

## AMENDMENT FORM

### Suggestion for amendment of Article : III-125

By Ms / Mr : Voggenhuber, Wagener, Lichtenberger, MacCormick, Nagy

Status :    - Member            - Alternate

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#### Artikel III-125 (ex Article 175)

1. A European law or framework law shall ~~establish what action is to be taken~~ **adopt the measures necessary in order** to achieve the objectives referred to in [ex Article 174]. It shall be adopted after consulting the Committee of the Regions and the Economic and Social Committee.

~~2. By way of derogation from paragraph 1 and without prejudice to [ex Article 95] the Council shall adopt unanimously European laws or framework laws establishing:~~

~~(a) — measures primarily of a fiscal nature;~~

~~(b) measures affecting:~~

~~(i) town and country planning;~~

~~(ii) — quantitative management of water resources or affecting, directly or indirectly, the availability of those resources;~~

~~(iii) — land use, with the exception of waste management;~~

~~(e) — measures significantly affecting a Member State's choice between different energy sources and the general structure of its energy supply.~~

~~A European law of the Council may by unanimity define those matters referred to in this paragraph on which it shall act by a qualified majority.~~

~~In all cases, the Council shall act after consulting the European Parliament, the Committee of the Regions and the Economic and Social Committee. **(delete this paragraph)**~~

3. General action programmes which set out priority objectives to be attained shall be enacted by a European law or framework law. It shall be adopted after consulting the Committee of the Regions and the Economic and Social Committee.

The measures necessary for the implementation of these programmes shall be adopted under the terms of paragraph 1 or paragraph 2, according to the case.

4. Without prejudice to certain measures adopted by the Union, the Member States shall finance and implement the environment policy.

5. Without prejudice to the principle that the polluter should pay, if a measure based on the

provisions of paragraph 1 involves costs deemed disproportionate for the public authorities of a Member State, such measure shall provide in appropriate form for:

- (a) temporary derogations, and/or
- (b) financial support from the Cohesion Fund

**Explanation if any :**

The proposed amendments would require all environmental measures, including those of fiscal nature, to be adopted by qualified majority voting in the Council pursuant to the co-decision procedure with the Parliament.