

AMENDMENT FORM

Suggestion for amendment of Article 8

By Michael Frendo - Member

To be reworded as follows :

1. The limits and use of Union competences are governed by the principles of conferral, subsidiarity, proportionality and solidarity.
2. In accordance with the principle of conferral, the Union shall act within the limits of the competences conferred upon it by the Constitution to attain the objectives the Constitution sets out. Competences not conferred upon the Union by the Constitution remain with the Member States.
3. In accordance with the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and insofar as the objectives of the intended action cannot be sufficiently achieved by the Member States, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level.
4. In accordance with the principle of proportionality, the scope and form of Union action shall not exceed what is necessary to achieve the objectives of the Constitution.
5. In accordance with the principle of solidarity, the Union and the Member States shall, in full mutual respect, assist each other to carry out tasks which flow from the Constitution, especially where the implementation of a Union measure is deemed by a Member State to produce disproportionate hardship.

Explanation (if any) :

It would be preferable to refer to the universally accepted principle of solidarity. The principle of solidarity should also be practised, in the general interests of the Union and its Member States, when the implementation of a Union measure produces disproportionate hardship to a Member State. This would assist cohesion as the Union moves forward in the process of integration.