

AMENDMENT FORM

Title V: Exercise of Union Competence

Suggestion for amendment of Article : Article I-34: Non legislative acts

By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Rein Lang, Lord MacLennan

Article I-34: Non-legislative acts

1. The Council *or* the Commission shall adopt European regulations or European decisions in the cases referred to in *Article I-36* and in cases specifically laid down in the Constitution. The European Central Bank shall adopt European regulations and European decisions when authorised to do so by the Constitution.
2. The Council and the Commission, and the European Central Bank when so authorised in the Constitution, shall adopt recommendations.

Explanation:

It should be the Council or the Commission. 'And' implies a joint action, which is not presumably intended.

The Praesidium still seems confused between non-legislative acts on the one hand and implementing acts on the other. We are not talking in this Article about secondary legislation (Article 35) but of implementing acts (Article 36).

This amendment is very important. Please rectify this mistake.

Ideally, the ordering of the articles should be changed to make more sense.