

AMENDMENT FORM

**Part III -Title VI - Chapter III: Enhanced cooperation**

**Suggestion for New Article : III-325 bis**

**By Members: Mr Giuliano Amato, Mr Elmar Brok and Mr Andrew Duff**

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**Article III-325 bis**

- 1. When a provision of the Constitution is subject to enhanced cooperation, and the Constitution provides for European laws and framework laws to be adopted by the Council of Ministers according to a special legislative procedure, the Council can adopt, on its own initiative and by unanimity, a decision allowing for the adoption of such European laws or framework laws according to the ordinary legislative procedure. The Council shall act after consulting the European Parliament and informing the national parliaments.*
  
- 2. When a provision of the Constitution is subject to enhanced cooperation, and the Constitution provides for the Council of Ministers to act unanimously in that given area, the Council can adopt, on its own initiative and by unanimity, a decision allowing the Council to act by qualified majority in that area. The Council shall act after consulting the European Parliament and informing the national parliaments.*

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**Explanation:**

*This new article gives express permission to the member states acting under the enhanced cooperation procedures to exploit the provisions of the 'passerelle' Article I-24.4.*