

Annex 3

LIST OF THE ARTICLES COMING UNDER QUALIFIED MAJORITY VOTING

The Treaty of Lisbon plans for the **extension of the qualified majority vote to 44 new articles**. Together with the 69 articles where the qualified majority voting already applies **113 articles are now to come under qualified majority voting; 19 domains were transferred over to the qualified majority in the Treaty of Nice**.

This is a new mechanism which will **limit the dangers of blockage associated with the unanimous voting**.

Sensitive areas such as taxation, social security, foreign policy, common defence are still **governed by unanimity**.

The qualified majority will apply until 2014 and possibly until 2017 with the Ioannina Compromise, when it will be replaced by the double majority of States and citizens (*see Sheet 3 – How will decisions be taken in a Union with 27 members?*).

The new areas which are transferred over to the qualified majority are shown in the boxes with a blue background in the table below. The areas with a yellow background show the articles which were transferred over to the qualified majority rule in the Treaty of Nice. The areas with a white background show the articles which were already governed by the qualified majority rule in the Treaty of Amsterdam.

The Treaty of Lisbon is available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0001:01:EN:HTML>

AS LISTED IN THE TREATY OF LISBON	ARTICLE CONTENT	N° OF ARTICLE
TEU, Title I – Common provisions	Decision of the Council to suspend or to put an end to the suspension of the rights of a Member State in case of breach of the values referred to in paragraph 2	Article 7, paragraphs 3 and 4 TEU
TEU, Title III – Provisions on the Institutions	Election of the President of the European Council by the European Council	Article 15, paragraph 5 TEU
	Adoption of the list of configurations of the Council of Ministers by the European Council	Article 16, paragraph 6 TEU
	Proposal of a candidate for the post of President of the Commission by the European Council Appointment of the Commission by the European Council	Article 17, paragraph 7 TEU
	Appointment of the High Representative by the European Council, with the approval of the President of the Commission	Article 18, paragraph 1 TEU

TEU, Title V, Chapter 2 – Specific Provisions on the Common Foreign and Security Policy	Decision defining a Union action or position on the basis of a decision of the European Council relating to the Union's strategic interests and objectives	Article 31, paragraphs 2 and 5 TEU
	Decision defining a Union action or position, on a proposal which the High Representative of the Union for Foreign Affairs and Security Policy has presented following a special request to him or her from the European Council, made on its own initiative or that of the High Representative	
	Decision implementing a decision defining a Union action or proposition in the area of the CFSP Appointment of a special representative on a proposal of the High Representative Procedural questions (CFSP)	
	International agreements <i>(Without extending the application of the qualified majority voting, the Treaty of Nice introduces three new paragraphs to clarify the voting modalities (qualified majority/unanimity) referring to this article.)</i>	Article 37 TEU
	CFSP start-up fund on a proposal of the High Representative	Article 41, paragraph 3 TEU
	Decision defining the European Defence Agency's statute, seat and operational rules	Article 45, paragraph 2 TEU
TEU, Title VI – Final Provisions	Decisions establishing permanent structured cooperation, suspending or accepting new members on the basis of the notification of voluntary Members and after consultation of the High Representative	Article 46, paragraph 2 TEU
	Conclusion of a withdrawal agreement of a Union Member State after the approval of the European Parliament and on the request of the State concerned	Article 50, paragraph 2, TEU
	TFEU, Part One, Title II – Provisions of General Application	
Regulations relating to services of general economic interest	Article 14 TFEU	
Regulations relating to general principles and limits of the right to access to documents of the Union institutions, offices or agencies	Article 15, paragraph 3 TFEU	
Rules relating to the protection of individuals with regard to the processing of personal data	Article 16, paragraph 2 TFEU	

TFEU, Part Two – Non-Discrimination and Citizenship of the Union	Prohibition of discrimination on grounds of nationality	Article 18 TFEU
	Basic principles for Union incentive measures to support action taken by the Member States in the fight against discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation, excluding any harmonisation measure	Article 19 TFEU, paragraph 2
	Provisions with a view to facilitating the exercise of the right to move and reside freely within the territory of the EU	Article 21, paragraph 2 TFEU
	Coordination and cooperation measures necessary to facilitate protection by the diplomatic or consular authorities of any Member State	Article 23 TFEU
	Regulations relating to procedures and conditions required for a citizens' initiative	Article 24 TFEU
TFEU, Part Three, Title II, Chapter 1 – The Customs Union	Establishment of common customs tariff duties on a proposal of the Commission	Article 31 TFEU
TFEU, Part Three, Title II, Chapter 2 – Customs Cooperation	Measures in order to strengthen customs cooperation	Article 33 TFEU
TFEU, Part Three, Title III – Agriculture and Fisheries	Establishment of the common organisation of agricultural markets and others provisions necessary for the pursuit of the objectives of the common agricultural policy and the common fisheries policy after consulting the Economic and Social Committee	Article 43, paragraph 2 TFEU
TFEU, Part Three, Title IV, Chapter 1 – Workers	Directives or regulations setting out the measures required to bring about freedom of movement for workers after consulting the Economic and Social Committee	Article 46 TFEU
	Provisions relating to the aggregation, for the purpose of acquiring and retaining the right to benefit and of calculating the amount of benefit, of all periods taken into account for employed and self-employed migrant workers and their dependants (<i>Unanimity with regard to the payment of benefits to persons resident in the territories of Member States</i>)	Article 48 TFEU

TFEU, Part Three, Title IV, Chapter 2 – Right of Establishment	Directives relating to the freedom of establishment as regards a particular activity after consulting the Economic and Social Committee	Article 50 TFEU
	Exemption of some activities with regard to the measures in the chapter relating to the right of establishment	Article 51 TFEU
	Directives relating to the coordination of provisions in terms of right of establishment	Article 52, paragraph 2 TFEU
	Directives relating to the mutual recognition of diplomas, certificates and other evidence of formal qualifications Coordination of national provisions concerning the taking-up and pursuit of activities as self-employed persons	Article 53, paragraph 1 TFEU
TFEU, Part Three, Title IV, Chapter 3 – Services	Extension of the provisions relating to service to nationals of a third country who provide services and who are established within the Union	Article 56 TFEU
	Directives relative to the liberalisation of a specific service after consulting the Social and Economic Committee	Article 59, paragraph 1 TFEU
TEU, Part Three, Title IV, Chapter 4 – Capital and payments	Measures on the movement of capital to and from third countries involving direct investment - including in real estate - establishment, the provision of financial services or the admission of securities to capital markets	Article 64, paragraph 2 TFEU
TFEU, Part Three, Title V, Chapter 1 – General Provisions	Evaluation measures of the implementation of the area of freedom, security and justice after simply informing the European Parliament and national parliaments	Article 70 TFEU
	Administrative cooperation within the area of freedom, security and justice after consulting the European Parliament	Article 74 TFEU
	Regulations relating to administrative measures with regard to capital movements and payments (freezing of funds, financial assets or economic gains)	Article 75 TFEU

<p>TFEU, Part Three, Title V, Chapter 2 – Policies on Border Checks, Asylum and Immigration</p>	Measures concerning border checks	Article 77, paragraph 2 TFEU
	Measures concerning a common European asylum system	Article 78, paragraphs 2 and 3 TFEU
	Provisional emergency measures in case of a sudden inflow of refugees after consulting the European Parliament	Article 78, paragraph 3 TFEU
	Measures concerning a common immigration policy Measures to provide incentives and support for the action of Member States with a view to promoting the integration of third-country nationals residing legally on their territories, excluding any harmonisation measure	Article 79, paragraphs 2 and 4 TFEU
<p>TFEU, Part Three, Title V, Chapter 3 – Judicial Cooperation in civil matters</p>	Measures concerning the judicial cooperation in civil matters having a cross-border dimension	Article 81, paragraph 2 TFEU
<p>TFEU, Part Three, Title V, Chapter 4 – Judicial Cooperation in criminal matters</p>	Measures concerning the judicial cooperation in criminal matters Directives concerning the minimal rules in terms of mutual recognition of judgements and judicial decisions as well as police and judicial cooperation in criminal matters having a cross-border dimension	Article 82, paragraphs 1 and 2 TFEU
	Directives establishing minimal rules concerning the definition of criminal offences and sanctions in the areas of particularly serious crime with a cross-border dimension (terrorism, trafficking in human beings and sexual exploitation of women and children, illicit drug and arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organised crime) Directive establishing minimal harmonisation rules with regard to the definition of criminal offences and sanctions in the area concerned. <i>Remark: These directives are adopted by a specific legislative procedure if this procedure was used for the adoption of existing harmonisation measures in question.</i>	Article 83, paragraphs 1 and 2 TFEU
	Measures to promote and support the action of Member States in the field of crime prevention excluding any harmonisation measure	Article 84 TFEU

	Regulations concerning Eurojust's structure, operation, field of action and tasks	Article 85, paragraph 1 TFEU
TFEU, Part Three, Title V, Chapter 5 – Police Cooperation	Measures concerning the police cooperation (collection and exchange of information, training of staff, common investigative techniques)	Article 87, paragraph 2 TFEU
	Regulations concerning Europol's structure, operation, field of action and tasks	Article 88, paragraph 2 TFEU
TFEU, Part Three, Title VI - Transports	Establishment of rules concerning transport after consulting the Social and Economic Committee and the Committee of the Regions	Article 91, paragraph 1 TFEU
	Provisions for sea and air transport after consulting the Economic and Social Committee and the Committee of the Regions	Article 100, paragraph 2 TFEU
TFEU, Part Three, Title VII, Chapter 1 –Rules on Competition	Competition rules necessary for the functioning of the internal market	Articles 101 to 109 TFEU
TFEU, Part Three, Title VII, Chapter 3 – Approximation of Laws	Measures relating to the approximation of national provisions concerning the establishment and functioning of the internal market after consulting the Economic and Social Committee	Article 114, paragraph 1 TFEU
	Directives necessary to eliminate the distortion of competition in a Member State and when the consultation procedure fails	Article 116 TFEU
	Measures concerning the creation of European intellectual property rights to provide uniform intellectual property rights protection throughout the Union and for the setting up of centralised Union-wide authorisation, coordination and supervision arrangements	Article 118 TFEU
TFEU, Part Three, Title VIII, Chapter 1 – Economic Policy	Regulations concerning detailed rules for the multilateral surveillance procedure within the Stability and Growth Pact	Article 121, paragraph 6 TFEU
	Measures appropriate to the economic situation, in particular if severe difficulties arise in the supply of certain products, and grant of the Union's financial assistance to the Member State in case of natural disasters or exceptional occurrences beyond its control	Article 122 TFEU

TFEU, Part Three, Title VIII, Chapter 2 – Monetary Policy	Amendment of some articles of the Statute of the ESCB on a recommendation from the European Central Bank and after consulting the Commission or on a proposal from the Commission and after consulting the European Central Bank	Article 129, paragraph 3 TFEU
	Measures necessary for use of the euro after consulting the European Central Bank	Article 133 TFEU
TFEU, Part Three, Title VIII, Chapter 4 – Provisions specific to Member States whose currency is the euro	Decision establishing common positions on matters of particular interest for economic and monetary union within the competent international financial institutions and conferences after consulting the ECB	Article 138, paragraph 1 TFEU
	Measures to ensure unified representation within international financial institutions and conferences after consulting the ECB	Article 138, paragraph 2 TFEU
TFEU, Part Three, Title IX - Employment	Incentive measures designed to encourage cooperation between Member States and to support their action in the field of employment (exchange of information exchange, best practices, comparative analyses and advice) excluding harmonisation measures after consulting the Economic and Social Committee and the Committee of the Regions	Article 149 TFEU
TFEU, Part Three, Title X – Social Policy	Measures designed to encourage cooperation between Member States in the field of social policy after consulting the Economic and Social Committee and the Committee of the Regions	Article 153, paragraph 2 TFEU
	Directives concerning the minimum requirements for gradual implementation in the social field after consulting the Economic and Social Committee and the Committee of the Regions	
	Measures to ensure the application of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, including the principle of equal pay for equal work or work equal value after consulting the Economic and Social Committee	Article 157, paragraph 3 TFEU
TFEU, Part Three, Title XI – The European Social Fund	Implementing decisions relating to the European Social Fund after consulting the Economic and Social Committee and the Committee of the Regions	Article 164 TFEU
TFEU, Part Three, Title XII – Education, Vocational Training, Youth and Sport	Incentive measures in the fields of education after consulting the Economic and Social Committee and the Committee of the Regions	Article 165, paragraph 4 TFEU
	Incentive measures in the fields of sport after consulting the Economic and Social Committee and the Committee of the Regions	
	Measures to support and supplement the action of the Member States in the field of vocational training excluding any harmonisation measure after consulting the Economic and Social Committee and the Committee of the Regions	Article 166, paragraph 4 TFEU

TFEU, Part Three, Title XIII - Culture	Incentive measures in the cultural field excluding any harmonisation measure and after consulting the Committee of the Regions	Article 167, paragraph 5 TFEU
TFEU, Part Three, Title XIV – Public Health	Measures designed to meet common safety concerns with regard to public health (standards relating to organs and substances of human origin, blood and blood derivatives; veterinary and phytosanitary fields; standards for medicinal products and devices for medical use) after consulting the Economic and Social Committee and the Committee of the Regions Incentive measures designed to protect and improve human health (monitoring, early warning of and combating serious cross-border threats to health, measures to protect public health (tobacco, alcohol)), excluding any harmonisation measure after consulting the Economic and Social Committee and the Committee of the Regions	Article 168, paragraphs 4 and 5 TFEU
TFEU, Part Three, Title XV – Consumer Protection	Measures concerning the consumer protection in the context of the completion of the internal market after consulting the Economic and Social Committee Measures which support, supplement and monitor the policy pursued by Member States after consulting the Economic and Social Committee	Article 169, paragraph 3 TFEU
TFEU, Part Three, Title XVI – Trans-European Networks	Guidelines, measures and projects of common interest concerning the establishment and development of trans-European networks in the areas of transport, telecommunications and energy infrastructures after consulting the Economic and Social Committee and the Committee of the Regions	Article 172 TFEU
TFEU, Part Three, Title XVII – Industry	Specific measures in support of action taken in the Member States in the industrial field (adjustment to structural changes, environment favourable to initiative and to the development of undertakings, cooperation between undertakings, better exploitation of the industrial potential of policies of innovation, research and technological development), excluding any harmonisation measure, after consulting the Economic and Social Committee	Article 173, paragraph 3 TFEU
TFEU, Part Three, Title XVIII – Economic, Social and Territorial Cohesion	Specific actions outside the Structural Funds after consulting the Economic and Social Committee and the Committee of the Regions	Article 175 TFEU
	Regulations and general rules applicable to the Structural Funds after consulting the Economic and Social Committee et du Committee of the Regions	Article 177 TFEU
	Implementing regulations relating to the European Regional Development Fund after consulting the Economic and Social Committee and the Committee of the Regions	Article 178 TFEU

TFEU, Part Three, Title XIX – Research and Technological Development and Space	Measures necessary for the implementation of the European area of research after consulting the Economic and Social Committee	Article 182, paragraph 5 TFEU
	Rules relating to research programmes after consulting the Economic and Social Committee	Article 188 TFEU
	Measures necessary to draw up a European Space Policy that may take the form of a European Space Programme	Article 189, paragraph 2 TFEU
TFEU, Part Three, Title XX – Environment	<p>Actions within the European environment policy after consulting the Economic and Social Committee and the Committee of the Regions</p> <p>General action programmes setting out priority objectives to be attained in the field of environment after consulting the Economic and Social Committee and the Committee of the Regions</p>	Article 192, paragraphs 1 and 3 TFEU
TFEU, Part Three, Title XXI – Energy	Measures relating to energy after consulting the Economic and Social Committee and the Committee of the Regions	Article 194, paragraph 2 TFEU
TFEU, Part Three, Title XXII – Tourism	Specific measures to complement actions within the Member States in the field of tourism (creation of a favourable environment for the development of undertakings in this sector; cooperation between the Member States by the exchange of good practice), excluding any harmonisation measure	Article 195, paragraph 2 TFEU
TFEU, Part Three, Title XXIII – Civil Protection	Measures necessary for the achievement of objectives relating to cooperation between Member States in order to improve the effectiveness of systems for preventing and protecting against natural and manmade disasters, excluding any harmonisation measure	Article 196, paragraph 2 TFEU
TFEU, Third part, Title XXIV – Administrative Cooperation	Regulations establishing measures necessary for administrative cooperation	Article 197, paragraph 2 TFEU
TFEU, Part Five, Title II – Common Commercial Policy	<p>Measures defining the framework for implementing the common commercial policy</p> <p>Negotiation and conclusion of agreements with one or more third countries or international organisations in the field of commercial policy</p>	Article 207, paragraphs 2 and 4 TFEU
TFEU, Part Five, Title III, Chapter 1 – Development Cooperation	Measures necessary for the implementation of development cooperation policy (multiannual cooperation programmes with developing countries, thematic programmes)	Article 209, paragraph 1 TFEU

TFEU, Part Five, Title III, Chapter 2 – Economic, Financial and Technical Cooperation with Third Countries	Measures necessary for the implementation of economic, financial and technical cooperation measures including assistance, in particular financial assistance, with third countries other than developing countries	Article 212, paragraph 2 TFEU
	Urgent financial assistance measures	Article 213 TFEU
TFEU, Part Five, Title III, Chapter 3 – Humanitarian Aid	Measures defining the framework within which the Union's humanitarian aid operations are implemented Rules and procedures for the operation of the European Voluntary Humanitarian Aid Corps	Article 214, paragraphs 3 and 5 TFEU
TFEU, Part Five, Title IV – Restrictive Measures	Interruption or reduction of economic and financial relations with third countries on a joint proposal of the High Representative and the Commission after informing the European Parliament	Article 215, paragraph 1 TFEU
TFEU, Part Five, Title V – International Agreements	Conclusion of international agreements (except if the field covered by the agreement requires unanimity and if these are association agreements or economic, financial and technical cooperation agreements)	Article 218, paragraph 8 TFEU
TFEU, Part Five, Title VII – Solidarity Clause	Implementation of the solidarity clause in the event of a terrorist attack or a disaster (except if the decision has defence implications: unanimity) on a joint proposal of the High Representative and the Commission	Article 222, paragraph 3 TFEU
TFEU, Part Six, Title I, Chapter 1 - The Institutions, Section 1 – The European Parliament	Regulations governing political parties at European level (rules regarding their funding)	Article 224 TFEU
TFEU, Part Six, Title I, Chapter 1 - The Institutions, Section 2 – The European Council	Decision taken by the European Council on the Presidency of Council configurations other than that of Foreign Affairs	Article 236, paragraph b TFEU
TFEU, Part Six, Title I, Chapter 1 - The Institutions, Section 3 – The Council	Procedural decisions within the Council and adoption of its Rules of Procedure	Article 240, paragraph 3 TFEU
	Salaries, allowances and pensions of the President of the European Council, the President of the Commission, the High Representative of the Union for Foreign Affairs and Security Policy, the Members of the Commission, the Presidents, Members and Registrars of the Court of Justice of the European Union, Secretary-General of the Council and of the of the Members and Registrar of the Court of First Instance	Article 243 TFEU

TFEU, Part Six, Title I, Chapter 1 - The Institutions, Section 5 – The Court of Justice	Establishment of the Rules of Procedure of the Court of Justice	Article 253 TFEU
	Establishment of the Rules of Procedure of the General Court	Article 254 TFEU
	Decision of the Council on the members and operating rules of the panel set up in order to give an opinion on candidates' suitability to perform the duties of Judge and Advocate-General of the Court of Justice and the General Court	Article 255 TFEU
	Regulations concerning the establishment of specialised courts attached to the General Court to hear and determine at first instance certain classes of action or proceedings brought in specific areas on a proposal from the Commission and after consultation of the Court of Justice or at the request of the Court of Justice and after consultation of the Commission	Article 257 TFEU
	Amendment of the provisions of the Court of Justice's Statute with the exception of Title I and article 64 at the request of the Court of Justice and after consultation of the Commission or on a proposal of the Commission and after consultation of the Court of Justice	Article 281 TFEU
TFEU, Part Six, Title I, Chapter 1 - The Institutions, Section 6 – The ECB	Appointment of the president, vice-president and members of the ECB Governing Council by the European Council	Article 283, paragraph 2 TFEU
TFEU, Part Six, Title I, Chapter 1 - The Institutions, Section 7 – The Court of Auditors	Appointment of the members of the Court of Auditors	Article 286, paragraphs 2 and 7 TFEU
	Conditions of employment and remuneration of the president and the members of the Court of Auditors	
	Adoption of the Rules of Procedure of the Court of Auditors	Article 287, paragraph 4 TFEU
TFEU, Part Six, Title I, Chapter 2 – The Legal Acts of the Union, Adoption Procedures and other Provisions	Revocation of the delegation to the Commission of the power to adopt non-legislative acts of general application or objections to the delegated act	Article 290, paragraph 2 TFEU
	Rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers	Article 291, paragraph 3 TFEU
	Regulations relating to provisions regarding European administration	Article 298, paragraph 2 TFEU

TFEU, Part 6, Title I, Chapter 3 - The Union's Advisory Bodies, Section 1: The Economic and Social Committee	Appointment of the members of the Economic and Social Committee	Article 302 TFEU
TFEU, Part 6, Title I, Chapter 3 - The Union's Advisory Bodies, Section 1: The Committee of the Regions	Appointment of the members of the Committee of the Regions	Article 305 TFEU
TFEU, Part Six, Title II, Chapter 5 – Common Provisions	Regulations concerning the establishment and implementation of the budget, the presentation and audition of accounts as well as checks on the responsibility of financial actors after consulting the Court of Auditors	Article 322, paragraph 1 TFEU
TFEU, Part Six, Title II, Chapter 6 – Combating Fraud	Necessary measures in the fields of the prevention of and fight against fraud affecting the financial interests of the Union after consulting the Court of Auditors	Article 325, paragraph 4 TFEU
	Decision of the Council to authorise to proceed with an enhanced cooperation in one of the areas covered by the Treaties <i>(Suppression of the veto right of a Member State)</i>	Article 329, paragraph 1 TFEU
TFEU, Part Seven – General and Final Provisions	Regulations relating to the Staff Regulations of officials of the European Union and the Conditions of employment of other servants of the Union after consulting the other institutions	Article 336 TFEU
	Measures for the production of statistics	Article 338, paragraph 1 TFEU
	Decision of the Council following a decision to suspend voting rights	Article 354 TFEU

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