

## AMENDMENT FORM

### Suggestion for amendment of Article 9.1 and 9.6:

**By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, Mr Göran Lennmarker, Mr Kenneth Kvist and Mr Ingvar Svensson, national parliament representatives.**

**Status :**    - **Members: Hjelm-Wallén, Lekberg and Lennmarker**  
                  - **Alternates: Petersson, Kvist and Svensson**

---

**1.**<sup>1</sup> The Union shall respect the national identities of its Member States, inherent in their fundamental structures and essential State functions, especially their political and constitutional structure, including the organisation of public administration at national, regional and local level.

**2.** The Constitution, and law adopted by the Union Institutions in exercising competences conferred on it by the Constitution, shall have primacy over the law of the Member States.<sup>2</sup>

---

### Explanation

<sup>1</sup> Paragraph 6 should become Paragraph 1.

<sup>2</sup> Reservation: The principle of primacy can only apply to Union laws that can produce direct effect within the legal orders of the Member States. Directly effective rights are only enforceable against those on whom the provisions relied upon imposes a correspondent duty (the distinction of vertical/horizontal effect).