

AMENDMENT FORM

Suggestion for amendment of Article 25:

By BROK; ALMEIDA GARRETT; ALONSO; ALTMAIER; AZEVEDO; BASILE; BREJC; CISNEROS; CUSHNAHAN; DOLORES; FOGLER; FRENDO; GIANNAKOU; KAUPPI; KELAM; KELEMEN; KORHONEN; KRASTS; KROUPA; KUTZKOVA; LA-MASSOURE; LEQUILLER; MAIJ-WEGGEN; MLADENOV; NAZARE-PEREIRA; PIKS; RACK; SANTER; STYLIANIDIS; SZAJER; VAN DER LINDEN; VAN DIJK; WITTBRODT; ZILE

on behalf of the EPP Convention Group

Status: Members and Alternates

Text of the Praesidium

Proposed Amendments

Article 25: Legislative acts

1. European laws and European framework laws shall be adopted, on the basis of proposals from the Commission, jointly by the European Parliament and the Council in accordance with the rules of the legislative procedure referred to in Article X (*Part Two of the Constitution*). If the two institutions cannot reach agreement on an act, it shall not be adopted.

Specific provisions shall apply in the cases referred to in Article Z (*ex-third pillar*).

2. In the specific cases provided for by the Constitution, European laws and European framework laws shall be adopted by the Council.
3. When acting under any procedure for the adoption of a European law or a European framework law, the European Parliament and the Council shall meet in public.

Article 25: Legislative acts

1. European laws and European framework laws shall be adopted, on the basis of proposals from the Commission, jointly by the European Parliament and the Council, ***acting by qualified majority***, in accordance with the rules of the legislative procedure referred to in Article X (*Part Two of the Constitution*). If the two institutions cannot reach agreement on an act, it shall not be adopted.

~~Specific provisions shall apply in the cases referred to in Article Z (*ex-third pillar*).~~

2. ~~In the specific cases provided for by the Constitution, European laws and European framework laws shall be adopted by the Council.~~ ***The general rule in paragraph 1 does not apply where this is explicitly set out in Part Two of the Constitution. Within five years after the entry into force of this Constitutions, these exceptions to the general rule shall cease to apply.***
3. When acting under any procedure for the adoption of a European law or a European framework law, the European Parliament and the Council shall meet in public.

4. *The Committee of the Regions and the Economic and Social Committee shall be consulted in all cases set out in Part Two.*

Explanation:

Para 1:

- *The enlarged Union must be able to act. Therefore, already Part One of the Constitution must determine that qualified majority voting in the Council must be the rule for all legislative acts. Exceptions to this rule must be clearly defined in Part Two, in accordance with the outcome of the deliberations in the plenary of the Convention.*
- *The Community method (codecision and qualified majority in the Council) must be the general rule if we want to overcome the present pillar-structure of the Union. Therefore, the second subpara of Article 25(1) must be deleted, in accordance with the outcome of the deliberations in the plenary of the Convention. See also our amendment on Article 31.*

Para 2:

- *Exceptions to the general rule in para 1 may be envisaged for cases to be clearly defined in Part Two subject to the outcome of the deliberations in the plenary of the Convention. Such exceptions should only be of a transitory nature in case of legislative acts; there must be an automatic transition to the general rule; otherwise, a Union with up to 27 members could be paralysed in key policy fields. The duration of the period (five years) is just an example. The Period could be longer or shorter. Differentiations could be envisaged.*