

AMENDMENT FORM

Suggestion for amendment of: Paragraphs 5 and 8 of the Protocol on the application of the principles of subsidiarity and proportionality

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Status : - Member and Alternate: representatives of the Italian Senate

5. Any national parliament, **or in bicameral systems each chamber of parliament**, of a Member State may, within six weeks from the date of transmission of the Commission's legislative proposal, send to the Presidents of the European Parliament, the Council and the Commission a reasoned opinion stating why it considers that the proposal in question does not comply with the principle of subsidiarity. It will be for each national parliament to make the internal arrangements, **as appropriate**, for consulting ~~each chamber in the case of bicameral parliaments and/or, where appropriate,~~ regional parliaments with legislative powers.
8. Under Article [current Article 230] of the Constitution, the Court of Justice shall have jurisdiction to hear actions brought by ~~Member States~~ **national parliaments, and in bicameral systems by either chamber of parliament**, 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. ...
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Explanation :

The proposed amendment reflects fully the conclusions reached by the Working Groups on Subsidiarity and on the Role of National Parliaments, as regards both the submission of an opinion in the early-warning system and the possibility of demanding a judicial review by the European Court of Justice. In both cases, there must exist the possibility for national parliaments, or in bicameral systems by each of the chambers of parliament, to intervene directly.