

AMENDMENT FORM

Suggestion for amendment of Article :

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

By Ms / Mr : R. van der Linden (member)

F. Timmermans (member)

J.J. van Dijk (alternate)

W. van Eekelen (alternate) for only the amendment on point 8

Status : - Member - Alternate

7. The national parliaments of the Member States may also, during the period between the convening of the Conciliation Committee meeting and the holding of that meeting, issue a reasoned opinion stating why they consider either that the Council's common position does not comply with the principle of subsidiarity or that the European Parliament's amendments do not so comply. At the Conciliation Committee meeting, the European Parliament and the Council shall take the fullest account of the opinions expressed by the national parliaments of the Member States. **Where at least one third of national parliaments issue reasoned opinions on the non-compliance with the principle of subsidiarity the Council or/and the European Parliament shall review their positions.**

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 **procedures regarding 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.

Explanation (if any) :

7: The principle of one third of the national parliaments should not be restricted to just one phase in the lawmaking process, it should be applied to the entire process.

8: If “the procedures regarding” will not be added, the Court will get involved in political jurisdiction.