

AMENDMENT FORM

Suggestion for amendment of Article: III-212.2 and 212.4 (ex Article 24)

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

Status : - Member: Hjelm-Wallén and Lekberg
- Alternate: Petersson

2. The Commission shall submit proposals to the Council for implementing the common commercial policy. ~~A European law or framework law shall establish the measures required to implement the common commercial policy.~~¹
4. For the negotiation and conclusion of agreements in the fields of trade in services ~~involving the movement of persons and the commercial aspects of intellectual property, the Council shall act unanimously where such agreements include provisions for which unanimity is required for the adoption of internal rules,~~ **foreign direct investment and the commercial aspects of intellectual property, the Council shall act unanimously where such agreements include provisions for which unanimity is required for the adoption of internal rules. Unanimity will be required for any agreement where the Union makes commitments in cultural and audiovisual services, social and health services, educational services or services provided by state monopolies to an extent that exceeds the harmonisation in these sectors within the Union.**²

¹ Corresponds better to Article 133.2 (TEC).

² Trade in services and foreign direct investment concern legislation, much of which has not been harmonised within the EU. The same rules should apply for both areas. For some sensitive sectors the voting rules for any internal decision regarding market access and national treatment are not clear. When such lack of clarity exists unanimity should be required for any decision relating to trade in services in those sectors.