

Amendments submitted by Teija Tiilikainen and Antti Peltomäki 17 February 2003

[Option 1: If there is a provision on the Union's activities in accordance with Article 3bis above, draft Articles 11-15 could be deleted.]

[Option 2: In the absence of Article 3bis, Article 15 should read as follows:

Article 15: Areas for supporting action

1. Subject to the provisions of Part Two of this Constitution, the Union may take coordinating, complementary or supporting action in the following areas:

- **coordination of economic policies**
- employment
- industry
- education, vocational training and youth
- culture
- **public health**
- **development cooperation**
- **research and technological development**
- sport
- protection against disasters.

2. [deleted, see para. 1]

3. [deleted]

4. [see our draft Article 10 para. 5]]

Commentary:

Again, the text should make it clear that the precise scope and nature of the Union's competence in each policy area is to be defined by the legal bases in Part Two.

In addition to the ones proposed by the Praesidium, there are other areas that should be placed in the category of supporting action.

Since employment is mentioned as one of the areas for supporting action, paragraph 3 is redundant.

The necessary flexibility in the area of supporting action would be guaranteed by the proposed definition of that category of competence in Article 10, paragraph 5. Under that provision, there would also be a possibility, in matters to be identified in Part Two, to adopt of measures having direct applicability or entailing harmonisation of the Member States' laws or regulations. This would make it possible to place within the category of supporting action areas where harmonisation of the laws of Member States should be excluded as a general rule but authorised in exceptional cases defined in the relevant legal bases (e.g., public health).