

## AMENDMENT FORM

### Suggestion for amendment of Article 10

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Status: **Members and alternate members.**

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#### Article 10: Categories of competence

- 10.1 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.
- 10.2 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 this area *and to coordinate policy*. The Member States shall exercise their competence only if and to the extent that the Union has not exercised its.
- 10.3 *Delete.*
- 10.4 *Delete.*
- 10.5 In certain areas and in the conditions laid down in the Constitution, the Union shall have competence to carry out actions to coordinate, supplement or support the actions of the Member States, without thereby superseding their competence in these areas.
- 10.6 The Union shall exercise its competences to implement the policies defined in Part Two of the Constitution in accordance with the provisions specific to each area which are there set out.

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**Explanation:**

*10.2 The draft needs to say explicitly that the EU has the power in the area of shared competence to coordinate the policies of the Member States. That being so, we can neatly delete 10.3 (coordination of economic policy) and 10.4 (coordination of foreign, security and defence policy).*