

## AMENDMENT FORM

### Title IV

#### Suggestion for amendment of Article : 18

**By Members: Mr Andrew Duff, Mr Lamberto Dini, Mr Paul Helminger, Mr Algirdas Gricius, Mrs Lone Dybkjaer, Lord MacLennan, Mr Adrian Severin.**

**Status :**        **Members and alternate members.**

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#### Article 18 : The European Commission

1. The European Commission shall safeguard the general European interest. It shall ensure the application of the Constitution, and steps taken by the institutions under the Constitution. It shall *ensure the proper functioning of the Union and* exercise coordinating, executive and management functions as laid down in the Constitution.
  2. Except where the Constitution provides otherwise, Union acts can be adopted only on the basis of a Commission proposal. *The Commission shall determine the annual legislative programme.*
  3. The Commission shall consist of *one national per Member State*.
  4. In carrying out its responsibilities, the Commission shall be completely independent. In the discharge of their duties members of the Commission shall neither seek nor take instructions from any government or other body.
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#### Explanation:

1. *We include the phrase about the proper functioning of the Union drawn from Article 211 TEC in order to avoid the impression that the Convention has wished to reduce in any way the classical role of the Commission.*
2. *The production of the annual legislative programme is a key Commission prerogative,*

*and deserves a reference in Part One.*

*3. We have concluded that the political argument for having one Commissioner per Member State outweighs the technical advantages of moving to a smaller college. What it might lose in terms of efficiency it will gain in terms of legitimacy. In any case, as the Commission is set gradually to gain more powers in an enlarged and more competent Union there should be plenty to do.*