

CONSOLIDATED VERSIONS

OF THE TREATY ON EUROPEAN UNION AND THE TREATY ON THE FUNCTIONING OF THE EUROPEAN UNION

TITLE IV

PROVISIONS ON ENHANCED COOPERATION

Article 20

(ex Articles 27a to 27e, 40 to 40b and 43 to 45 TEU and ex Articles 11 and 11a TEC)

1. Member States which wish to establish **enhanced** cooperation between themselves within the **framework** of the Union's non-exclusive competences may make use of its institutions and exercise those competences by applying the relevant provisions of the Treaties, subject to the limits and in accordance with the detailed arrangements **laid down** in this Article and in Articles 326 to 334 of the Treaty on the Functioning of the European Union.
2. The decision authorising enhanced cooperation shall be adopted by the Council as a last resort, when it has **established** that the objectives of such cooperation cannot be **attained** within a reasonable period by the Union as a whole, and provided that at least nine Member States participate in it. The Council shall act in accordance with the procedure laid down in Article 329 of the Treaty on the Functioning of the European Union.
3. All members of the Council may participate in its **deliberations**, but only members of the Council representing the Member States participating in enhanced cooperation shall take part in the vote. The voting rules are **set out** in Article 330 of the Treaty on the Functioning of the European Union.
4. Acts adopted in the framework of enhanced cooperation shall bind only participating Member States. They shall not **be regarded as** part of the *acquis* which has to be accepted by candidate States for **accession** to the Union.

PART TWO

NON-DISCRIMINATION AND CITIZENSHIP OF THE UNION

Article 19

(ex Article 13 TEC)

1. Without prejudice to the other provisions of the Treaties and within the limits of the powers **conferred** by them upon the Union, the Council, acting unanimously in accordance with a special legislative procedure and after obtaining the consent of the European

Parliament, may take appropriate action to **combat** discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.

(...)

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Article 24

(ex Article 21 TEC)

The European Parliament and the Council, acting by means of regulations in accordance with the ordinary legislative procedure, shall adopt the **provisions** for the procedures and conditions **required** for a citizens' initiative within the meaning of Article 11 of the Treaty on European Union, including the minimum number of Member States from which such citizens must come.

Every citizen of the Union shall have the right to petition the European Parliament in accordance with Article 227.

Every citizen of the Union may apply to the Ombudsman established in accordance with Article 228.

Every citizen of the Union may write to any of the institutions or bodies referred to in this Article or in Article 13 of the Treaty on European Union in one of the languages mentioned in Article 55(1) of the Treaty on European Union and have an answer in the same language.

(...)

COMMON RULES ON COMPETITION, TAXATION AND APPROXIMATION OF LAWS

CHAPTER 1

RULES ON COMPETITION

SECTION 1

RULES APPLYING TO UNDERTAKINGS

Article 101

(ex Article 81 TEC)

1. The following shall be prohibited as incompatible with the internal market: all agreements between undertakings, decisions by associations of undertakings and **concerted** practices which may affect trade between Member States and which have as their object or effect the **prevention, restriction** or **distortion** of competition within the internal market, and in particular those which:

- (a) directly or indirectly fix purchase or selling prices or any other trading conditions;
- (b) limit or control production, markets, technical development, or investment;
- (c) share markets or sources of supply;
- (d) apply dissimilar conditions to equivalent transactions with other trading parties, thereby placing them at a competitive disadvantage;
- (e) make the conclusion of contracts subject to acceptance by the other parties of **supplementary** obligations which, by their nature or according to commercial usage, have no connection with the subject of such contracts.

2. Any agreements or decisions prohibited **pursuant** to this Article shall be automatically **void**.

3. The provisions of paragraph 1 may, however, be declared inapplicable in the case of:

- any agreement or category of agreements between undertakings,
- any decision or category of decisions by associations of undertakings,
- any concerted practice or category of concerted practices,

which contributes to improving the production or distribution of goods or to promoting technical or economic progress, while allowing consumers a fair share of the resulting benefit, and which does not:

- (a) impose on the undertakings concerned restrictions which are not **indispensable** to the attainment of these objectives;
- (b) afford such undertakings the possibility of eliminating competition in respect of a **substantial** part of the products in question.

(...)

CHAPTER 3

TITLE XV

CONSUMER PROTECTION

Article 169

(ex Article 153 TEC)

1. In order to promote the interests of consumers and to ensure a high level of consumer protection, the Union shall contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to **safeguard** their interests.

2. The Union shall contribute to the attainment of the objectives referred to in paragraph 1 through:

- (a) measures adopted pursuant to Article 114 in the context of the completion of the internal market;
- (b) measures which support, supplement and monitor the policy pursued by the Member

States.

3. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure and after consulting the Economic and Social Committee, shall adopt the measures referred to in paragraph 2(b).

4. Measures adopted pursuant to paragraph 3 shall not prevent any Member State from maintaining or introducing more **stringent** protective measures. Such measures must be compatible with the Treaties. The Commission shall be notified of them.

TITLE III

COOPERATION WITH THIRD COUNTRIES AND HUMANITARIAN AID

CHAPTER 1

DEVELOPMENT COOPERATION

Article 208

(ex Article 177 TEC)

1. Union policy in the field of development cooperation shall be conducted within the framework of the principles and objectives of the Union's external action. The Union's development cooperation policy and that of the Member States **complement** and **reinforce** each other.

Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the **eradication** of poverty. The Union shall take account of the objectives of development cooperation in the policies that it implements which are likely to affect developing countries.

2. The Union and the Member States shall comply with the commitments and take account of the objectives they have **approved** in the context of the United Nations and other competent international organisations.

(...)

TITLE II

FINANCIAL PROVISIONS

Article 310

(ex Article 268 TEC)

1. All items of **revenue** and **expenditure** of the Union shall be included in estimates to be drawn up for each financial year and shall be shown in the budget.

The Union's annual budget shall be established by the European Parliament and the Council in accordance with Article 314.

The revenue and expenditure shown in the budget shall be in balance.

2. The expenditure shown in the budget shall be authorised for the annual budgetary period in accordance with the regulation referred to in Article 322.
3. The implementation of expenditure shown in the budget shall require the **prior** adoption of a legally binding Union act providing a legal basis for its action and for the implementation of the corresponding expenditure in accordance with the regulation referred to in Article 322, except in cases for which that law provides.
4. With a view to maintaining **budgetary discipline**, the Union shall not adopt any act which is **likely** to have appreciable implications for the budget without providing an assurance that the expenditure arising from such an act is capable of being financed within the limit of the Union's own resources and in compliance with the multiannual financial framework referred to in Article 312.
5. The budget shall be implemented in accordance with the principle of sound financial management. Member States shall cooperate with the Union to ensure that the **appropriations** entered in the budget are used in accordance with this principle.
6. The Union and the Member States, in accordance with Article 325, shall counter **fraud** and any other illegal activities affecting the financial interests of the Union.