

## AMENDMENT FORM

### Suggestion for a new Article 4a:

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on behalf of the EPP Convention Group

Status: Member s and Alternates

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*Text of the Praesidium*

*Proposed Amendments*

**Article 4a (New):**  
**Supremacy of Union law**

***Union law shall prevail over national law.***

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### Explanation:

*The supremacy of Union law is the main constitutional principle of the acquis since 1964 and one of the foundations of the *acquis communautaire*. For reasons of legal certainty and constitutional logic, we suggest to include this principle already in the Title “Definition and objectives”, and not only in Title III on Union competences, as it is currently proposed by the text of the Praesidium – see Article 9(1) thereof. The principle of supremacy does not only play a role when the Union exercises its competences (= enacts secondary law), but also applies to the law of the Treaties (now the Constitution) itself (= primary law). This is already recognised in the wording of Article 9(1) of the Praesidium text, but not yet in the **positioning of this pivotal provision**. As an illustration for an alternative positioning, see also Article 62 in the EPP Discussion Paper (Frascati version, as amended, 27 January 2003).*