaced by 'on 1 January 1958 or, for acceding States, the date of their accession'.

42. Article 79 shall be amended as follows:

- (a) in paragraph 1 the words 'at the latest, before the end of the second stage' shall be deleted;
- (b) in paragraph 3, the words 'Within two years of the entry into force of this Treaty, the Council shall' shall be replaced by 'The Council shall'.

43. In Article 80(1), the words 'as from the beginning of the second stage' shall be deleted.

44. In Article 83, the words 'without prejudice to the powers of the transport section of the Economic and Social Committee.' shall be replaced by 'without prejudice to the powers of the Economic and Social Committee.'

45. In Article 84(2), second subparagraph, the words 'procedural provisions of Article 75(1) and (3)' shall be replaced by 'procedural provisions of Article 75'.

46. In Article 87, the two subparagraphs of paragraph 1 shall be merged into a single paragraph. This new paragraph shall read as follows:

- '1. The appropriate regulations or directives to give effect to the principles set out in Articles 85 and 86 shall be laid down by the Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.'

47. In Article 89(1), the words ', as soon as it takes up its duties,' shall be deleted.

48. After Article 90, the heading 'Section 2 — Dumping' shall be deleted.

49. Article 91 shall be repealed.

50. Before Article 92, the heading 'Section 3' shall be replaced by 'Section 2'.

51. In Article 92(3)(c), the second sentence, beginning 'However, the aids granted to ship-building ...' and ending 'towards third countries;' shall be deleted and the remaining part of point (c) shall end with a semicolon.

52. In Article 95, the third paragraph shall be deleted.

53. Article 97 and Article 100b shall be repealed.

54. In Article 101, second paragraph, the words 'acting unanimously during the first stage and by a qualified majority thereafter' shall be replaced by 'acting by a qualified majority'.

55. In Article 109e(2)(a), first indent, the following words shall be deleted: ', without prejudice to Article 73e,'.

56. Article 109f shall be amended as follows:

- (a) in paragraph 1, second subparagraph, the words 'on a recommendation from, as the case may be, the Committee of Governors of the central banks of the Member States (hereinafter referred to as "Committee of Governors") or the Council of the EMI' shall be replaced by 'on a recommendation from the Council of the EMI';
- (b) in paragraph 1, the fourth subparagraph which states 'The Committee of Governors shall be dissolved at the start of the second stage.' shall be deleted;
- (c) in paragraph 8, the second subparagraph which states 'Where this Treaty provides for a consultative role for the EMI, references to the EMI shall be read, before 1 January 1994, as referring to the Committee of Governors.' shall be deleted.

57. Article 112 shall be amended as follows:

- (a) in paragraph 1, first subparagraph, the words 'before the end of the transitional period' shall be deleted;
- (b) in paragraph 1, second subparagraph, the words 'acting unanimously until the end of the second stage and by a qualified majority thereafter' shall be replaced by 'acting by a qualified majority'.

58. In Article 129c(1), first subparagraph, third indent, the words 'Cohesion Fund to be set up no later than 31 December 1993' shall be replaced by 'Cohesion Fund set up'.

59. In Article 130d, second paragraph, the words 'The Council, acting in accordance with the same procedure, shall before 31 December 1993 set up a Cohesion Fund to' shall be replaced by 'A Cohesion Fund set up by the Council in accordance with the same procedure shall'.

60. In Article 130s, paragraph 5, second indent, the words 'Cohesion Fund to be set up no later than 31 December 1993 pursuant to Article 130d' shall be replaced by 'Cohesion Fund set up pursuant to Article 130d'.

61. In Article 130w, paragraph 3, the words 'ACP-EEC Convention' shall be replaced by 'ACP-EC Convention'.

62. In Article 131, first paragraph, the words 'Belgium' and 'Italy' shall be deleted and the reference to Annex IV shall be replaced by a reference to Annex II.

63. Article 133 shall be amended as follows:

- (a) in paragraph 1, the words 'completely abolished' shall be replaced by the word 'prohibited' and the words 'progressive abolition' shall be replaced by the word 'prohibition';

- (b) in paragraph 2, the words 'progressively abolished' shall be replaced by the word 'prohibited' and the references to Articles 13, 14, 15 and 17 shall be deleted with the result that the paragraph ends with the words '... in accordance with the provisions of Article 12.';
 - (c) in paragraph 3, second subparagraph, the words 'shall nevertheless be progressively reduced to' shall be replaced by 'may not exceed' and the second sentence beginning 'The percentages and the timetable ...' and ending with 'importing country or territory.' shall be deleted;
 - (d) in paragraph 4, the words 'when this Treaty enters into force' shall be deleted.
64. Article 136 shall be replaced by the following:
- 'Article 136*
- The Council, acting unanimously, shall, on the basis of the experience acquired under the association of the countries and territories with the Community and of the principles set out in this Treaty, lay down provisions as regards the detailed rules and the procedure for the association of the countries and territories with the Community.'
65. Article 138 shall be amended as follows, to include Article 1, Article 2 as amended by Article 5 of this Treaty, and Article 3(1) of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to the Council Decision of 20 September 1976; Annex II of that Act shall continue to be applied:
- (a) in the place of paragraphs 1 and 2, which lapsed in accordance with Article 14 of the Act concerning the election of the representatives of the European Parliament, there shall be inserted the text of Articles 1 and 2 of the said Act as paragraphs 1 and 2; the new paragraphs 1 and 2 shall read as follows:
 - '1. The representatives in the European Parliament of the peoples of the States brought together in the Community shall be elected by direct universal suffrage.
 - 2. The number of representatives elected in each Member State shall be as follows:
- | | |
|----------------|-----|
| Belgium | 25 |
| Denmark | 16 |
| Germany | 99 |
| Greece | 25 |
| Spain | 64 |
| France | 87 |
| Ireland | 15 |
| Italy | 87 |
| Luxembourg | 6 |
| Netherlands | 31 |
| Austria | 21 |
| Portugal | 25 |
| Finland | 16 |
| Sweden | 22 |
| United Kingdom | 87. |

In the event of amendments to this paragraph, the number of representatives elected in each Member State must ensure appropriate representation of the peoples of the States brought together in the Community.';

- (b) after the new paragraphs 1 and 2, there shall be inserted the text of Article 3(1) of the aforesaid Act as paragraph 3; the new paragraph 3 shall read as follows:

'3. Representatives shall be elected for a term of five years.';

- (c) the existing paragraph 3 as amended by Article 2 of this Treaty shall become paragraph 4;

- (d) paragraph 4 as added by Article 2 of this Treaty shall become paragraph 5.

66. Article 158(3) shall be deleted.

67. In Article 166, first paragraph, the words 'as from the date of accession' shall be replaced by 'as from 1 January 1995'.

68. In Article 188b(3), the second subparagraph, commencing 'However, when the first appointments ...' shall be deleted.

69. In Article 197, the second paragraph, commencing 'In particular, it shall ...' shall be deleted.

70. In Article 207, the second, third, fourth and fifth paragraphs shall be deleted.

71. In the place of Article 212 there shall be inserted the text of Article 24(1), second subparagraph, of the Treaty establishing a Single Council and a Single Commission of the European Communities; the new Article 212 shall accordingly read as follows:

'Article 212

The Council shall, acting by a qualified majority on a proposal from the Commission and after consulting the other institutions concerned, lay down the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of those Communities.'

72. In the place of Article 218 there shall be inserted the adapted text of Article 28, first paragraph, of the Treaty establishing a Single Council and a Single Commission of the European Communities; the new Article 218 shall accordingly read as follows:

'Article 218

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 of 8 April 1965 on the privileges and immunities of the European Communities. The same shall apply to the European Central Bank, the European Monetary Institute, and the European Investment Bank.'

73. In Article 221 the words 'Within three years of the entry into force of this Treaty, Member States shall accord ...' shall be replaced by 'Member States shall accord ...'.

74. In Article 223, paragraphs 2 and 3 shall be merged and replaced by the following:
- ‘2. The Council may, acting unanimously on a proposal from the Commission, make changes to the list, which it drew up on 15 April 1958, of the products to which the provisions of paragraph 1(b) apply.’.
75. Article 226 shall be repealed.
76. Article 227 shall be amended as follows:
- (a) in paragraph 3, the reference to Annex IV shall be replaced by a reference to Annex II;
- (b) after paragraph 4, a new paragraph shall be inserted as follows:
- ‘5. The provisions of this Treaty shall apply to the Åland Islands in accordance with the provisions set out in Protocol No 2 to the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden.’;
- (c) the former paragraph 5 shall become paragraph 6 and point (d) thereof, concerning the Åland Islands shall be deleted; point (c) shall end with a full stop.
77. In Article 229, first paragraph, the words ‘organs of the United Nations, of its specialised agencies and of the General Agreement on Tariffs and Trade.’ shall be replaced by ‘organs of the United Nations and of its specialised agencies.’
78. In Article 234, first paragraph, the words ‘before the entry into force of this Treaty’ shall be replaced by ‘before 1 January 1958 or, for acceding States, before the date of their accession’.
79. The heading preceding Article 241 entitled ‘Setting up of the institutions’ shall be deleted.
80. Articles 241 to 246 shall be repealed.
81. In Article 248 a new paragraph shall be added as follows:
- ‘Pursuant to the Accession Treaties, the Danish, English, Finnish, Greek, Irish, Portuguese, Spanish and Swedish versions of this Treaty shall also be authentic.’.

II. ANNEXES

1. Annex I ‘Lists A to G referred to in Articles 19 and 20 of the Treaty’ shall be deleted.
2. Annex II ‘List referred to in Article 38 of the Treaty’ shall become Annex I and the reference to ‘Annex II to the Treaty’ under numbers ex 22.08 and ex 22.09 shall become a reference to ‘Annex I to the Treaty’.
3. Annex III ‘List of invisible transactions referred to in Article 73h of the Treaty’ shall be deleted.

4. Annex IV 'Overseas countries and territories to which the provisions of Part IV of the Treaty apply' shall become Annex II. It is brought up to date and reads as follows:

'ANNEX II

OVERSEAS COUNTRIES AND TERRITORIES

to which the provisions of Part IV of the Treaty apply

- | | |
|--|---|
| — Greenland, | — Anguilla, |
| — New Caledonia and Dependencies, | — Cayman Islands, |
| — French Polynesia, | — Falkland Islands, |
| — French Southern and Antarctic Territories, | — South Georgia and the South Sandwich Islands, |
| — Wallis and Futuna Islands, | — Montserrat, |
| — Mayotte, | — Pitcairn, |
| — Saint Pierre and Miquelon, | — Saint Helena and Dependencies, |
| — Aruba, | — British Antarctic Territory, |
| — Netherlands Antilles: | — British Indian Ocean Territory, |
| — Bonaire, | — Turks and Caicos Islands, |
| — Curaçao, | — British Virgin Islands, |
| — Saba, | — Bermuda. |
| — Sint Eustatius, | |
| — Sint Maarten, | |

III. PROTOCOLS AND OTHER ACTS

1. The following protocols and acts shall be repealed:
- (a) Protocol amending the Protocol on the privileges and immunities of the European Communities;
 - (b) Protocol on German internal trade and connected problems;
 - (c) Protocol on certain provisions relating to France;
 - (d) Protocol on the Grand Duchy of Luxembourg;
 - (e) Protocol on the treatment to be applied to products within the province of the European Coal and Steel Community in respect of Algeria and the overseas departments of the French Republic;
 - (f) Protocol on mineral oils and certain of their derivatives;

- (g) Protocol on the application of the Treaty establishing the European Community to the non-European parts of the Kingdom of the Netherlands;
 - (h) Implementing Convention on the Association of the Overseas Countries and Territories with the Community;
 - Protocol on the tariff quota for imports of bananas (ex 08.01 of the Brussels Nomenclature);
 - Protocol on the tariff quota for imports of raw coffee (ex 09.01 of the Brussels Nomenclature).
2. At the end of the Protocol on the Statute of the European Investment Bank, the list of signatories shall be deleted.
3. Protocol on the Statute of the Court of Justice of the European Community shall be amended as follows:
- (a) the words 'HAVE DESIGNATED as their plenipotentiaries for this purpose:' and the list of Heads of State and their plenipotentiaries shall be deleted;
 - (b) the words 'WHO, having exchanged their full powers, found in good and due form,' shall be deleted;
 - (c) in Article 3, the adapted text of Article 21 of the Protocol on the privileges and immunities of the European Communities shall be added as a fourth paragraph; this new fourth paragraph shall accordingly read as follows:

'Articles 12 to 15 and 18 of the Protocol on the privileges and immunities of the European Communities shall apply to the Judges, Advocates-General, Registrar and Assistant Rapporteurs of the Court of Justice, without prejudice to the provisions relating to immunity from legal proceedings of Judges which are set out in the preceding paragraphs.'
 - (d) Article 57 shall be repealed;
 - (e) the concluding formula 'IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol.' shall be deleted;
 - (f) the list of signatories shall be deleted.
4. In Article 40 of the Protocol on the Statute of the European System of Central Banks and of the European Central Bank, the words 'annexed to the Treaty establishing a Single Council and a Single Commission of the European Communities' shall be deleted.
5. In Article 21 of the Protocol on the Statute of the European Monetary Institute, the words 'annexed to the Treaty establishing a Single Council and a Single Commission of the European Communities' shall be deleted.
6. The Protocol on Italy shall be amended as follows:
- (a) in the last paragraph commencing 'RECOGNISE that in the event ...', the reference to Articles 108 and 109 shall be replaced by a reference to Articles 109h and 109i;

- (b) the list of signatories shall be deleted.
7. The Protocol on goods originating in and coming from certain countries and enjoying special treatment when imported into a Member State shall be amended as follows:
- (a) in the introductory part of point 1:
 - the words ‘applicable, at the time of the entry into force of this Treaty’ shall be replaced by ‘applicable on 1 January 1958.’;
 - after the words ‘to imports’, the text of point (a) shall follow on immediately; the text resulting therefrom shall read as follows:
‘... to imports into the Benelux countries of goods originating in and coming from Suriname or the Netherlands Antilles.’;
 - (b) in point 1, points (a), (b) and (c) shall be deleted;
 - (c) in point 3, the words ‘Before the end of the first year after the entry into force of this Treaty, Member States ...’ shall be replaced by ‘Member States’;
 - (d) the list of signatories shall be deleted.
8. The Protocol concerning imports into the European Community of petroleum products refined in the Netherlands Antilles shall be amended as follows:
- (a) the concluding formula ‘IN WITNESS WHEREOF the undersigned Plenipotentiaries have placed their signatures below this Protocol.’ shall be deleted;
 - (b) the list of signatories shall be deleted.
9. In the Protocol on special arrangements for Greenland, Article 3 shall be repealed.

Article 7

The Treaty establishing the European Coal and Steel Community, including the annexes, protocols and other acts annexed thereto, shall be amended in accordance with the provisions of this Article for the purpose of deleting lapsed provisions of the Treaty and adapting in consequence the text of certain of its provisions.

I. TEXT OF THE ARTICLES OF THE TREATY

- 1. In Article 2, second paragraph, the word ‘progressively’ shall be deleted.
- 2. In Article 4, in the introductory part, the words ‘abolished and’ shall be deleted.
- 3. Article 7 shall be amended as follows:
 - (a) in the first indent, the words ‘a HIGH AUTHORITY (hereinafter referred to as “the Commission”)’ shall be replaced by ‘a COMMISSION’;

- (b) in the second indent, the words 'a COMMON ASSEMBLY (hereinafter referred to as "the European Parliament")' shall be replaced by 'a EUROPEAN PARLIAMENT';
- (c) in the third indent, the words 'a SPECIAL COUNCIL OF MINISTERS (hereinafter referred to as "the Council")' shall be replaced by 'a COUNCIL';
4. Article 10(3) shall be deleted.
5. In Article 16, the first and second paragraphs shall be deleted.
6. Article 21 shall be amended as follows, to include Article 1, Article 2 as amended by Article 5 of this Treaty, and Article 3(1) of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to the Council Decision of 20 September 1976; Annex II of that Act shall continue to be applied:
- (a) in the place of paragraphs 1 and 2, which lapsed in accordance with Article 14 of the Act concerning the election of the representatives of the European Parliament, there shall be inserted the text of Articles 1 and 2 of the said Act as paragraphs 1 and 2; the new paragraphs 1 and 2 shall read as follows:
- '1. The representatives in the European Parliament of the peoples of the States brought together in the Community shall be elected by direct universal suffrage.
2. The number of representatives elected in each Member State shall be as follows:
- | | |
|----------------|-----|
| Belgium | 25 |
| Denmark | 16 |
| Germany | 99 |
| Greece | 25 |
| Spain | 64 |
| France | 87 |
| Ireland | 15 |
| Italy | 87 |
| Luxembourg | 6 |
| Netherlands | 31 |
| Austria | 21 |
| Portugal | 25 |
| Finland | 16 |
| Sweden | 22 |
| United Kingdom | 87. |

In the event of amendments to this paragraph, the number of representatives elected in each Member State must ensure appropriate representation of the peoples of the States brought together in the Community.';

- (b) after the new paragraphs 1 and 2, there shall be inserted the text of Article 3(1) of the aforesaid Act as paragraph 3; the new paragraph 3 shall read as follows:
 - '3. Representatives shall be elected for a term of five years.'
 - (c) the existing paragraph 3 as amended by Article 3 of this Treaty shall become paragraph 4;
 - (d) paragraph 4 as added by Article 3 of this Treaty shall become paragraph 5.
7. In Article 32a, first paragraph, the words 'the date of accession' shall be replaced by '1 January 1995'.
8. In Article 45b(3), the second subparagraph commencing 'However, when the first appointments ...' shall be deleted.
9. In Article 50, the adapted text of paragraphs 2 and 3 of Article 20 of the Treaty establishing a Single Council and a Single Commission of the European Communities shall be inserted as new paragraphs 4 and 5; the new paragraphs 4 and 5 shall accordingly read as follows:
- '4. The portion of the expenditure of the budget of the Communities covered by the levies provided for in Article 49 shall be fixed at 18 million units of account.
- The Commission shall submit annually to the Council a report on the basis of which the Council shall examine whether there is reason to adjust this figure to changes in the budget of the Communities. The Council shall act by the majority laid down in the first sentence of the fourth paragraph of Article 28. The adjustment shall be made on the basis of an assessment of developments in expenditure arising from the application of this Treaty.
5. The portion of the levies assigned to cover expenditure under the budget of the Communities shall be allocated by the Commission for the implementation of that budget in accordance with the timetable provided for in the financial regulations adopted pursuant to Article 209(b) of the Treaty establishing the European Community and Article 183(b) of the Treaty establishing the Atomic Energy Community.'
10. Article 52 shall be repealed.
11. In the place of Article 76 there shall be inserted the adapted text of Article 28, first paragraph, of the Treaty establishing a Single Council and a Single Commission of the European Communities; the new Article 76 shall accordingly read as follows:
- 'Article 76*
- 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 of 8 April 1965 on the privileges and immunities of the European Communities.'
12. Article 79 shall be amended as follows:
- (a) in the second sentence of the first paragraph, the part of the sentence which commences 'as regards the Saar ...' shall be deleted and the semicolon shall be replaced by a full stop;

- (b) after the first paragraph, a second paragraph shall be inserted as follows:
- ‘The provisions of this Treaty shall apply to the Åland Islands in accordance with the provisions of Protocol No 2 of the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden.’;
- (c) in the existing second paragraph, in the introductory part, the words ‘Notwithstanding the preceding paragraph:’ shall be replaced by ‘Notwithstanding the preceding paragraphs:’;
- (d) in the existing second paragraph, point (d) concerning the Åland Islands shall be deleted.
13. In Article 84, the words ‘Treaty and its Annexes, of the Protocols annexed thereto and of the Convention on the transitional Provisions.’ shall be replaced by ‘Treaty and its Annexes and of the Protocols annexed thereto.’
14. Article 85 shall be repealed.
15. In Article 93, the words ‘Organisation for European Economic Cooperation’ shall be replaced by ‘Organisation for Economic Cooperation and Development’.
16. In Article 95, third paragraph, the words ‘If, after the end of the transitional period provided in the Convention on the Transitional Provisions, unforeseen difficulties ...’ shall be replaced by ‘If unforeseen difficulties ...’.
17. In Article 97, the wording ‘This Treaty is concluded for a period of 50 years from its entry into force.’ shall be replaced by ‘This Treaty shall expire on 23 July 2002.’

II. TEXT OF ANNEX III ‘Special steels’

At the end of Annex III, the initials of the plenipotentiaries of the Heads of State and Government shall be deleted.

III. PROTOCOLS AND OTHER ACTS ANNEXED TO THE TREATY

1. The following acts shall be repealed:
- (a) Exchange of letters between the Government of the Federal Republic of Germany and the Government of the French Republic concerning the Saar;
- (b) Convention on the Transitional Provisions.
2. The Protocol on the Statute of the Court of Justice of the European Coal and Steel Community shall be amended as follows:
- (a) Titles I and II of the Protocol shall be replaced by the text of Titles I and II of the Protocol on the Statute of the Court of Justice of the European Community annexed to the Treaty establishing the European Community;

- (b) Article 56 shall be repealed and the heading 'Transitional provision' which precedes it shall be deleted;
 - (c) the list of signatories shall be deleted.
3. The Protocol on relations with the Council of Europe shall be amended as follows:
- (a) Article 1 shall be repealed;
 - (b) the list of signatories shall be deleted.

Article 8

The Treaty establishing the European Atomic Energy Community, including the annexes and protocols thereto, shall be amended in accordance with the provisions of this Article for the purpose of deleting lapsed provisions of the Treaty and adapting in consequence the text of certain of its provisions.

I. TEXT OF THE ARTICLES OF THE TREATY

1. In Article 76, second paragraph, the words 'after the entry into force of this Treaty' shall be replaced by 'after 1 January 1958'.
2. In the introductory part to the first paragraph of Article 93, the words 'Member States shall abolish between themselves, one year after the entry into force of this Treaty, all customs duties ...' shall be replaced by 'Member States shall prohibit between themselves all customs duties ...'.
3. Articles 94 and 95 shall be repealed.
4. In Article 98, second paragraph, the words 'Within two years of the entry into force of this Treaty, the Council ...' shall be replaced by 'The Council ...'.
5. Article 100 shall be repealed.
6. Article 104 shall be amended as follows:
 - (a) in the first paragraph, the words 'after the entry into force of this Treaty' shall be replaced by 'after 1 January 1958 or, for acceding States, after the date of their accession,';
 - (b) in the second paragraph the words 'after the entry into force of this Treaty, within the purview thereof' shall be replaced by 'after the dates referred to in the first paragraph, within the scope of this Treaty'.

7. Article 105 shall be amended as follows:

- (a) in the first paragraph, the words 'concluded before its entry into force by a Member State' shall be replaced by 'concluded before 1 January 1958 or, for acceding States, before the date of their accession, by a Member State'. At the end of that paragraph the words 'the entry into force of this Treaty' shall be replaced by 'the aforesaid dates';
- (b) in the second paragraph, the words 'concluded between the signature and the entry into force of this Treaty' shall be replaced by 'concluded between 25 March 1957 and 1 January 1958 or, for acceding States, between the signature of the instrument of accession and the date of their accession'.

8. In Article 106, first paragraph, the words 'before the entry into force of this Treaty' shall be replaced by 'before 1 January 1958 or, for acceding States, before the date of their accession'.

9. Article 108 shall be amended as follows, to include Article 1, Article 2 as amended by Article 5 of this Treaty, and Article 3(1) of the Act concerning the election of the representatives of the European Parliament by direct universal suffrage, annexed to the Council Decision of 20 September 1976; Annex II of that Act shall continue to be applied:

- (a) in the place of paragraphs 1 and 2, which lapsed in accordance with Article 14 of the Act concerning the election of the representatives of the European Parliament, there shall be inserted the text of Articles 1 and 2 of the said Act as paragraphs 1 and 2; the new paragraphs 1 and 2 shall read as follows:

'1. The representatives in the European Parliament of the peoples of the States brought together in the Community shall be elected by direct universal suffrage.

2. The number of representatives elected in each Member State shall be as follows:

Belgium	25
Denmark	16
Germany	99
Greece	25
Spain	64
France	87
Ireland	15
Italy	87
Luxembourg	6
Netherlands	31
Austria	21
Portugal	25
Finland	16
Sweden	22
United Kingdom	87.

In the event of amendments to this paragraph, the number of representatives elected in each Member State must ensure appropriate representation of the peoples of the States brought together in the Community.';

- (b) after the new paragraphs 1 and 2, there shall be inserted the text of Article 3(1) of the aforesaid Act as paragraph 3; the new paragraph 3 shall read as follows:

'3. Representatives shall be elected for a term of five years.';

- (c) the existing paragraph 3 as amended by Article 4 of this Treaty shall become paragraph 4;

- (d) paragraph 4 as added by Article 4 of this Treaty shall become paragraph 5.

10. In Article 127, paragraph 3 shall be deleted.

11. In Article 138, first paragraph, the words 'the date of accession' shall be replaced by '1 January 1995'.

12. In Article 160b(3), the second subparagraph commencing 'However, when the first appointments ...' shall be deleted.

13. In Article 181, the second, third and fourth paragraphs shall be deleted.

14. In the place of Article 191 there shall be inserted the adapted text of Article 28, first paragraph, of the Treaty establishing a Single Council and a Single Commission of the European Communities; the new Article 191 shall accordingly read as follows:

'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 of 8 April 1965 on the privileges and immunities of the European Communities.'

15. Article 198 shall be amended as follows:

- (a) after the second paragraph there shall be inserted a third paragraph as follows:

'The provisions of this Treaty shall apply to the Åland Islands in accordance with the provisions set out in Protocol No 2 to the Act concerning the conditions of accession of the Republic of Austria, the Republic of Finland and the Kingdom of Sweden.';

- (b) in the existing third paragraph, point (c) concerning the Åland Islands shall be deleted.

16. In Article 199, first paragraph, the words 'and of the General Agreement on Tariffs and Trade' shall be replaced by 'and of the World Trade Organisation'.

17. Title VI, 'Provisions relating to the initial period', comprising Section 1, 'Setting up of the institutions', Section 2, 'Provisions for the initial application of this Treaty' and Section 3, 'Transitional provisions' and Articles 209 to 223, shall be repealed.

18. In Article 225 there shall be added a new paragraph as follows:

'Pursuant to the Accession treaties the Danish, English, Finnish, Greek, Irish, Portuguese, Spanish and Swedish versions of this Treaty shall also be authentic.'

II. ANNEXES

Annex V, 'Initial research and training programme referred to in Article 215 of this Treaty' including the table 'Breakdown by main headings ...' shall be deleted.

III. PROTOCOLS

1. The Protocol on the application of the Treaty establishing the European Atomic Energy Community to the non-European parts of the Kingdom of the Netherlands shall be repealed.

2. The Protocol on the Statute of the Court of Justice of the European Atomic Energy Community shall be amended as follows:

(a) the words 'HAVE DESIGNATED as their Plenipotentiaries for this Purpose:' and the list of Heads of State and their plenipotentiaries shall be deleted;

(b) the words 'WHO, having exchanged their full powers, found in good and due form,' shall be deleted;

(c) in Article 3, the adapted text of Article 21 of the Protocol on the privileges and immunities of the European Communities shall be added as a fourth paragraph; this new fourth paragraph shall accordingly read as follows:

'Articles 12 to 15 and 18 of the Protocol on the privileges and immunities of the European Community shall apply to the Judges, Advocates-General, Registrar and Assistant Rapporteurs of the Court of Justice, without prejudice to the provisions relating to immunity from legal proceedings of Judges which are set out in the preceding paragraphs.'

(d) Article 58 shall be repealed;

(e) the concluding formula 'IN WITNESS WHEREOF, the undersigned Plenipotentiaries have signed this Protocol.' shall be deleted;

(f) the list of signatories shall be deleted.

Article 9

1. Without prejudice to the paragraphs following hereinafter, which have as their purpose to retain the essential elements of their provisions, the Convention of 25 March 1957 on

certain institutions common to the European Communities and the Treaty of 8 April 1965 establishing a Single Council and a Single Commission of the European Communities, but with the exception of the Protocol referred to in paragraph 5, shall be repealed.

2. The powers conferred on the European Parliament, the Council, the Commission, the Court of Justice and the Court of Auditors by the Treaty establishing the European Community, the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community shall be exercised by the single institutions under the conditions laid down respectively by the said Treaties and this Article.

The functions conferred on the Economic and Social Committee by the Treaty establishing the European Community and the Treaty establishing the European Atomic Energy Community shall be exercised by a single committee under the conditions laid down respectively by the said Treaties. The provisions of Articles 193 and 197 of the Treaty establishing the European Community shall apply to that Committee.

3. The officials and other staff of the European Communities shall form part of the single administration of those Communities and shall be governed by the provisions adopted pursuant to Article 212 of the Treaty establishing the European Community.

4. The European Communities shall enjoy in the territories of the Member States such privileges and immunities as are necessary for the performance of their tasks under the conditions set out in the Protocol referred to in paragraph 5. The position shall be the same as regards the European Central Bank, the European Monetary Institute and the European Investment Bank.

5. In the Protocol of 8 April 1965 on the privileges and immunities of the European Communities there shall be inserted an Article 23, as laid down in Protocol amending the said Protocol; that Article reads as follows:

'Article 23

This Protocol shall also apply to the European Central Bank, to the members of its organs and to its staff, without prejudice to the provisions of the Protocol on the Statute of the European System of Central Banks and the European Central Bank.

The European Central Bank shall, in addition, be exempt from any form of taxation or imposition of a like nature on the occasion of any increase in its capital and from the various formalities which may be connected therewith in the State where the Bank has its seat. The activities of the Bank and of its organs carried on in accordance with the Statute of the European System of Central Banks and of the European Central Bank shall not be subject to any turnover tax.

The above provisions shall also apply to the European Monetary Institute. Its dissolution or liquidation shall not give rise to any imposition.'

6. The revenue and expenditure of the European Community, the administrative expenditure of the European Coal and Steel Community and the revenue relating thereto and 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 European Communities, under the conditions laid down respectively in the Treaties establishing the three Communities.

7. Without prejudice to the application of Article 216 of the Treaty establishing the European Community, Article 77 of the Treaty establishing the European Coal and Steel Community, Article 189 of the Treaty establishing the European Atomic Energy Community and the second paragraph of Article 1 of the Protocol on the Statute of the European Investment Bank, the representatives of the Governments of the Member States shall adopt by common accord the necessary provisions for the purpose of dealing with certain problems particular to the Grand Duchy of Luxembourg which arise from the creation of a Single Council and a Single Commission of the European Communities.

Article 10

1. The repeal or deletion in this Part of lapsed provisions of the Treaty establishing the European Community, the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community as in force before the entry into force of this Treaty of Amsterdam and the adaptation of certain of their provisions shall not bring about any change in the legal effects of the provisions of those Treaties, in particular the legal effects arising from the time limits laid down by the said Treaties, nor of Accession Treaties.

2. There shall be no change in the legal effects of the acts in force adopted on the basis of the said Treaties.

3. The position shall be the same as regards the repeal of the Convention of 25 March 1957 on certain institutions common to the European Communities and the repeal of the Treaty of 8 April 1965 establishing a Single Council and a Single Commission of the European Communities.

Article 11

The provisions of the Treaty establishing the European Community, the Treaty establishing the European Coal and Steel Community and the Treaty establishing the European Atomic Energy Community relating to the powers of the Court of Justice of the European Communities and to the exercise of those powers shall apply to the provisions of this Part and to the Protocol on privileges and immunities referred to in Article 9(5).

PART THREE

GENERAL AND FINAL PROVISIONS

Article 12

1. The articles, titles and sections of the Treaty on European Union and of the Treaty establishing the European Community, as amended by the provisions of this Treaty, shall be renumbered in accordance with the tables of equivalences set out in the Annex to this Treaty, which shall form an integral part thereof.