

AMENDMENT FORM

Suggestion for amendment of Article 13 Part I of the Constitution

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Status : **Tiilikainen, Kiljunen, Vilén- Members**
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Article I-13: Areas of shared competence

1. The Union shall share competence with the Member States where the Constitution confers on it a competence which does not relate to the areas referred to in Articles I-12 and I-16.
2. Shared competence applies in the following principal areas:
 - internal market,
 - 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 **at Union level**.
- ~~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 not result in Member States being prevented from exercising theirs.~~
- ~~4. In the areas of development cooperation and humanitarian aid, the Union shall have competence to take action and conduct a common policy; however, the exercise of that competence may not result in Member States being prevented from exercising theirs.~~

Explanation (if any) :

For systemic reasons there should be no areas of Union action which hover between the category of shared competence and the category of supporting action. Accordingly and since their central characteristics are closer to other areas currently found under Article 16, the areas referred to in paragraphs 3 and 4 should be placed under that article.