

AMENDMENT FORM

**Suggestion for amendment of Article : 12**

**By MM : Kiljunen and Vanhanen**

**Status : - Members**

---

1. Subject to the provisions of Part Two of this Constitution, 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 **11** and **15**.

2. – 6. [deleted]

---

**Explanation (if any) :**

*The precise scope and nature of the Union's competence in each policy area should to be defined by the legal bases in Part Two (see the commentary on the previous article).*

*Article 12, paragraph 3, would no longer be necessary in the light of Article 10, paragraph 2, as proposed above. Should the provision be retained, it would be more appropriate to place it in Article 10. The latter would then set out, in a comprehensive fashion, all the criteria defining the three categories of competence as well as their nature and legal effects.*

*Article 12 paragraph 4, on the other hand, is superfluous in the light of Article 12, paragraph 1.*