

AMENDMENT FORM

Suggestion for amendment of Article 12

By: **Danuta Hübner**

Status: **Member**

<i>Text of the Praesidium</i>	<i>Proposed Amendments</i>
<u>Article 12: Shared competences</u>	<u>Article 12: Shared competences</u>
<p>1. The Union shall share competence with the Member States where the Constitution confers on it a competence which does not relate to the areas referred to in Articles 11 and 15 .</p> <p>2. The scope of shared competences is determined by the provisions of Part Two.</p> <p>3. Where the Union has not exercised or ceases to exercise its competence in an area of shared competence, the Member States may exercise theirs.</p> <p>4. Shared competence applies in the following principal areas:</p> <ul style="list-style-type: none">– internal market– area of freedom, security and justice– agriculture and fisheries– transport– trans-European networks– energy– social policy– economic and social cohesion– environment– public health, and– consumer protection. <p>5. In the areas of research, technological development and space, the Union shall have competence to carry out actions, in particular to implement programmes; however, the exercise of that</p>	<p>1. The Union shall share competence with the Member States where the Constitution confers on it a competence which does not relate to the areas referred to in Articles 11 and 15 .</p> <p>2. The scope of shared competences is determined by the provisions of Part Two.</p> <p>3. Where the Union has not exercised or ceases to exercise its competence in an area of shared competence, the Member States may exercise theirs.</p> <p>4. Shared competence applies in the following principal areas:</p> <ul style="list-style-type: none">–internal market–area of freedom, security and justice–agriculture and fisheries–transport–trans-European networks–energy–social policy–economic and social cohesion–environment–public health, and–consumer protection <p>5. In the areas of research, technological development and space, the Union shall have competence to carry out actions, in particular to implement programmes; however, the exercise of that competence may not result in Member</p>

<p>competence may not result in Member States being prevented from exercising their competence.</p> <p>6. In the areas of development cooperation and humanitarian aid, the Union shall have competence to take action and conduct a common policy; however, the exercise of that competence may not result in Member States being prevented from exercising their competence.</p>	<p>States being prevented from exercising their competence.</p> <p>6.—In the areas of development cooperation and humanitarian aid, the Union shall have competence to take action and conduct a common policy; however, the exercise of that competence may not result in Member States being prevented from exercising their competence.</p>
<p>Explanation:</p> <p>1. The details of shared competences will be defined in the part II of the Constitutional Treaty.</p>	