

AMENDMENT FORM

Suggestion for amendment of Article : III-127 (ex 153)

By Mrs Lena Hjelm-Wallén and Mr Sven-Olof Petersson, government representatives and Mr Sören Lekberg, national parliament representative.

**Status : - Member: Hjelm-Wallén and Lekberg
 - Alternate: Petersson**

Article III-127 (ex article 153)

1. In order to promote the interests of consumers and to ensure a high level of consumer protection, the Union shall contribute to protecting the health, safety and economic interests of consumers, as well as to promoting their right to information, education and to organise themselves in order to safeguard their interests.

2. ~~Consumer protection requirements shall be taken into account in defining and implementing other Union policies and activities.~~ *A high level of consumer protection shall be ensured in the definition and implementation of all the Union's policies and activities.*¹

3. The Union shall contribute to the attainment of the objectives referred to in paragraph 1 through:
(a) measures adopted pursuant to [ex Article 95] in the context of the completion of the internal market;

*(b) other measures including those which ensure the effective enforcement of the Union's measures adopted to achieve a high level of consumer protection.*²

c) measures which support, supplement and monitor the policy pursued by the Member States.

4. The measures referred to in paragraph 3(c) shall be enacted by a European law or framework law. It shall be adopted after consultation of the Economic and Social Committee.

~~5. Measures adopted pursuant to paragraph 4 shall not prevent any Member State from maintaining or introducing more stringent protective measures. Such provisions must be compatible with the Constitution. They shall be notified to the Commission.~~³

¹ Compare Article III-2a. Integrating consumer policy aspects into all other Community policies is a pre-requisite for building consumer confidence and, accordingly, an obligation in this regard should be expressly reflected in the Treaty. The importance of this integration of consumer policy aspects has also been emphasized by the European Parliament when treating the Consumer policy strategy.

² A firm legal base, as a supplement to Article 95 EC, is required for common consumer legislation in areas which do not primarily relate to the functioning of the Internal Market.

³ The appropriate level of harmonisation should be assessed on a case-by-case basis. The present minimum harmonisation rule is bound to diminish the impact of the article as a base for consumer legislation.

