

## AMENDMENT FORM

**Suggestion for protocol : on the application of the principles of subsidiarity and proportionality**

**By Mr : Joachim Wuermeling**

**Status : - Alternate**

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8. Under Article [current Article 230] of the Constitution, the Court of Justice shall have jurisdiction to hear actions brought by Member States on grounds of infringement of the principle of subsidiarity, where appropriate at the request of their national parliaments, in accordance with their respective constitutional rules. Under the same Article of the Constitution, the Committee of the Regions may also bring such actions ~~as regards legislative acts on which it was consulted.~~

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### **Explanation (if any) :**

The purpose of this amendment is to enable the Committee of the Regions to bring actions before the Court on grounds of infringement of the principle of subsidiarity, without absolutely limiting it to cases where it has been previously consulted. There might be cases where it should have been consulted, which involve important issues of principle for regional and local government. The present text would exclude the Committee taking action in such cases.