

## AMENDMENT FORM

### Suggestion for amendment of Article : I-11

By Ms: Danuta Hübner

Status : - Member

<u>Article I-11: Categories of competence</u>	<u>Article I-11: Categories of competence</u>
<p>1. When the Constitution confers on the Union exclusive competence in a specific area, only the Union may legislate and adopt legally binding acts, the Member States being able to do so themselves only if so empowered by the Union or for the implementation of acts adopted by the Union.</p> <p>2. When the Constitution confers on the Union a competence shared with the Member States in a specific area, the Union and the Member States shall have the power to legislate and adopt legally binding acts in that area. The Member States shall exercise their competence to the extent that the Union has not exercised, or has decided to cease exercising, its competence.</p> <p>3. The Union shall have competence to coordinate the economic and employment policies of the Member States.</p> <p>4. The Union shall have competence to define and implement a common foreign and security policy, including the progressive framing of a common defence policy.</p> <p>5. In certain areas and in the conditions laid down in the Constitution, the Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States, without thereby superseding their competence in these areas.</p> <p>6. The scope of and arrangements for exercising the Union's competences shall be determined by the provisions specific to</p>	<p>1. When the Constitution confers on the Union exclusive competence in a specific area, only the Union may legislate and adopt legally binding acts, the Member States being able to do so themselves only if so empowered by the Union or for the implementation of acts adopted by the Union.</p> <p>2. When the Constitution confers on the Union a competence shared with the Member States in a specific area, the Union and the Member States shall have the power to legislate and adopt legally binding acts in that area. The Member States shall exercise their competence to the extent that the Union has not exercised, or has decided to cease exercising, its competence.</p> <p>3. The Union shall have competence to coordinate the economic and employment policies of the Member States. <u>The Union may adopt initiatives to ensure coordination of Member States' social policies. Specific provisions shall apply to those Member States which have adopted the euro.</u></p> <p>4. The Union shall have competence to define and implement a common foreign and security policy, including the progressive framing of a common defence policy. <u>Member States shall actively and unreservedly support the Union's common foreign and security policy in a spirit of loyalty and mutual solidarity and shall comply with the acts adopted by the Union in this area. They shall refrain from action</u></p>

<p>each area in Part Three of the Constitution.</p>	<p><u>contrary to the Union's interests or likely to impair its effectiveness.</u></p> <p>5. In certain areas and in the conditions laid down in the Constitution, the Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States, without thereby superseding their competence in these areas. <u>Legally binding acts adopted by the Union on the basis of the provisions specific to supporting, coordinating or complementary actions of the areas in Part Three cannot entail harmonisation of Member States' laws or regulations.</u></p> <p>6. The scope of and arrangements for exercising the Union's competences shall be determined by the provisions specific to each area in Part Three of the Constitution.</p>
---	---

---

**Explanation (if any) :** Adding the aforementioned sentences from the articles 14-16 make article 11 a really comprehensive source of definitions of categories of the competences.