

AMENDMENT FORM

Suggestion for amendment of Article : 24

By Mr Hain

Status : Member

Article 24: The legal acts of the Union

1. In exercising the competences conferred on it in the Constitution, the Union shall use as legal instruments, in accordance with the provisions of Part Two, European laws, European framework laws, ~~European regulations,~~ European decisions, recommendations and opinions.

A European law shall be a legislative act having general application. It shall be binding in its entirety and directly applicable in all Member States.

A European framework law shall be a legislative act which shall be binding, as to the result to be achieved, on the Member States to which it is addressed, but shall leave the national authorities entirely free to choose the form and means of achieving that result.

~~A European regulation shall be a non-legislative act having general application for the implementation of legislative acts and of certain specific provisions of the Constitution. It shall be binding in its entirety and directly applicable in all Member States.~~

A European decision shall be a non-legislative act, binding in its entirety. A decision which specifies those to whom it is addressed shall be binding only on them.

Recommendations and opinions adopted by the institutions shall have no binding force.

2. When considering proposals for legislative acts, the European Parliament and the Council shall refrain from adopting acts not provided for by the Constitution.

Explanation (if any) :

Article 24 (1) :

We delete the definition of European regulation as we do not think that there is a need to have a European regulation as a primary instrument. However, in this Article a definition of delegated regulations and implementing regulations, as referred to in Article 27 and 28, will need to be

provided. (We will submit language later).

Article 24 (2) :

Could it be clarified as to whether this is intended to prevent the use of atypical acts and Council conclusions, declarations and resolutions? We could not support such a loss of flexibility.