

The Council (of Ministers) of the EU

The council of Ministers of the EU is NOT the same as the European Council, but is often referred to as 'the Council'.

Functions and Powers

- **Article 16(1) TEU** imposes on the Council the general requirement to carry out policy making and coordinating functions as laid down by the Treaties, as well as jointly with the European Parliament, exercising legislative and budgetary functions.
- The Council decides on the adoption of legislative proposal, in a procedure known as the 'ordinary legislative procedure' under **Article 289 TFEU**. This gives the EP an equal input and a final right of veto, as detailed in **Article 294 TFEU**. Along with the EP, the Council are responsible for adopting the annual budget under **Article 314 TFEU**.
- The Council are now able to request that the Commission undertakes studies that the Council consider desirable to attain objectives and to submit proposals. This can be done by simple majority votes. The Commission must then submit reasons if they decide not to submit a proposals as requested by the Council under **Article 241 TFEU**.

Council general law-making powers

- As well as specific powers to enact legislation under particular Articles within the Treaty, the Council also have general powers to enact legislation. **Article 113 TFEU** empowers the Council to adopt provisions for the harmonization of legislation concerning turnover taxes, excise duties, and other forms of indirect taxes (VAT) where harmonization is deemed necessary to secure the functioning of the internal market.
- **Article 352 TFEU** provides generally that the Council can enact measures required to meet the objectives of the Union. These powers are used extensively by the Council, for example, supporting the Equal Treatment Directive in 1976.

COREPER and the Council Secretariat

- COREPER are the committee of permanent representatives built up of senior national officials
- COREPER are not formally established under **Articles 16(7) and 240(2) TFEU**, and aims to reduce the workload of the Council.
- It also supervises and controls various management committees that were set up to overlook the delegation of power to the Commission.
- **Article 240(2)** also provides for a permanent Council Secretariat to overtake much of the mundane work of the Council, such as the organisation and preparation of meetings, and also assists the European Council and the High Representative.