

AMENDMENT FORM

Suggestion for amendment of Article : III-271

By Mr : Emilio GABAGLIO

Status : Observer

Part III

Amendment : Art. III-271 para. 1

Insert at the end of lit. (b):

“including agreements referred to in Article III-101 paragraph 2. Before exercising its jurisdiction the European Court of Justice should refer the matter to the signatory parties inviting them to give an opinion.”

Explanation (if any) :

Promoting the role of social partners (Article I-47) is particularly important in respect of preliminary rulings concerning agreements concluded between them (see Article III-101 para. 2). The role of the Social Partners in respect of opinions is specifically mentioned in Clause 4(6) of the Parental Leave Agreement.¹

¹ “Without prejudice to the respective role of the Commission, national courts and the Court of Justice, any matter relating to the interpretation of this agreement at European level should, in the first instance, be referred by the Commission to the signatory parties who will give an opinion.”