

## FICHE AMENDEMENT

**Proposition d'amendement à l'Article : 11**

**Déposée par Madame ou Monsieur : Rt Hon David Heathcoat-Amory, MP**

**Qualité : - Membre *X* - Suppléant**

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11.1 After « Euro » insert « excepting those elements which impinge upon policies involving opt-out states »

**Explication éventuelle**

**Decisions should not be made by opt-in states which affect the rights of opt-out states**

11.1 Delete fourth indent relating to fisheries

**Explication éventuelle**

**The CFP is an ecological, social and economic disaster and should be returned to national control – as has recently been called for by a Forum paper from ordinary fishermen**

11.2 Delete. Replace with « The Union shall act as the representative of all the member states in concluding international agreements in areas where it is so mandated in this Treaty and when so authorised by common accord»

**Explication éventuelle**

**The constitutional draft is a major shift of power towards the Commission. In the original draft, in international arenas where the Union has any competence, Member States can only be represented by the Union. Where an international agreement may carry secondary effect in a competence in which the Union plays a part, the role of Member states can be taken over by the Union.**

**Furthermore, the original draft expands the powers of the Union into areas involving intellectual property rights, criminal justice, and other contentious fields.**

11.2 Delete entire article .

**Explication éventuelle**

**This is currently case law. Attempting to codify it in this way results in over-simplification. So best left for case law. All the caveats that would be required to make this accurate would also make it far too complex for a constitution.**