

AMENDMENT FORM

Title VI: The democratic life of the Union

Suggestion for amendment of Article : 36.4

By Members: Mr Jens-Peter Bonde and Mr Andrew Duff.

Status : Members

Article 36: *Access to documents*

4. ***All Union documents are publicly accessible. General conditions*** and limits which, on grounds of public or private interest, govern the right of access to these documents shall be determined by the European Parliament and the Council in accordance with the legislative procedure. ***Specific derogations shall be decided by the Council acting by unanimity.***
-

Explanation:

It is necessary to be explicit about the procedure that the Council will use to decide on specific exceptions to the general rule of open access.

Under the scheme proposed here, the burden of proof is on those who would wish to restrict access to a document to make their case.