

AMENDMENT FORM

Suggestion for amendment of Article : III-165

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

**Status : - Member: Hjelm-Wallén, Lekberg and Lennmarker
 - Alternate: Petersson**

Article III-165 (ex Article 14)

...

2. To this end, a law or framework law shall lay down measures aimed ~~inter alia~~¹ at ensuring:
- (a) the mutual recognition and enforcement between Member States of judgments and decisions in extrajudicial cases;
 - (b) the cross-border service of judicial and extrajudicial documents;
 - (c) the compatibility of the rules applicable in the Member States concerning conflict of laws and of jurisdiction;
 - (d) cooperation in the taking of evidence;
 - (e) a high level of access to justice;
 - (f) the proper functioning of civil proceedings, if necessary by promoting the compatibility of the rules on civil procedure applicable in the Member States;
 - (g) the development of alternative methods of dispute settlement;
 - (h) support for the training of the judiciary and judicial staff.

...

3.

~~The Council, on a proposal from the Commission, may adopt a European decision determining those aspects of family law with cross-border implications which may be adopted by the ordinary legislative procedure. The Council shall act unanimously after consulting the European Parliament.~~

¹ This article, as well as the subsequent articles 166 and 167, is too open-ended. The articles need further consideration and presumably also redrafting. The deletion of the words "inter alia" in this article is one example of changes that are necessary. The words "inter alia" create uncertainty as regards the limits for union competence, see also footnote to article 167.