

AMENDMENT FORM

Suggestion for amendment of Article : 8

By Mr Hain

Status : Member

1. The use of Union competences is limited by the principles of conferred powers, subsidiarity, proportionality and loyal cooperation of the Union with the Member States in carrying out their tasks.
2. In accordance with the principle of conferred powers, the powers of the Union derive solely from the decision of the Member States to confer certain competences on the Union as defined in this Constitution. The Union shall act within the limits of the competences conferred upon it by this Constitution. Competences not conferred upon the Union by the Constitution remain with the Member States.
3. In accordance with the principle of subsidiarity, in areas which do not fall within its exclusive competence, the Union shall act only if and insofar as the objectives of the intended action cannot be sufficiently achieved by the Member States including, where powers have been granted to them by the laws of the relevant Member State, by their regional or local authorities, but can rather, by reason of the scale or effects of the proposed action, be better achieved at Union level.
4. *Praesidium draft is okay.*
5. *Praesidium draft is okay.*

Article 6 of TEC also contains an Integration Principle – consideration might be given to whether such should be included here or elsewhere.

Explanation (if any) :

Our suggested draft of paragraph 1 is attempting only to clarify.

Our suggested draft of paragraph 2 is attempting to clarify the principle of conferred powers.

The redrafted text of paragraph 3 repeats the proposal made in my submission to the Convention (CONV 526/03) to reflect the extent of application of the subsidiarity principle.

Article 6 of TEC also contains an Integration Principle – consideration might be given to whether such should be included here or elsewhere.