

AMENDMENT FORM

Suggestion for amendment of Article 12

By Mr Ivan Korčok (SK)

Status : - Member

Article 12: Shared competences

1. The Union shall share competence with the Member States where the [Constitution](#) [Constitutional Treaty](#) confers on it a competence which does not relate to the areas referred to in Articles 11 and 15 .
 2. The scope of shared competences is determined by the provisions of Part Two.
 3. Where the Union has not exercised or ceases to exercise its competence in an area of shared competence, the Member States may exercise theirs.
 4. Shared competence applies in the following principal areas:
 - internal market
 - area of freedom, security and justice
 - agriculture and fisheries
 - transport [and trans European networks](#)
 - ~~trans-European networks~~
 - energy
 - social policy
 - economic and social cohesion
 - environment
 - public health, and
 - consumer protection.
 5. In the areas of research, technological development and space, the Union shall have competence to carry out actions, in particular to implement programmes; however, the exercise of that competence may not result in Member States being prevented from exercising their competence.
 6. 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 their competence.
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Explanation (if any) :