

AMENDMENT FORM

Suggestion for amendment of Article :B (part 3)

Suggestion for protocol :

By Mr David Heathcoat-Amory, Mr Bonde

Status :X - Member - Alternate

N.B. ‘()’ denote text deleted ‘ _____ ’denotes text added

Article B: Legal continuity in relation to the European Community and the European Union

The European Union shall succeed to all the rights and obligations of the European Communities and of the Union, whether internal or resulting from international agreements, which arose before the entry into force of the Constitutional Treaty by virtue of previous treaties, protocols and acts, including all the assets and liabilities of the Communities and of the Union, and their archives.

The provisions of the acts of the Institutions of the Union, adopted by virtue of the treaties and acts mentioned in the first paragraph, shall remain in force insofar as they are compatible with the Constitution. The case-law of the Court of Justice of the European Communities shall be maintained as a preferential source of interpretation of the *(Constitution)* **Treaties** and acts prior to *(its)* **the Constitutional Treaty’s** entry into force.

The Directorates General shall review, within a period of three years from the entry into force of this Treaty, the acquis communautaire with the objective of the deletion of x% of the existing legislation, and provide for the future application of sunset clauses.

Explanation (if any) :

The amendment in the second paragraph clarifies an incongruity – the text apparently at present allows for the ECJ to interpret the Constitutional Treaty before it actually enters into force.

The additional paragraph at the close is intended to reduce some of the legislative burden. There have been many promises over the years to lighten the burden, but in reality the

acquis has now grown to some 97,000 pages of bureaucracy. This is an attempt “to do less and to do it better”.