

AMENDMENT FORM

Suggestion for amendment of Article :46 (part 3)

Suggestion for protocol :

By Mr David Heathcoat-Amory, Mr Bonde

Status :X - Member - Alternate

N.B. '()' denote text deleted ' _____ 'denotes text added

1. Any Member State may decide to withdraw from the European Union in accordance with its own constitutional requirements.
2. A Member State which decides to withdraw shall notify the Council of its intention. Once that notification has been given, the Union shall negotiate and conclude an agreement with that State, setting out the arrangements for its withdrawal, taking account of the framework for its future relationship with the Union. That agreement shall be concluded on behalf of the Union by the Council, acting by a qualified majority, after obtaining the assent of the European Parliament.

The withdrawing State shall not participate in the Council's discussions or decisions concerning *(it)* **these negotiations. It may continue to benefit from its rights and privileges under this Treaty in all other matters**

3. This Constitution shall cease to apply to the State in question as from the date of entry into force of the withdrawal agreement or, failing that, *(two years)* **one year** after the notification referred to in paragraph 2.
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Explanation (if any) :

The additional text in (2) clarifies an ambiguity in the language. The original text could have been interpreted to read that the withdrawing state no longer has *any* input into the Council, including discussing unrelated issues. The intent must be to ensure that the state in question is not involved in the private talks between the remaining states, over their own terms of negotiation.

The modification from the two year period of notification to one brings the text into line with other international treaties. Two years is too long: a shorter time limit concentrates the mind, and discourages attempts to stall for time.