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Amendment of the Treaty on European Union (The "Amsterdam Treaty")

Farewell, Article 85 of the EC Treaty, on restrictive agreements, and Article 86, on the abuse of a dominant position ! These are now Articles 81 and 82. Henceforth, Articles 85 and 86 represent the old Articles 89 and 90.

These changes result from Article 12 of the Treaty (the Treaty of Amsterdam) amending the Treaty on European Union (the Treaty of Maastricht). The Amsterdam Treaty, under which all the Articles of the current Treaties are renumbered, came into force on 1 May, 1999. The new numbers of the Articles in the EC Treaty, governing the rules on competition, are set out below.

Meanwhile, there are bound to be some ambiguities, since decisions and case-law will continue to refer to the old Article numbers where they date from before 1 May. Most of the cases referred to in this issue, for example, use the old numbering. We shall do our best, from an editorial point of view, to minimise these ambiguities.

Here are the changes in what used to be Chapter 1 of Title VI of the EC Treaty and is now Chapter 1 of Title V:

Section 1: Rules applying to undertakings

Old Article 85 is now Article 81 (Restrictive agreements)
Old Article 86 is now Article 82 (Abuse of a dominant position)
Old Article 87 is now Article 83 (Regulations and directives)
Old Article 88 is now Article 84 (Transitional provisions)
Old Article 89 is now Article 85 (Duties of the Commission)
Old Article 90 is now Article 86 (Public Undertakings)

Old Section 2 (deleted)

Old Article 91 has been repealed (Dumping within the common market)

Section 2: Aids granted by States

Old Article 92 is now Article 87 (General prohibition of State aids)
Old Article 93 is now Article 88 (Review and control of State aids)
Old Article 94 is now Article 89 (Regulations on State aids)