

AMENDMENT FORM

Suggestion for amendment of Article : 32

By Mr Andrew Duff, Paul Helminger, Peeter Kreitzberg, Algirdas Gričius, Puiu Hasotti, Jelko Kacin, Zekeriya Akçam, Members of the Convention

Lone Dybkjaer, Willem Van Eekelen, Lord Robert MacLennan of Rogart, Nesrin Uzun, Marios Matsakis, Androula Vassiliou, Istvan Szent-Ivanyi, Peter Eckstein-Kovacs, Ibrahim Ozal, alternate Members of the Convention.

Article 32: Principles governing acts of the Union

1. Unless the Constitution contains a specific stipulation, the institutions shall decide, in compliance with the procedures applicable, on the type of act to be adopted in each case, in accordance with the principle of proportionality set out in Article 8.
2. Laws, framework laws, regulations and decisions shall state the reasons on which they are based and shall refer to any proposals or opinions required by this Constitution.
3. *Upon the adoption of a framework law in the Council, each Member State shall stipulate in an annex how they intend to transpose the legislation into national law.*

Explanation :

In the title, the use of the phrase governing is more accurate than 'common'.

This additional proposal stems from the current work of the institutions on better regulation. The obligation placed on governments to set out their intentions with respect to the transposition of EU law into their domestic jurisdiction will assist scrutiny of the measure by national parliaments and comprehension by regional and local authorities and the social partners.

It may also encourage member state governments to share best practice.