

## **AMENDMENT FORM**

**Suggestion for amendment of Article : 43**

**By Ms / Mr : J. Kohout**

**Status : - Member**

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43.2 ....provided that it brings together at least ~~one-third~~ **one half** of the Member States.

43.4

Without prejudice to the Article III-266 any Member State not participated in enhanced cooperation may institute proceedings against the decision of the Council taken under Art. 322.

The Court of Justice shall decide on the matter in [the procedure of emergency] laid down in its Statute.

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### **Explanation (if any) :**

43.2 : According to Nice, at least 8 out of 15 Member States shall come together in order to be able to start an enhanced cooperation. It is the half (or majority) of Member States.

43.4 : Insert the possibility of judicial control.