

AMENDMENT FORM

Suggestion for amendment of Article: 32

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Status : Observer

| <i>Text of the Praesidium</i> | <i>Proposed Amendment</i> |
|---|---|
| <p>Article 32: Principles common to acts of the Union</p> <ol style="list-style-type: none">1. Unless the Constitution contains a specific stipulation, the institutions shall decide, in compliance with the procedures applicable, on the type of act to be adopted in each case, in accordance with the principle of proportionality set out in Article 8.2. European laws, European framework laws, European regulations and European decisions shall state the reasons on which they are based and shall refer to any proposals or opinions required by this Constitution. | <p>Article 32: Principles common to acts of the Union</p> <ol style="list-style-type: none">1. Unless the Constitution contains a specific stipulation, the institutions shall decide, in compliance with the procedures applicable, on the type of act to be adopted in each case, in accordance with the principle of proportionality set out in Article 8.2. European laws, European framework laws, European regulations and European decisions shall state the reasons on which they are based and shall refer to any proposals or opinions required by this Constitution.3. <i>The institutions shall encourage and support self-regulation and co-regulation.</i> |

Explanation (if any):

Between the legislative and non-legislative acts stands another category that has to be given greater recognition by a revised treaty. This is the whole ambit of co-regulation and self-regulation.

The Convention, in UNICE's view, should recommend greater role for other types of instruments between representative stakeholders, on specific topics (see for instance the UNICE-BEUC agreement on trustmark schemes). In this context, self-regulation and codes of conducts should also find more recognition as possible instruments to reach EU objectives, instead of systematic

legislation. This would alleviate the legislative tasks of the EU and would democratise the rule-making exercise.'