

AMENDMENT FORM

Suggestion for amendment the Protocol on the application of the principles of subsidiarity and proportionality, Part I of the Constitution

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PROTOCOL ON THE APPLICATION OF THE PRINCIPLES OF SUBSIDIARITY AND PROPORTIONALITY

Paragraph 7:

7. The Court of Justice shall have jurisdiction to hear actions on grounds of infringement of the principle of subsidiarity by a legislative act, brought in accordance with the rules laid down in Article [230] by Member States. ~~or notified by them in accordance with their legal order on behalf of their national Parliament or a chamber of it.~~
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Explanation (if any) :

Only Member States should be able to bring actions to the Court of Justice on the grounds of infringement of the principle of subsidiarity. As such an action may, if appropriate, also be brought at the request of a national parliament, the last sentence of the proposed paragraph 7 appears superfluous and should thus be deleted. Whether and how this might be done is a purely internal matter, and should therefore not be included in the Constitution.