

AMENDMENT FORM

Suggestion for amendment of Article : III-261 (ex Article 226)

By Ms: Linda McAvan MEP

Status : - Member

Modify text as follows:

The failure to fulfil an obligation under the Constitution may be reported to the Commission by a Member State, an organisation, body, or individual.

If the Commission considers that a Member State has failed to fulfil an obligation under the Constitution, it shall deliver a reasoned opinion on the matter after giving the State concerned the opportunity to submit its observations. *These observations must be submitted within three months.*

The relevant Committees within the European Parliament shall be regularly informed by the Commission, about Member States who fail to fulfil their responsibilities under the Constitution and the action being taken against them.

If the State concerned does not comply with the opinion within the period laid down by the Commission the latter may bring the matter before the Court of Justice.

Explanation (if any) : It is crucial to encourage the efficiency of the infringement procedure by including fixed times for action within the Treaty. Three months seems to be a time limit set at other points in the procedure and so has been used here as well.