

**The following provisions, which will be introduced to the EC Treaty for the first time, will be subject to qualified majority voting.**

**Article 5a(2) :** Closer cooperation-authorization

**D(2), new Title on Free Movement :** Provisional measures

**4, new Title on Employment :** Incentive measures

**118(2) :** Social exclusion

**119(3) :** Equality of opportunity and treatment of men and women

**129(4) :** Public health

**191a :** Transparency

**209a :** Countering fraud

**213a :** Statistics

**213b :** Establishment of an independent advisory authority on data protection

**227(2) :** Outermost regions

**236(2)(3) :** Fundamental rights-sanctions

**New Article 116 :** Customs cooperation

**The following provisions, which will be introduced to the EC Treaty for the first time, will be subject to the co-decision procedure:**

**Article 5 :** Employment – Incentive measures

**118(2), 3rd subparagraph :** Social exclusion

**119 :** Social policy – Equal opportunities and treatment

**129 :** Public health (former basis Article 43 - consultation) – minimum requirements regarding quality and safety of organs. Veterinary and phytosanitary measures with the direct objective of protection of public health

**191a :** General principles for transparency

**209a :** Countering fraud affecting the financial Interests of the Community

**New Article 116 :** Customs cooperation

**213a :** Statistics

**213b :** Establishment of independent advisory authority on data protection

**Provisions requiring co-decision and unanimity in the Council are the following Articles:**

**128 :** Culture (encouragement measures); Consultation of the Committee of the Regions

**189c :** Cooperation

**6 :** Non-discrimination

**75(1) and 84 :** Transport; Consultation of EcoSoc

**103(5) :** Rules for multilateral surveillance

**104a(2) :** Arrangements for the application of Ar-

ticle 104a(1)

**104b(2) :** Arrangements for the application of Article 104

**105a :** Coins; Consultation of ECB

**125 :** Social Fund; Consultation of EcoSoc

**129 :** TransEuroNetworks (excl. guidelines); Consultation of EcoSoc and Committee of the Regions

**130e :** Economic and Social Cohesion; Consultation of EcoSoc and the Committee of the Regions

**130o :** Research, programme implementation; Consultation of EcoSoc

## **Appendix V:**

### **Provisions Requiring Consultation Procedure**

**The Treaty of Amsterdam amends existing provisions and introduces new ones with regard to consultation procedure. The European Parliament is now consulted through this procedure in the following matters:**

1. Decisions on closer cooperation;
2. Measures against discrimination;
3. Most decisions on asylum and immigration;
4. Recommendations on employment policy;
5. Implementation of social partner agreements in social affairs;
6. Adaptation or supplementing of R&D programmes;
7. Suspension of rights deriving from the Treaty for a Member State which is in breach of fundamental principles of the Union.

**The following provisions, which provided for Parliament consultation only, remained unchanged:**

1. Article 43, the main legal basis for action in the field of agricultural policy. However, the provision on public health was changed to encompass areas which were previously ruled under Article 43, i.e., veterinary medicine and phytosanitary measures. Since those decisions are already being taken according to the co-decision procedure, one may suggest that the European Parliament has at least “a foot in the door” to become a decisive co-legislator in the agriculture field. However, the important area of the common agricultural market organisations is an object of Parliament