

AMENDMENT FORM

Suggestion for amendment of Article : 240, Part III

By Mr Ernâni Lopes and Mr. Manuel Lobo Antunes

Status : - Member and Alternate

1. (...)

2. The European Council shall adopt, ~~on its own initiative and~~ by unanimity a decision establishing the rules governing the rotation of the Presidency of Council formations.

Explanation:

AMENDMENT FORM

Part III - Chapter VI: The Functionings of the Union - Chapter 1 - Section 1 - The Institutions

Suggestion for amendment of Article : III-242

By Members: Mr Andrew Duff

Article III-242 (ex Article 207)

1. A committee consisting of the Permanent Representatives of the Member States shall be responsible for preparing the work of the Council and for carrying out the tasks assigned to it by the Council. The Committee may adopt procedural decisions in cases provided for in the Council's Rules of Procedure.

2. The Council shall be assisted by a General Secretariat, under the responsibility of a Secretary-General.

The Council shall decide on the organisation of the General Secretariat by a simple majority.

3. The Council shall adopt its Rules of Procedure by a simple majority. ***It shall be responsible for deciding the location of its seat.***

Explanation:

Our amendment implies the suppression of paragraph (b) of the Protocol on the location of the seats of the institutions. The legislature is different to other institutions. The Council must have equal autonomy with that of the Parliament to decide where it wishes to be located. See our parallel amendment to Article 236.

AMENDMENT FORM

Suggestion for amendment of Article : III-244

By Ms / ~~Mr~~ : Dr. Sylvia-Yvonne Kaufmann

Status : - Member - ~~Alternate~~

Artikel III-244 (ex-Artikel 209)

Der Rat erlässt von sich aus und mit einfacher Mehrheit die Europäischen Beschlüsse über die rechtliche Stellung der in der Verfassung vorgesehenen Ausschüsse. Er beschließt nach Anhörung der Kommission *und Zustimmung des Europäischen Parlaments*.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of Article : III-242

By Ms / Mr : Mr Bonde

Status : X - Member - Alternate

Article III-242 (ex Article 207)

1. A committee consisting of the Permanent Representatives of the Member States shall be responsible for preparing the work of the Council and for carrying out the tasks assigned to it by the Council. The Committee may adopt procedural decisions in cases provided for in the Council's Rules of Procedure.

2. ELECTED POLITICIANS HAVE FULL ACCESS TO THE COUNCIL WORKING GROUPS, COREPER AND THE COUNCIL OF MINISTERS MEETINGS. THEY HAVE THE RIGHT TO SEE ALL DOCUMENTS, UNLESS THE COUNCIL DECIDE BY 2/3 A REASONED DEROGATION. THIS DECISION CAN BE APPEALED TO THE OMBUDSMAN AND THE EUROPEAN COURT OF JUSTICE.

3. The Council shall be assisted by a General Secretariat, under the responsibility of a Secretary-General.

The Council shall decide on the organisation of the General Secretariat by a simple majority.

4. The Council shall adopt its Rules of Procedure by a simple majority.

Explanation (if any) :

AMENDMENT FORM

Suggestion for amendment of: Part III, Article 240

By Mr : Dick Roche

Status : - Member

Subsection 3

The Council of Ministers

Article III-240 (ex Articles 203 and 204)

1. **Any formation of the Council of Ministers** shall meet when convened by its President ~~or~~ on his own initiative or at the request of one of its members or of the Commission.
2. ~~The European Council shall adopt by unanimity a decision establishing the rules governing the rotation of the Presidency of the Council formations.~~

Explanation

Terminology should be consistent with Part I, therefore 'Council of Ministers' is preferred and should be used throughout Subsection 3.

Given that under Article I - 21 the European Council is to have its own elected President, it is not clear what is meant by the 'President' of the Council of Ministers in paragraph 1. It should, therefore, allow each formation to be convened by its President, allowing the European Council greater flexibility in deciding on arrangements for the different formations.

The second paragraph should be deleted as it is already provided for in Article I – 23.4. If it is not deleted, the word 'rotation' should be preceded by 'equal'