

**Zbigniew T. Godecki**

**EUROPEAN COUNCIL'S COMPETENCE  
CONCERNING THE PROCEDURE OF THE TREATY AMENDMENT**

According to art. 15 of the Treaty on the Functioning of the European Union, the European Council do not exercise legislative function. It is contradicted by, among others, art. 48 p. 6, which empowers the European Council to adopt a decision partly amending the Treaty on the Functioning of the European Union. The Author discusses the reasons and consequences of this conflict as well as presents and justifies the opinion that the European Council's decision amending the Treaty on the Functioning of the European Union is a legislative act, which proves that the European Council exercises legislative function, at least within the scope specified in art. 48 p. 6.