

Consolidated version of the Treaty establishing the  
European Atomic Energy Community 2016/C 203/01

TITLE III

**INSTITUTIONAL AND FINANCIAL PROVISIONS**

*CHAPTER 1*

***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 13 to 19, Article 48(2) to (5), and Articles 49 and 50 of the Treaty on European Union, and Article 15, Articles 223 to 236, Articles 237 to 244, Article 245, Articles 246 to 270, Article 272, 273 and 274, Articles 277 to 281, Articles 285 to 304, Articles 310 to 320, Articles 322 to 325 and Articles 336, 342 and 344 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.

*CHAPTER 2*

***The Institutions of the Community***

*Section 1*

**The European Parliament**

*Articles 107 to 114*

*(repealed)*

*Section 2*

**The Council**

*Articles 115 to 123*

*(repealed)*

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### Section 3

#### The Commission

Articles 124 to 133

*(repealed)*

#### Article 134

1 A Scientific and Technical Committee is hereby set up; it shall be attached to the Commission and shall have advisory status.

The Committee must be consulted where this Treaty so provides. The Committee may be consulted in all cases in which the Commission considers this appropriate.

[<sup>F12</sup> The Committee shall consist of forty-two members, appointed by the Council after consultation with the Commission.]

The Members of the Committee shall be appointed in their personal capacity for five years. Their appointment shall be renewable. They shall not be bound by any mandatory instructions.

The Scientific and Technical Committee shall each year elect its chairman and officers from among its Members.

#### Textual Amendments

- F1** Substituted by [Act concerning the conditions of accession of the Republic of Croatia and the adjustments to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community.](#)

#### Article 135

The Commission may undertake any consultations and establish any study groups necessary to the performance of its tasks.

### Section 4

#### The Court of Justice of the European Union

Articles 136 to 143

*(repealed)*

#### Article 144

The Court of Justice of the European Union shall have unlimited jurisdiction in:

- (a) proceedings instituted under Article 12 to have the appropriate terms fixed for the granting by the Commission of licences or sub licences;
- (b) proceedings instituted by persons or undertakings against sanctions imposed on them by the Commission under Article 83.

#### *Article 145*

If the Commission considers that a person or undertaking has committed an infringement of this Treaty to which the provisions of Article 83 do not apply, it shall call upon the Member State having jurisdiction over that person or undertaking to cause sanctions to be imposed in respect of the infringement in accordance with its national law.

If the State concerned does not comply with such a request within the period laid down by the Commission, the latter may bring an action before the Court of Justice of the European Union to have the infringement of which the person or undertaking is accused established.

#### *Articles 146 to 156*

*(repealed)*

#### *Article 157*

Save as otherwise provided in this Treaty, actions brought before the Court of Justice of the European Union shall not have suspensory effect. The Court of Justice of the European Union may, however, if it considers that circumstances so require, order that application of the contested act be suspended.

#### *Articles 158 to 160*

*(repealed)*

### *Section 5*

#### **The Court of Auditors**

#### *Articles 160a to 160c*

*(repealed)*

### *CHAPTER 3*

#### ***Provisions common to several institutions***

#### *Articles 161 to 163*

*(repealed)*

#### *Article 164*

Enforcement shall be governed by the rules of civil procedure in force in the State in the territory of which it is carried out. The order for its enforcement shall be appended to the decision, without other formality than verification of the authenticity of the decision, by the national authority which the government of each Member State shall designate for this purpose and shall make known to the Commission, to the Court of Justice of the European Union and to the Arbitration Committee set up by Article 18.

When these formalities have been completed on application by the party concerned, the latter may proceed to enforcement in accordance with the national law, by bringing the matter directly before the competent authority.

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Enforcement may be suspended only by a decision of the Court of Justice of the European Union. However, the courts of the country concerned shall have jurisdiction over complaints that enforcement is being carried out in an irregular manner.

#### CHAPTER 4

#### ***The Economic and Social Committee***

*Articles 165 to 170*

*(repealed)*