

AMENDMENT FORM

Suggestion for amendment of Article : 16

By Ms / Mr : Johannes Voggenhuber, Eva Lichtenberger

Status : - Member - Alternate

Article 16: Flexibility clause

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

 2. 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. 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.
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Explanation (if any) :