

AMENDMENT FORM

Suggestion for amendment of Article : 12

By Mr Kirkhope MEP

Status : Member

1. The **Community** shall share competence with the Member States where the **simplifying 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 **Community** has not exercised or ceases to exercise its competence in an area of shared competence, the Member States may exercise theirs. **Areas of shared competence shall be reviewed on a regular basis to ensure competences are exercised at the appropriate level according to the principle of subsidiarity.**
4. Shared competence applies in the following principal areas:
 - internal market
 - **DELETE**
 - agriculture (**DELETE fisheries**)
 - **DELETE**
 - trans-European networks
 - **DELETE**
 - **DELETE**
 - **DELETE**
 - environment
 - consumer protection
 - commercial policy.
5. In the areas of research and technological development, the **Community** shall have competence to carry out actions, in particular to implement programmes, **provided such actions have been agreed by unanimity**; however, the exercise of that competence **shall** not result in Member States being prevented from exercising their competence.

6. In the areas of development cooperation and humanitarian aid, the **Community** shall have competence to take action and conduct a common policy; however, the exercise of that competence **shall** not result in Member States being prevented from exercising their competence.

Explanation (if any) :