

Opinion 1/75 Draft understanding on a local cost standard [1975] ECR -01355

Facts: The CJEU was asked its opinion on Article 3 TEU which concerned exclusive competence, more specifically on what policy areas would fall into the scope of constitutional exclusivities.

Held: The Court, in its opinion, stated that the Union has exclusive competence when it comes to a Common Commercial Policy. This was later added into the provision and is now Article 3(1)(e) TEU. This is because the Court recognised that the existence of a merely shared competence within the field would ‘compromise... the effective defence of the common interests of the Union’.