

AMENDMENT FORM

Suggestion for amendment of Article : 24

Suggestion for protocol :

By Ms / Mr : Member of the Convention Mr Jens-Peter Bonde and alternate Esko Seppänen

Status : - Member - Alternate

Article 24: The legal acts of the Union

1. In exercising the competences conferred on it in the Constitution, the Union shall use as legal instruments, in accordance with the provisions of Part Two, European laws, ~~European framework laws~~, European regulations, European decisions, recommendations and opinions.

A European law shall be a legislative act having general application. It shall be binding in its entirety and directly applicable in all Member States, **IN THE TIME FRAME INDICATED IN THE LAW.**

~~A European framework law shall be a legislative act which shall be binding, as to the result to be achieved, on the Member States to which it is addressed, but shall leave the national authorities entirely free to choose the form and means of achieving that result.~~

A European regulation shall be a non-legislative act having general application for the implementation of legislative acts and of certain specific provisions of the Constitution. It shall be binding in its entirety and directly applicable in all Member States, **AND SHALL HAVE LEGAL BASIS IN A EU-LAW.**

A European decision shall be a non-legislative act, binding in its entirety. A decision which specifies those to whom it is addressed shall be binding only on them.

Recommendations and opinions adopted by the institutions shall have no binding force.

2. When considering proposals for legislative acts, the European Parliament and the Council shall refrain from adopting acts not provided for by the Constitution.
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Explanation (if any) :

In a EU-Law the legislators can leave open the details to be decided by Member State as in what is called directives today, there is no need for one more word (EU-framework laws) to fulfil this task.

I prefer EU-framework law not to be an instrument. If adopted the following paragraph should be added:

"A European regulation based on delegation by framework laws shall be binding, as to the result to be achieved, on the Member States to which it is addressed, but shall leave the national authorities entirely free to choose the form and means of achieving the result."