

AMENDMENT FORM

Suggestion for amendment of Article : I-13

By Mr : Hain

Status : - Member -

1. OK.
 2. Shared competence applies in particular in the following principal areas defined in Part III:
 - internal market,
 - competition policy
 - area of freedom, security and justice,
 - agriculture and fisheries, excluding the conservation of marine biological resources,
 - transport ~~and trans-European networks,~~
 - energy,
 - social policy, ~~for aspects defined in Part Three,~~
 - economic and social cohesion,
 - environment,
 - ~~consumer protection,~~
 - common safety concerns in public health matters.
 3. In the areas of research, technological development and space, the Union shall have competence to carry out actions, in particular to define and implement programmes; however, the exercise of that competence may shall not result in Member States being prevented from exercising their notwithstanding the provisions of article I-12(2).
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Explanation (if any) :

2. Repeated amendment: This Article should make clear that the list of shared competences is illustrative, not exhaustive. Some of these policies, such as but not only social policy, encompass both shared competence and supporting action. Our amendment signals that the reader should rely on the detail in Part III (although this may not be necessary as this point is made in paragraph 6 of Article 11). We have also added 'in particular' to make clear that this is an illustrative list. We have added competition policy here as it is a shared, not exclusive competence. Energy is explicitly referred to here for the first time. Trans-European networks (excluding inter-operability of networks) and consumer protection are supporting actions, not shared competences.
3. New amendment: These amendments remove a potential ambiguity.