

## AMENDMENT FORM

Suggestion for amendment of Article : 16

By Ms / Mr :

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Status : - Member - Alternate

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### Article 16: Flexibility clause

1. *If action by the Union should prove necessary ~~within the framework of the policies defined in Part Two~~ to attain one of the objectives set by this Constitution, and the Constitution has not provided the necessary powers, the Council, acting unanimously on a proposal from the Commission and after obtaining the assent of the European Parliament, shall ~~take the appropriate measures~~ decide to make use of this flexibility clause.*

2.new Based on such a decision, the European Parliament and the Council, following the co-decision procedure, shall jointly take the appropriate measures.

~~2~~3. *Using the procedure for monitoring the subsidiarity principle referred to in Article 9, the Commission shall draw Member States' national parliaments' attention to proposals based on this Article.*

~~3~~4. *Provisions adopted on the basis of this Article may not entail harmonisation of Member States' laws or regulations in cases where the Constitution excludes such harmonisation.*

5. *The Court of Auditors shall be consulted on all proposals under this Article to ensure that the proposed Union action takes place with total budgetary transparency and that there is no duplication of administrative efforts at Union and national level*

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Explanation (if any) :