

AMENDMENT FORM

Suggestion for amendment of Article : 9

Suggestion for protocol :

By Mr : Farnleitner

Status : - Member

Article 9: [Judicial control]

~~In exercising its competences regarding the provisions of Chapters 3 and 4 of this Title, the Court of Justice shall have no jurisdiction to review the validity or proportionality of operations carried out by the police or other law enforcement services of a Member State or the exercise of the responsibilities incumbent upon Member States with regard to the maintenance of law and order and the safeguarding of internal security, where such action is a matter of national law.~~

Explanation (if any) :

If the specific rules (foreseen in Art. 35 EUV) should be abolished, there is no need for the text proposed any more. To exclude action under national law from the competence of the ECJ is not necessary because the ECJ is constantly ruling that he is not competent for the interpretation of national law.