



2017/0086(COD)

24.10.2017

*****I**

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council on establishing a single digital gateway to provide information, procedures, assistance and problem solving services and amending Regulation (EU) No 1024/2012 (COM(2017)0256 – C8-0141/2017 – 2017/0086(COD))

Committee on the Internal Market and Consumer Protection

Rapporteur: Marlene Mizzi

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ***■*** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council on establishing a single digital gateway to provide information, procedures, assistance and problem solving services and amending Regulation (EU) No 1024/2012 (COM(2017)0256 – C8-0141/2017 – 2017/0086(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2017)0256),
 - having regard to Article 294(2) and Articles 21(2), 48 and 114(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0141/2017),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 18 October 2017¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on the Internal Market and Consumer Protection (A8-0000/2017),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The Digital Single Market Communication¹⁷ recognises the role of the Internet and digital technologies in transforming the lives *we lead* and the way *in which we* work by facilitating *immense* opportunities for innovation, growth and jobs. The Communication *acknowledges* that the needs of citizens and businesses in their own country and across borders could be better met by extending and integrating existing European portals, networks, services and systems and by linking them *to* a “Single Digital Gateway”. The Union e-Government Action Plan 2016-2020¹⁸ lists the single digital gateway amongst one of its actions for 2017. The EU Citizenship report¹⁹ considers the single digital gateway as a priority for the Unions' citizenship rights.

¹⁷ ‘A Digital Single Market Strategy for Europe’, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2015) 192 final.6.5.2015

¹⁸ ‘EU eGovernment Action Plan 2016-2020 Accelerating the digital transformation of government’ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions,

Amendment

(2) The Digital Single Market Communication¹⁷ recognises the role of the Internet and digital technologies in transforming the lives and the way *that citizens, companies and their employees communicate, access information and knowledge, consume, participate and* work by facilitating opportunities for innovation, growth and jobs. *That* Communication *and several resolutions adopted by the European Parliament acknowledge* that the needs of citizens and businesses in their own country and across borders could be better met by extending and integrating existing European *and national* portals, *websites*, networks, services and systems and by linking them, *thereby creating a European single entry point*, a ‘Single Digital Gateway’. The Union e-Government Action Plan 2016-2020¹⁸ lists the single digital gateway amongst one of its actions for 2017. The EU Citizenship report¹⁹ considers the single digital gateway as a priority for the Unions' citizenship rights.

¹⁷ ‘A Digital Single Market Strategy for Europe’, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, COM(2015) 192 final.6.5.2015

¹⁸ ‘EU eGovernment Action Plan 2016-2020 Accelerating the digital transformation of government’ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions,

COM(2016)0179 final.

¹⁹ EU Citizenship Report: Strengthening citizens' rights in a Union of democratic change, 24 January 2017, COM(2017)30/2 final.

COM(2016)0179 final.

¹⁹ EU Citizenship Report: Strengthening citizens' rights in a Union of democratic change, 24 January 2017, COM(2017)30/2 final.

Or. en

Justification

Better reflection of the importance of digital technologies in transforming the lives and the way citizens, companies and their employees communicate, access information and knowledge, invent, consume, participate and work. Furthermore, stresses the importance of integrating all European and national portals into one single entry point.

Amendment 2

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The European Parliament and the Council have repeatedly called for a more comprehensive, more user friendly package of information and assistance to help businesses navigate the Single Market and to strengthen and streamline Single Market tools in order to better meet the needs of citizens and businesses in their cross-border activities.

Amendment

(3) The European Parliament and the Council have repeatedly called for a more comprehensive, more user friendly package of information and assistance to help **citizens and** businesses navigate the Single Market and to strengthen and streamline Single Market tools in order to better meet the needs of citizens and businesses in their cross-border activities.

Or. en

Justification

The European Parliament has repeatedly called for more information and assistance to help both citizens and businesses.

Amendment 3

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) This Regulation responds to these

Amendment

(4) This Regulation responds to these

calls by offering citizens and businesses **easy** access to information, procedures and assistance and problem solving services they need for the exercise of their rights in the internal market. This Regulation establishes a single digital gateway in the context of which the Commission and competent authorities would play an important role in achieving those objectives.

calls by offering citizens and businesses **a European single entry point ('single digital gateway')** which, based on users' needs, will guide them to the most appropriate services providing access to accurate information, online procedures and assistance and problem solving services **that** they need for the exercise of their rights in the internal market. This Regulation establishes a **user-friendly interactive** single digital gateway in the context of which the Commission and competent authorities would play an important role in achieving those objectives.

Or. en

Justification

The Single Digital Gateway should be based on users' needs so that they can easily interact and use the service.

Amendment 4

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The existence of that European single entry point providing access to accurate and up-to-date information, access to online procedures and assistance and problem solving services could help raise users' awareness of the different existing online services and can save users costs and time involved in determining which online service is the most appropriate for their requirements. Furthermore, it could help improve consumers' confidence, address fragmentation in consumer protection and internal market rules, reduce compliance costs for businesses and improve European citizens' perception, understanding and knowledge of the Single Market and of the European

Justification

The recitals explains the benefits that citizens and businesses can derive from a single entry point providing access to accurate and up-to-date information, online procedures and assistance and problem solving services.

Amendment 5

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) This Regulation lists the information areas which are relevant for citizens and businesses exercising their rights within the internal market and should require Member States and the Commission to ensure that information within those areas is fully covered **by** national and Union level **websites and portals. Furthermore, the information should not only explain the** rules and obligations **of citizens and businesses, but should also explain** the procedures to be completed by citizens and businesses to comply with those rules and obligations. **The** information should also provide a description of the assistance and problem solving services which citizens and businesses can refer to where they have problems with understanding the information, with the application of that information to their particular situation or with the completion of a procedure.

Amendment

(5) This Regulation lists the information areas which are relevant for citizens and businesses exercising their rights within the internal market and should require Member States and the Commission to ensure that **accurate, high-quality and up-to-date** information within those areas is fully covered **at** national and Union level, **including regional and local levels, explaining the applicable** rules and obligations **and** the procedures to be completed by citizens and businesses **in order** to comply with those rules and obligations. **That information should be grouped under topic areas, such as ‘labour conditions’, ‘health ’and ‘pensions’, interlinking different complementary services, so that users can be easily routed between different services through the single digital gateway. In order to ensure the clarity of the single digital gateway, the information provided through that gateway should be clear, accurate and up-to-date, the use of complex terminology should be minimised and the use of acronyms should be limited to those which provide simplified and easily understandable terms that do not require a pre-existing knowledge of the issue or area of law. Furthermore, that** information should also provide a

description of the assistance and problem solving services which citizens and businesses can refer to where they have problems with understanding the information, with the application of that information to their particular situation or with the completion of a procedure.

Or. en

Justification

In order for the Single Digital Gateway to meet the users' needs, standards should be set on the quality of information. Clear, accurate and up-to-date information were identified by citizens and businesses as some of the most important features of a single point of contact in the study "A European Single Point of Contact" (2013) conducted for the European Parliament's Policy Department A. In line with the authors' recommendations, it should also be ensured that the information is easy to understand so that a maximum number of users can benefit from the information and services foreseen in this Regulation.

Amendment 6

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Since *the initiative pursues a threefold purpose aiming at reducing* additional administrative burden on citizens and businesses *that* operate or want to operate in other Member States in full compliance with national rules and procedures, eliminating discrimination and ensuring the functioning of the internal market with regard to provision of information, procedures and assistance and problem solving services and since its components cover free movement of citizens and social security, which cannot be considered merely incidental, *the initiative* should be based on Articles 21(2), 48 and 114 (1) TFEU.

Amendment

(6) Since *this Regulation aims to reduce* additional administrative burden on citizens and businesses *whether they* operate or want to operate in other Member States *or in the Member State where they are established or reside* in full compliance with national rules and procedures, eliminating discrimination and ensuring the functioning of the internal market with regard to provision of information, procedures and assistance and problem solving services, and since its components cover *the* free movement of citizens and social security, which cannot be considered merely incidental, *this Regulation* should be based on Articles 21(2), 48 and 114(1) TFEU.

Or. en

Justification

The Single Digital Gateway will provide benefits not only for cross-border users but also for users accessing the gateway in their national Member State or in the Member State they live/reside by moving national administration towards the targets of achieving e-government and providing digital solutions for day to day activities in people's lives.

Amendment 7

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) In order for Union citizens and businesses to enjoy their right to free movement within the internal market, the Union should adopt specific measures allowing citizens and businesses to have easy access to comprehensive and reliable information about their rights created by Union law and to information about the applicable national rules and procedures with which they will need to comply where they move to, live or study or where they establish or carry out *a* business in another Member State other than their own. The information to be provided at national level should not only concern national rules implementing Union law, but also any other national rules that are applicable to national citizens and businesses from other Member States alike.

Amendment

(7) In order for Union citizens and businesses to enjoy their right to free movement within the internal market, the Union should adopt specific, ***non-discriminatory*** measures allowing citizens and businesses to have easy access to comprehensive and reliable information about their rights created by Union law and to information about the applicable national rules and procedures with which they will need to comply where they move to, live or study or where they establish or carry out business in another Member State other than their own. The information to be provided at national level should not only concern national rules implementing Union law, but also any other national rules that are applicable to national citizens and businesses from other Member States alike.

Or. en

Justification

This is a general statement that the Union and Member states should adopt non-discriminatory measures to businesses and citizens.

Amendment 8

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) As a result of the sectorial nature of these acts, the current provision of online information and assistance services together with online procedures for citizens and businesses remains very fragmented. There are discrepancies in the availability of online information and procedures, there is a lack of quality in relation to the services and a lack of awareness regarding that information and those assistance services. There are also problems with findability *and* accessibility of the services for *non-national* users which remains *a* major issue.

Amendment

(10) As a result of the sectorial nature of these *Union* acts, the current provision of online information and assistance services together with online procedures for citizens and businesses remains very fragmented. There are discrepancies in the availability of online information and procedures, there is a lack of quality in relation to the services and a lack of awareness regarding that information and those assistance services. There are also problems with findability *for users, as well as problems with* accessibility of the services for *cross-border* users, *and those problems remain* a major issue. *Cross-border users should be defined as those whose use is not in all respects confined within a single Member State.*

Or. en

Justification

Cross -border users even if they are national citizens of the Member State can have accessibility problems to access their national services from another Member State.

Amendment 9

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) This Regulation should establish a single entry point through which citizens and business should be able to access information about the rules and requirements they have to comply with, by virtue of Union and/or national law. It should simplify citizens' and businesses' contact with the assistance and problem solving services, established at the Union or national level *and make* it more effective. *The gateway* should also facilitate access to *and completion of*

Amendment

(11) This Regulation should establish a single entry point through which citizens and business should be able to access information about the rules and requirements they have to comply with, by virtue of Union and/or national law. It should simplify citizens' and businesses' contact with the assistance and problem solving services, established at the Union or national level *making that contact* more effective. *That single entry point* should also facilitate access to *online* procedures.

procedures. Therefore, this Regulation should require Member States to enable users to fully complete ***certain*** procedures online ***that*** are of key importance to the majority of citizens and businesses moving across borders, without affecting in any way the existing substantive requirements by virtue of Union and/or national law within those policy areas. In this context, ***the*** Regulation should support the use of the “once-only” principle for the purpose of the exchange of evidence between competent authorities in different Member States.

Therefore, this Regulation should require Member States to enable users to fully complete ***online the procedures listed in Annex II or other procedures that are available to national citizens*** online and are of key importance to the majority of citizens and businesses moving across borders, without affecting in any way the existing ***rights and obligations under*** Union and/or national law within those policy areas. In this context, ***this*** Regulation should support the use of the “once-only” principle for the purpose of the exchange of evidence between competent authorities in different Member States ***in relation to the procedures listed in Annex II to this Regulation and the procedures provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU.***

Or. en

Justification

This proposal is one of the first instruments in which the principle of once-only is explicitly mentioned in relation to Article 12 of this Regulation. The intention of the Commission was to apply the mechanism in article 12 to the procedures listed in Annex II of this Regulation and the procedures listed in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU. This should be made clear in the recital.

Amendment 10

Proposal for a regulation Recital 11 a (new)

Text proposed by the Commission

Amendment

(11a) In order to enable the lawful cross-border exchange of evidence and information by means of the Union-wide application of the ‘once-only’ principle, that principle should be implemented in accordance with the relevant data protection principles and rules, including the principles of fairness, transparency, data minimisation, accuracy, storage limitation, integrity and confidentiality,

necessity, proportionality and purpose limitation, as well as data protection by design and by default. The Commission and Member States should implement the ‘once-only’ principle in compliance with the above-mentioned principles and rules.

Or. en

Justification

This proposal is one of the first instruments in which the principle of once-only is explicitly mentioned. Therefore, it should be clearly stated that the implementation of once-only has to be made in accordance with applicable data protection law and principles.

Amendment 11

Proposal for a regulation
Recital 11 b (new)

Text proposed by the Commission

Amendment

(11b) The single digital gateway should facilitate interactions between citizens, businesses and consumers, on the one hand, and public administrations and competent authorities, on the other hand, by providing access to European, national, regional and local online portals and websites, facilitating the day-to-day activities of citizens and businesses and minimising obstacles incurred in the single market. The gateway should facilitate the informing of citizens and businesses on their rights under Union and national law, and assist them to use and access online procedures, as well as assistance and problem-solving services.

Or. en

Justification

The gateway is a digital instrument that will help inform people about their rights in the EU and national law, enable them to make use of and access procedures online and services and problem solving tools.

Amendment 12

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) The gateway should be user-centric and user-friendly and it should allow citizens and businesses to interact with national and Union level administrations by providing them with the opportunity to give feedback in relation to both the services offered through the gateway and the functioning of the internal market as they experience it. The feedback tool should enable the user to point out perceived problems, deficiencies and needs in order to encourage continuous improvement of the quality of the services.

Amendment

(12) The ***single digital gateway and the information, the online procedures and assistance and problem solving services falling within the scope of this Regulation at Union or national level*** should be ***presented in a*** user-centric and user-friendly ***way grouping existing services under topic areas based on complementary remits, avoiding overlaps and providing interlinks between existing services*** and it should allow citizens and businesses to interact with national and Union level administrations by providing them with the opportunity to give feedback in relation to both the services offered through the gateway and the functioning of the internal market as they experience it. The feedback tool should enable the user to point out perceived problems, deficiencies and needs in order to encourage continuous improvement of the quality of the services.

Or. en

Justification

The recital clarifies that simply providing information and access to online procedure is not enough to achieve the objectives of this Regulation. The Gateway needs to follow user-centric and user-friendly approach, grouping existing services into 'families' based on complementary remits, avoiding overlaps and providing interlinks and streamlining between existing services.

Amendment 13

Proposal for a regulation Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) Findability, interaction and satisfaction of users with the single digital

gateway are key elements for the success of this mechanism. Therefore, it is important that the gateway does not duplicate the functions performed by the individual online services, but instead acts as single entry point to guide users to the most appropriate Union or national, regional or local level online service. The gateway should be based on users' needs and should implement different technological solutions to optimise its search engine processes, such as providing effective streamlining of different services, routing from one online service to related online services and using electronic query forms, in order to facilitate the identification of the entity or entities most competent to deal with their request. The Member States and the Commission should also explore different technical possibilities for the optimal integration of national online services and standardised procedures in order to facilitate communication and cooperation between different national and Union services.

Or. en

Justification

The recital clarifies that simply providing information and access to online procedure is not enough to achieve the objectives of this Regulation. The Gateway needs to follow user-centric and user-friendly approach, grouping existing services into 'families' based on complementary remits, avoiding overlaps and providing interlinks and streamlining between existing services.

Amendment 14

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) The success of the gateway will depend on the joint effort of the Commission and the Member States. The gateway should include a common user

Amendment

(13) The success of the gateway will depend on the joint effort of the Commission and the Member States. The gateway should include a common user

interface integrated into the existing Your Europe portal which will be managed by the Commission. The common user interface should provide links to information, procedures and to assistance or problem solving services available on portals managed by competent authorities in Member States and the Commission. In order to facilitate the use of the gateway, the user interface should be available in all official Union languages. The functioning of the gateway should be supported by technical tools developed by the Commission in cooperation with the Member States.

interface **and search facility** integrated into the existing Your Europe portal which will be managed by the Commission. The common user interface should provide links to information, procedures and to assistance or problem solving services available on portals managed by competent authorities in Member States and the Commission. In order to facilitate the use of the gateway, the user interface should be **visible on all Union and national websites that form part of and are used by the gateway and should be** available in all official Union languages. The functioning of the gateway should be supported by technical tools developed by the Commission in cooperation with the Member States.

Or. en

Justification

Findability and visibility are an important elements for the success of the Single digital gateway.

Amendment 15

Proposal for a regulation

Recital 15

Text proposed by the Commission

(15) This Regulation should enhance the internal market dimension of online procedures by upholding the general principle of non-discrimination **also** in relation to the access by citizens or businesses to online procedures already established at the national level on the basis of national or Union law. It should be possible for users not residing in or established in a Member State to access and complete online procedures without obstacles such as form fields that require national phone numbers or national postal codes, payment of fees that can only be done through systems which do not

Amendment

(15) ***This Regulation should not affect the existing rights and obligations under Union or national law within the policy areas covered by this Regulation and should not prevent Member States from continuing to organise their national services and procedures in a way that meets their national needs and complies with the common forms of organisation and communication used at national, regional and local level.*** This Regulation should enhance the internal market dimension of online procedures by upholding the general principle of non-discrimination in relation to the access by

provide for cross-border payments, lack of detailed explanations in another language other than the national language or languages, lack of possibilities to submit electronic evidence from authorities located in another Member State and lack of acceptance of electronic means of identification issued in other Member States.

citizens or businesses to online procedures already established at the national level on the basis of national or Union law. It should be possible for users not residing in or established in a Member State to access and complete online procedures without obstacles such as form fields that require national phone numbers or national postal codes, payment of fees that can only be done through systems which do not provide for cross-border payments, lack of detailed explanations in another language other than the national *or official* language or languages *of a Member State*, lack of possibilities to submit electronic evidence from authorities located in another Member State and lack of acceptance of electronic means of identification issued in other Member States. ***Where a user, in a situation strictly confined to a single Member State, is able to access and complete a procedure online in that Member State in an area covered by this Regulation, a cross-border user should also be able to access and complete the same procedure online, either by using the same technical solution or an adapted one, and without any discriminatory obstacles. To this end, the Member States should have the possibility to establish similar non-discriminatory procedures for users from or residing in other Member States, provided that they ensure that the conditions of access to information and services for cross-border users are the same as those for the users established in that Member State.***

Or. en

Justification

The gateway is a digital instrument that will help inform people about their rights in the EU and national law, enable them to make use of and access procedures online and services and problem solving tools. The Regulation will not affect or prevent Member States from continuing organising their national services and procedures in a way that meets their national needs, however they will need to ensure that procedures are non-discriminatory to cross-border users.

Amendment 16

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) This Regulation should build on the eIDAS Regulation²⁶ which lays down conditions under which Member States recognise certain means of electronic identification for natural and legal persons falling under a notified electronic identification scheme of another Member State. From the date of application of that regulation it should be possible for users to use their electronic identification and authentication means in order to operate on a cross-border basis and interact electronically with competent authorities.

²⁶ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73–114).

Amendment

(16) This Regulation should build on the eIDAS Regulation²⁶ which lays down conditions under which Member States recognise certain means of electronic identification for natural and legal persons falling under a notified electronic identification scheme of another Member State. From the date of application of that Regulation it should be possible for users to use their electronic identification and authentication means in order to operate on a cross-border basis and interact electronically with competent authorities. ***It should be also possible for users to use their means of electronic identification and authentication when operating and interacting electronically with the administration of the Union institutions, bodies, offices or agencies.***

²⁶ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73–114).

Or. en

Justification

Users should be able to use national electronic identification and authentication means at European level.

Amendment 17

Proposal for a regulation

Recital 18

(18) In order to allow citizens and **business** to directly enjoy the benefits of the internal market without unnecessary additional administrative burden, this Regulation should require full digitalisation of the user interface of certain key procedures for cross-border users, which are listed in Annex II to this Regulation and provide the criteria for defining how **the** procedure qualifies as fully online. ***The "registration of business activity" is one of such procedures of particular relevance for businesses. It*** should not, ***however,*** cover the procedures leading to the constitution of companies or firms as legal entities ***as*** such procedures necessitate a comprehensive approach aimed at facilitating digital solutions throughout a company's lifecycle. When businesses establish themselves in another Member State, they are required to register with a social security scheme and an insurance scheme in order to register their employees and pay contributions to both schemes. Those procedures are common for all businesses operating in any sector of the economy, and it is therefore appropriate to require that those two registration procedures are made available online.

(18) In order to allow citizens and **businesses** to directly enjoy the benefits of the internal market without unnecessary additional administrative burden, this Regulation should require full digitalisation of the user interface of certain key procedures for cross-border users, which are listed in Annex II to this Regulation and provide the criteria for defining how **a** procedure qualifies as fully online. ***This Regulation*** should not cover the procedures leading to the constitution of companies or firms as legal entities ***or to the registration of business activity, including registration as a sole trader, a partnership or any other form that it is not a separate legal entity, because*** such procedures necessitate a comprehensive approach aimed at facilitating digital solutions throughout a ***company's lifecycle and should be addressed in the framework of a separate proposal of the Commission on the digitalisation of the*** company's lifecycle. When businesses establish themselves in another Member State, they are required to register with a social security scheme and an insurance scheme in order to register their employees and pay contributions to both schemes. Those procedures are common for all businesses operating in any sector of the economy, and it is therefore appropriate to require that those two registration procedures are made available online.

Or. en

Justification

The Commission will provide rules on digital solutions in the company's lifecycle in a separate proposal. It will only lead to unnecessary fragmentation and confusions of companies if different proposals deal with different parts of the registration of the company.

Amendment 18

Proposal for a regulation Recital 18 a (new)

Text proposed by the Commission

Amendment

(18a) This Regulation should specify what offering a fully online procedure entails. A procedure should be considered to be fully online if the user can take all steps from access to that procedure until its completion by interacting with the competent authority (the 'front office'), electronically, from a distance and through an online service. This service should guide the user through a comprehensive list of all the requirements to be fulfilled and all evidence to be provided. It should also enable the user to provide the information and proof of compliance with all such requirements and should provide the user with an automatic acknowledgment of receipt. The output from the procedure, as set out in this Regulation, should also, where feasible, be provided by the competent authorities to the user by electronic means.

Or. en

Justification

Clarification on what a fully online procedure should entail.

Amendment 19

Proposal for a regulation Recital 19

Text proposed by the Commission

Amendment

(19) In some instances, given the current state of technical development it may still be necessary for users of **a** procedure to appear in person before a competent authority as part of **the online** procedure,

(19) In some **instances, the user might be required to submit evidence to prove facts that cannot be established by online means, such as medical certificates and proof of the road worthiness of motor**

in particular in the case of requesting or renewing passports or identity cards containing biometric data. Any such exception should be limited to situations where no digital technology exists to achieve the purpose of the procedure.

vehicles. As long as the evidence to prove such facts can be submitted in electronic format, this should not constitute an exception to the principle that a procedure should be offered fully online. In other instances, given the current state of technical development, it may still be necessary for users of an online procedure to appear in person before a competent authority as part of the online procedure, such as in the case of requesting or renewing passports or identity cards containing biometric data. Any such exception should be limited to situations where no digital technology exists to achieve the purpose of the procedure online and if it is necessary for the Member States to implement strict, necessary and objectively justified and proportionate measures of general public interest. Any such exceptions should be notified to the Commission and should be discussed regularly in the gateway coordination group together with good national practices and technical developments that would facilitate the further digitalisation of procedures.

Or. en

Justification

The situations in which Member States are exempted from the obligation to provide all steps of a procedure online should be clearly specified. In its current form, Art. 5(4) could be used for a number of reasons to avoid providing all relevant procedures fully online. Therefore, those reasons should be strictly limited to exceptional circumstances and monitored by the Commission and the gateway coordination group.

Amendment 20

Proposal for a regulation Recital 20

Text proposed by the Commission

(20) This Regulation should not interfere with the **competencies** of national authorities in different steps of any

Amendment

(20) This Regulation should not interfere with the **competences of Member States in setting up any procedure or with**

procedure, including the procedural workflows within and between their competent authorities whether digitalised or not.

the competences of national authorities in different steps of any procedure, including the procedural workflows within and between their competent authorities whether digitalised or not. ***This Regulation should be complementary to the competences of Member States to maintain or establish non-digitalised or existing online procedures in addition to the online procedures listed in Annex II.***

Or. en

Justification

It should be clear from the Regulation that by creating at a European-level Single Entry Point with a repository of links and enabling cross-border exchange of evidence, no changes are intended to Member States' capacity to determine internal procedures or the steps of online procedures. Member States should also be able to decide to what extent they wish to provide complementary or additional on site or offline procedures.

Amendment 21

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) Several networks and services have been established at the national and Union level to assist citizens and business in their cross-border activities. It is important that these services, including European Consumer Centres, Your Europe Advice, SOLVIT, Intellectual Property Rights helpdesk, Europe Direct and Enterprise Europe Network, form part of the single digital gateway to ensure that all potential users can find them. ***Those which are*** listed in Annex III to this Regulation were established by binding ***union*** acts, whilst ***others*** operate on a voluntary basis. ***The former*** services should be bound by the quality criteria laid down in this Regulation ***while the latter should opt-in to comply with the quality requirements if they want their services to be*** made accessible through the gateway.

Amendment

(22) Several networks and services have been established at the national and Union level to assist citizens and business in their cross-border activities. It is important that these services, including ***all existing services or problem solving tools established at Union level, such as the*** European Consumer Centres, Your Europe Advice, SOLVIT, ***the*** Intellectual Property Rights helpdesk, Europe Direct and ***the*** Enterprise Europe Network, form part of the single digital gateway to ensure that all potential users can find them. ***The services*** listed in Annex III to this Regulation were established by binding ***Union*** acts, whilst ***other services*** operate on a voluntary basis. ***Both*** services should be bound by the quality criteria laid down in this Regulation ***and*** made accessible through the gateway. ***The scope of these services, their***

governance arrangements and the voluntary basis on which they operate should not be altered by this Regulation.

Or. en

Justification

All existing services or problem solving tools established at European level, such as European Consumer Centres, Your Europe Advice, SOLVIT, Intellectual Property Rights helpdesk, Europe Direct and Enterprise Europe Network, despite being voluntary or not should be made available through the Single Digital gateway.

Amendment 22

Proposal for a regulation Recital 23

Text proposed by the Commission

(23) Furthermore, the Member States and the Commission may decide to add other national assistance or problem solving services, provided by competent authorities or by private and semi-private entities, under the conditions set out in this Regulation. In principle, competent authorities should be responsible for assisting citizens and businesses with any queries they have in relation to applicable rules and procedures that cannot be fully addressed by online services. However, in very specialised areas and where the service provided by private or semi-private bodies meets the users' needs, Member States can propose to the Commission to include such services in the gateway, provided that they meet all conditions set out in the Regulation and do not duplicate the assistance or problem solving services already included.

Amendment

(23) Furthermore, the Member States and the Commission may decide to add other national assistance or problem solving services, provided by competent authorities or by private and semi-private entities, ***such as chambers of commerce or non-governmental assistance services for citizens***, under the conditions set out in this Regulation. In principle, competent authorities should be responsible for assisting citizens and businesses with any queries they have in relation to applicable rules and procedures that cannot be fully addressed by online services. However, in very specialised areas and where the service provided by private or semi-private bodies meets the users' needs, Member States can propose to the Commission to include such services in the gateway, provided that they meet all conditions set out in the Regulation and do not duplicate the assistance or problem solving services already included.

Or. en

Justification

If additional national assistance or problem solving services, provided by private and semi-private entities, are added to the Single Digital Gateway it should happen under the conditions set out in this Regulation.

Amendment 23

Proposal for a regulation

Recital 24

Text proposed by the Commission

(24) In order to assist users to identify the appropriate service, this Regulation should provide a tool that automatically guides users to the right service.

Amendment

(24) In order to assist users to identify the appropriate service, this Regulation should provide a ***search facility and service finder*** tool that automatically guides users to the right service.

Or. en

Justification

This amendment is necessary in order to ensure the internal logic and coherence of the text.

Amendment 24

Proposal for a regulation

Recital 25

Text proposed by the Commission

(25) Compliance with a minimum list of quality requirements is an essential element for the success of the single digital gateway in order to ensure that the provision of information or services is reliable as otherwise it would seriously undermine the credibility of the gateway as a whole. The accessibility of information for cross-border users can be substantially improved where the information is available not only in the ***national*** language of a Member State but also in, at least, one additional official ***EU*** language of the Union. The translation from the national language or languages into this other official language of the Union should accurately reflect the content

Amendment

(25) Compliance with a minimum list of quality requirements is an essential element for the success of the single digital gateway in order to ensure that the provision of information or services is reliable as otherwise it would seriously undermine the credibility of the gateway as a whole. The accessibility of information for cross-border users can be substantially improved where the information is available not only in the ***official*** language ***or languages*** of a Member State but also in, at least, one additional official language of the Union ***that is understood by a large number of users in cross-border activities***. The translation from the ***official*** language or

of the information provided in the national language or languages.

languages *of a Member State* into this other official language of the Union should accurately reflect the content of the information provided in the national *or official* language or languages *of the Member State*. *The coordination group should also provide a recommendation to Member States on the additional language or languages which are understood by a large number of users in cross-border activities.*

Or. en

Justification

One of the main difficulties for citizens and businesses cross-border activities is the language in which the information and access to procedures is presented. This Amendment will require from Member States to provide information in the agreed areas in their national as well as a foreign language that is broadly understood by the largest possible number of cross-border users in order to respond to businesses and citizens' needs.

Amendment 25

Proposal for a regulation

Recital 25 a (new)

Text proposed by the Commission

Amendment

(25a) In accordance with Directive (EU) 2016/2102 of the European Parliament and of the Council^{1a} ('the Website Accessibility Directive'), Member States are required to ensure that their websites are accessible in accordance with the principles of perceivability, operability, understandability and robustness. For the success of the single digital gateway and in order to ensure that its benefits can be enjoyed by all citizens, the information, access to procedures and documents and assistance services, and the common user interface of the single digital gateway should be accessible for users with disabilities.

^{1a} ***Directive (EU) 2016/2102 of the***

*European Parliament and of the Council
of 26 October 2016 on the accessibility of
the websites and mobile applications of
public sector bodies (OJ L 327, 2.12.2016,
p. 1).*

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 26

**Proposal for a regulation
Recital 25 b (new)**

Text proposed by the Commission

Amendment

***(25b) While Directive (EU) 2016/2102
does not apply to websites and mobile
applications of Union institutions, bodies,
offices and agencies, for the purposes of
the common user interface, assistance,
problem solving services, user feedback
mechanisms and any webpages of the
single digital gateway that the Union
institutions, bodies, offices and agencies,
are responsible for, the Commission
should ensure that these webpages are
accessible to persons with disabilities in a
manner equivalent to the requirements of
Directive (EU) 2016/2102, in particular by
complying with the relevant European
harmonised standards, providing
compliance with the requirements of
perceivability, understandability,
operability and robustness.***

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 27

Proposal for a regulation Recital 28

Text proposed by the Commission

(28) In order to further facilitate the use of online procedures, this Regulation should, in line with the “once-only” principle, provide the basis for the exchange of evidence ***directly between the competent authorities concerned from different Member States, at the request of citizens and businesses. The “once-only” principle means that citizens and businesses should not have to supply the same information to public authorities more than once*** for the cross-border exchange of evidence.

Amendment

(28) In order to further facilitate the use of online procedures, this Regulation should, in line with the “once-only” principle ***and with the public interest under point (e) of Article 6(1) of Regulation (EU) 2016/679 of the European Parliament and of the Council^{1a} (‘the General Data Protection Regulation’)***, provide the ***basis for the establishment of a technical system for the automated exchange of evidence between actors involved in the procedures listed in Annex II to this Regulation and in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU, at the explicit request and consent of citizens and businesses. This Regulation should not provide a basis for the exchange of evidence or for using the technical system for the exchange of evidence for purposes other than those provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU and in the applicable Union or national law for the online procedures listed in Annex II.***

^{1a} Regulation (EU) 2016/679 of the European Parliament and of the Council 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).

Or. en

Justification

To ensure legal certainty with regards to the GDPR’s purpose limitation principle, the

recitals should clearly state the purposes for which exchange of evidence through the technical system can be made. It should thus also be made clear that the Regulation does not create a legal basis for the exchange of information but rather the establishment of the technical system.

Amendment 28

Proposal for a regulation Recital 28 a (new)

Text proposed by the Commission

Amendment

(28a) The 'once-only principle' that should apply in accordance with this Regulation means that citizens and businesses should supply evidence in relation to the procedures listed in Annex II of this Regulation and in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU to public authorities only once. The user should have full control over the exchange of evidence, based on a specific and explicit request made personally by the user to the competent authority for the re-used of evidence. The request should be considered to be explicit if it contains a freely given, specific, informed and unambiguous indication of the individual's wishes to have the relevant information exchanged, either by statement or by affirmative action. An explicit request for the exchange of evidence should not be simply implied from a request to carry out a particular administrative procedure (e.g. to register a motor vehicle), nor should it be sufficient to make a general request, such as a request to obtain all necessary documents from all relevant authorities for the purposes of the administrative procedure in question.

Or. en

Justification

As the once-only principle is explicitly mentioned in this Regulation for the first time, the concept and the procedures to which it can be applied to according to this proposal should be

clearly mentioned. The amendment also makes an editorial change by using a positive formulation ‘will be able to’ which emphasises better the benefits of the once only principle. Furthermore, in its current form, the proposal is not sufficiently precise on what constitutes an explicit request. This can lead to ambiguity on when an adequate authorisation for the exchange of evidence has been given. The formulation and requirements of the recital are in line with the recommendation of the EDPS.

Amendment 29

Proposal for a regulation

Recital 28 b (new)

Text proposed by the Commission

Amendment

(28b) The application of the ‘once-only’ principle should comply with the applicable data protection law and the respect for fundamental rights of individuals without imposing any restrictions on the principle of purpose limitation pursuant to Articles 6(4) and 23(1) of the General Data Protection Regulation. The Member States and the Commission should ensure that users of the technical system for the exchange of evidence are provided with clear information on how personal data relating to them will be processed in accordance with Articles 13 and 14 of the General Data Protection Regulation and Articles 11 and 12 of Regulation (EC) No 45/2001. The users shall also have the right to object to the processing of their personal data in the technical system pursuant to Article 21(1) of the General Data Protection Regulation.

Or. en

Justification

In line with the recommendations of the European Data Protection Supervisor, it should be made clear that the once only principle respects fundamental rights, and that it complies with data protection law and the principle of purpose limitation of the GDPR.

Amendment 30

Proposal for a regulation Recital 28 c (new)

Text proposed by the Commission

Amendment

(28 c) The user should have the right to refuse the exchange of evidence between competent authorities using the technical system referred to in Article 12, and should be able to exercise all applicable data protection rights on access, as well as correction with respect to personal data. The user should be able to also challenge misuse and prevent the secondary use of data for purposes that do not meet his or her legitimate expectations or to withdraw the request with or without stating a reason, for example if the information is inaccurate, out-of-date or goes beyond what is necessary for the purposes of the procedure in question.

Or. en

Justification

This paragraph enhances transparency, trust and traceability for the users by highlighting the rights of users to be informed of the way their data will be used and to object to the processing of the data. Users must retain full control of the use of their information, including right to refuse the exchange of evidence and to challenge any misuse or malpractice they might detect in relation to the exchange of evidence or the use of the technical system.

Amendment 31

Proposal for a regulation Recital 29

Text proposed by the Commission

Amendment

(29) The secure technical system that should be set up to enable the exchange of evidence under this Regulation should also give requesting competent authorities certainty that the evidence has been provided by the right issuing authority.

deleted

Justification

Recitals 29 and 30 are merged together.

Amendment 32**Proposal for a regulation****Recital 30***Text proposed by the Commission*

(30) *Such a* system should be available in addition to other systems providing mechanisms for cooperation between authorities, such as IMI *or [e-Services Card]* and should not affect other systems, including the system foreseen in Article 4 of Regulation (EC) No 987/2009, the European Single Procurement Document under Directive (EU) 2014/24 of the European Parliament and of the Council³³, the interconnection of national registers, the interconnection of central, commercial and company registers under Directive 2009/101/EC of the European Parliament and of the Council³⁴ and of insolvency registers under Regulation (EU) 2015/848 of the European Parliament and of the Council³⁵.

³³ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65–242).

Amendment

(30) *The secure technical system that should be set up to enable the exchange of evidence under this Regulation should also give requesting competent authorities certainty that the evidence has been provided by the right issuing authority. The issuing authority should ensure that personal data is updated where necessary and that inaccurate or outdated data are no longer processed. The technical system referred to in Article 12* should be available in addition to other systems providing mechanisms for cooperation between authorities, such as IMI and should not affect other systems, including the system foreseen in Article 4 of Regulation (EC) No 987/2009, the European Single Procurement Document under Directive (EU) 2014/24 of the European Parliament and of the Council³³, the interconnection of national registers, the interconnection of central, commercial and company registers under Directive 2009/101/EC of the European Parliament and of the Council³⁴ and of insolvency registers under Regulation (EU) 2015/848 of the European Parliament and of the Council³⁵.

³³ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65–242).

³⁴ Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11–19).

³⁵ Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p. 19–72).

³⁴ Directive 2009/101/EC of the European Parliament and of the Council of 16 September 2009 on coordination of safeguards which, for the protection of the interests of members and third parties, are required by Member States of companies within the meaning of the second paragraph of Article 48 of the Treaty, with a view to making such safeguards equivalent (OJ L 258, 1.10.2009, p. 11–19).

³⁵ Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings (OJ L 141, 5.6.2015, p. 19–72).

Or. en

Justification

This amendment is necessary in order to ensure the internal logic and coherence of the text. The data to be exchanged should be updated by the competent authorities if they have discovered or have been informed of any relevant changes or inaccuracies.

Amendment 33

Proposal for a regulation Recital 31

Text proposed by the Commission

(31) In order to ensure uniform conditions for the implementation of a technical system allowing for the exchange of evidence, implementing powers should be conferred on the Commission to detail, in particular technical specifications of a system for processing of the request from the user for evidence to be exchanged, transfer of such evidence, measures necessary to ensure integrity and confidentiality of the transfer. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council³⁶.

Amendment

(31) In order to ensure uniform conditions for the implementation of a technical system allowing for the exchange of evidence, implementing powers should be conferred on the Commission to detail, in particular technical specifications of a system for processing of the request from the user for evidence to be exchanged, transfer of such evidence, measures necessary to ensure integrity and confidentiality of the transfer ***and the measures necessary to ensure interaction of the user with the technical system.*** Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and

of the Council³⁶ .

³⁶ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13–18).

³⁶ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13–18).

Or. en

Justification

This amendment is necessary in order to ensure the internal logic and coherence of the text.

Amendment 34

Proposal for a regulation Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) It should be possible for the common user interface to use Frequently Asked Questions based on key user issues supported by intelligent search and online tools such as electronic forms that can help reduce the search burden for users and direct their queries to the most appropriate service. Frequently Asked Questions practices also reduce the number of queries that fall outside a specific service's remit and have been particularly successful in directing queries between existing Union portals.

Or. en

Justification

This amendment is proposing a technical solution to optimise the search engine options of the Single Digital Gateway.

Amendment 35

Proposal for a regulation Recital 34 a (new)

Text proposed by the Commission

Amendment

(34a) In order to improve the awareness in relation to the single digital gateway, that gateway should be prominently and easily found, particularly via different web searches and national and Union websites and webpages. The Union level 'logo' of the 'single digital gateway' should be hosted on all Union level websites as well as on national level websites linked to the gateway. When internal search engines within a national organisation's website exists, the 'single digital gateway' should be accessible within the search options of the national organisation's website. Competent authorities should ensure that users are directed from their websites linked to the gateway to the 'single digital gateway'. Information and access to the relevant organisations at national level should also be provided at the Union level individual services.

Or. en

Justification

Findability and visibility are an important elements for the success of the Single Digital gateway.

Amendment 36

Proposal for a regulation Recital 37

Text proposed by the Commission

Amendment

(37) The quality of the information, procedures, assistance and problem solving services available through the gateway should be monitored primarily through a

(37) The quality of the single digital gateway depends on the quality of Union and national services provided through the gateway. Poor experiences with the

user feedback tool that will ask users of to assess the coverage and quality of the information, procedure or assistance and problem solving service which they have used. This feedback will be collected in a common tool to which the Commission, the competent authorities and the national coordinators should have access. In order to ensure uniform conditions for implementation of this Regulation in relation to the functionalities of this user feedback tool and the modalities related to the collection and sharing of the user feedback, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

online information and services provided at Union and national level might generate a negative perception of the single digital gateway. Therefore, the quality of the information, procedures, assistance and problem solving services available through the gateway should be monitored primarily through a user feedback tool that will ask users of to assess the coverage and quality of the information, procedure or assistance and problem solving service which they have used. This feedback will be collected in a common tool to which the Commission, the competent authorities and the national coordinators should have access. In order to ensure uniform conditions for implementation of this Regulation in relation to the functionalities of this user feedback tool and the modalities related to the collection and sharing of the user feedback, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Or. en

Justification

Ensuring a high quality of the services accessible through the single digital gateway is an important element for the success of the Single Digital Gateway.

Amendment 37

Proposal for a regulation Recital 41

Text proposed by the Commission

(41) The objective of this Regulation is to ensure that users who operate in other Member States have online access to comprehensive, reliable and understandable Union and national information on rights, rules and obligations, to online procedures that are fully transactional cross-border and to

Amendment

(41) The objective of this Regulation is to ensure that users who operate in other Member States have online access to comprehensive, reliable, **accessible** and understandable Union and national information on rights, rules and obligations, to online procedures that are fully transactional cross-border and to

assistance and problem solving services. As this cannot be sufficiently achieved by the Member States the Union may adopt measures, in accordance with principle of subsidiarity as set out in Article 5 of the Treaty of the European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

assistance and problem solving services. As this cannot be sufficiently achieved by the Member States the Union may adopt measures, in accordance with principle of subsidiarity as set out in Article 5 of the Treaty of the European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 38

Proposal for a regulation Article 1 – paragraph 1 – point a

Text proposed by the Commission

(a) lays down rules for the establishment and operation of a single digital gateway to provide citizens and businesses with easy access to high quality, comprehensive information, effective assistance and problem solving services and efficient procedures regarding Union and national rules applicable to citizens and businesses exercising or intending to exercise their rights derived from Union law in the field of the internal market, within the meaning of Article 26(2) TFEU;

Amendment

(a) lays down rules for the establishment and operation of a single digital gateway to provide citizens and businesses with easy access to ***accurate, up-to-date and easily understandable*** high quality, comprehensive information, effective assistance and problem solving services and efficient procedures regarding Union and national rules applicable to citizens and businesses exercising or intending to exercise their rights derived from Union law in the field of the internal market, within the meaning of Article 26(2) TFEU;

Or. en

Justification

In order for the Single Digital Gateway to meet the users' needs, standards should be set on the quality of information. Accurate and up-to-date information were identified by citizens and businesses as some of the most important features of a single point of contact in the study "A European Single Point of Contact" (2013) conducted for the European Parliament's

Policy Department A. In line with the authors' recommendations, it should also be ensured that the information is easy to understand so that a maximum number of users can benefit from the information and services foreseen in this Regulation.

Amendment 39

Proposal for a regulation

Article 1 – paragraph 1 – point b

Text proposed by the Commission

(b) facilitates the use of procedures by users from other Member States and ***supports the implementation*** of the "***once only***" principle;

Amendment

(b) facilitates the use of ***online*** procedures, ***including*** by users from other Member States and ***facilitates the exchange of evidence for the procedures listed in Annex II and the procedures provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU, through the application of the 'once-only' principle;***

Or. en

Justification

It should be made clear that this Regulation does not provide a legal basis for the once-only principle as this should be done in a separate proposal establishing a clear legal basis that can be used to extend the once only principle in sectors not included in this proposal. The separate legal instrument is also needed to address potential issues related to data protection and liability that arise with the principle. Instead the Regulation will facilitate the exchange of evidences for certain online procedures through a specific instrument in Article 12, therefore will facilitate the application of the "once-only" principle.

Amendment 40

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

1. A single digital gateway ("the gateway") shall be established by the Commission and the ***competent authorities*** in accordance with this Regulation. The gateway shall consist of a common user interface integrated in a single portal managed by the Commission and ***shall*** link

Amendment

1. A single digital gateway ("the gateway") shall be established by the Commission and the ***Member States*** in accordance with this Regulation. The gateway shall consist of a common user interface integrated in a single portal managed by the Commission, ***providing access*** and link to relevant national and

to relevant national and Union websites.

Union websites **and webpages**.

Or. en

Justification

Instead of referring to the competent authorities, reference should be directly made to the Member States as they will have the overall obligation to establish the gateway together with the Commission. The proposed formulation ('providing access') describes better the purpose of the Single Digital Gateway and makes the text more coherent, given that the same formulation is used also in Art. 2(2). Web page generally refers to one page in which information on a certain topic is displayed, whereas website refers to a set of web pages. Given that both terms are included in this proposal, they should both be mentioned in this Article so that the gateway is more adequately described. The addition of webpages will be aligned throughout the text if needed.

Amendment 41

Proposal for a regulation

Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) information on and links to procedures established at Union or national level in order to exercise **those** rights **and** comply with those obligations and rules;

Amendment

(b) information on and links to procedures established at Union or national level in order to exercise **users'** rights **derived from Union law in the field of the internal market and in order to** comply with those obligations and rules;

Or. en

Justification

Reference should be made to the procedures that are concerned by the obligation to make links and information accessible through the gateway so that the scope of the requirement is clearly set. This is particularly important as reference to this paragraph is made in later Articles with regard to creating an obligation for Member States to ensure online access to procedures.

Amendment 42

Proposal for a regulation

Article 3 – paragraph 1 – point 4

Text proposed by the Commission

(4) 'evidence' means any document or

Amendment

(4) 'evidence' means any document or

data, including text or sound, visual or audiovisual recording, irrespective of the medium used, **issued** by a competent authority to prove facts or compliance with requirements for procedures referred to in Article 2(2)(b).

data, including text or sound, visual or audiovisual recording, irrespective of the medium used, **required** by a competent authority to prove facts or compliance with requirements for procedures referred to in Article 2(2)(b).

Or. en

Justification

This amendment is necessary in order to ensure the internal logic and coherence of the text.

Amendment 43

Proposal for a regulation

Article 4 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that users have easy, online access to the following on their national webpages:

Amendment

1. Member States shall ensure that users have easy online access to the following on their national webpages, ***which should be easy to understand, as well as easy to consult and to navigate:***

Or. en

Justification

In order for the Single Digital Gateway to meet the users' needs, standards should be set on the quality of services.

Amendment 44

Proposal for a regulation

Article 4 – paragraph 2 – introductory part

Text proposed by the Commission

2. The Commission shall ensure that users have easy, online access to the following in the single portal referred to in Article 2(1):

Amendment

2. The Commission shall ensure that users have easy, online access to the following in the single portal referred to in Article 2(1), ***which should be easy to understand, as well as easy to consult and to navigate:***

Justification

In order for the Single Digital Gateway to meet the users' needs, standards should be set on the quality of services.

Amendment 45**Proposal for a regulation****Article 4 – paragraph 2 a (new)**

Text proposed by the Commission

Amendment

2 a. The Commission shall ensure that users have online access to the information referred to in Article 4(1) and 4(2) through the single digital gateway and the integrated internal search engine facilities of the gateway.

Or. en

Justification

This amendment is necessary in order to ensure that the Commission will be responsible for providing the access to information, procedures and assistance and problem solving services referred to in Article 4(1) and 4(2) through the single digital gateway.

Amendment 46**Proposal for a regulation****Article 5 – title**

Text proposed by the Commission

Amendment

Access to procedures

Access to ***online*** procedures

Or. en

Justification

Article 5 covers only procedures that Member States are obliged to provide fully online.

Amendment 47

Proposal for a regulation

Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that where a procedure, referred to in Article 2(2)(b), established at national level, can be accessed and completed online by users of that Member State, it can be also accessed and completed by users of other Member States in a non-discriminatory way. **deleted**

Or. en

Justification

Move to Article 11. It is wrongly placed in Article 5, which should cover only procedures that Member States are obliged to provide fully online.

Amendment 48

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall ensure that users can complete the procedures listed in Annex II fully online. **2. Member States shall ensure that users can *access and* complete the procedures listed in Annex II fully online.**

Or. en

Justification

This amendment is necessary in order to ensure the internal logic and coherence of the text with the title of the Article. It should be clear from the Regulation that by creating at a European-level Single Entry Point provides access to online procedures, no changes are intended to Member States' capacity to determine internal procedures or the steps of online procedures.

Amendment 49

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. The procedures, referred to in paragraph 2, shall be considered as fully online where identification, provision of information, **supporting** evidence, signature and final submission can be done electronically at a distance and via a **single** communication channel **and if** the output of the procedure **is also** delivered electronically.

Amendment

3. The procedures referred to in paragraph 2 shall be considered as fully online where identification, provision of information **and** evidence, signature and final submission can be done electronically at a distance and via a communication channel, **which enables users to fulfil the requirements related to the procedure in a structured way. Where feasible and technically possible,** the output of the procedure **shall also be** delivered electronically.

Or. en

Justification

Clarification on what a fully online procedure should entail.

Amendment 50

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. Where the objective pursued by a given procedure, referred to in paragraph 2, cannot be achieved without requiring the user to appear in person before the competent authority at some stage of the procedure, Member States shall limit such physical presence to what is strictly necessary and objectively justified **and** shall ensure that other steps of the procedure can be completed fully online. They shall notify such exceptions to the Commission.

Amendment

4. Where the objective pursued by a given procedure, referred to in paragraph 2, cannot be achieved without requiring the user to appear in person before the competent authority at some stage of the procedure, Member States **may, in exceptional circumstances, require the physical presence of the user, but they** shall limit such physical presence to what is strictly necessary and objectively justified **by an overriding reason of public interest and in particular where the steps of the procedure for which physical presence is required cannot be fully achieved by online means. In such exceptional cases, Member States** shall ensure that other steps of the procedure can be completed fully online. They shall notify such exceptions to the Commission

*and the single digital gateway
coordination group.*

Or. en

Justification

The situations in which Member States are exempted from the obligation to provide all steps of a procedure online should be clearly specified. In its current form, Art. 5(4) could be used for a number of reasons to avoid providing all relevant procedures fully online. Therefore, those reasons should be strictly limited to exceptional circumstances and monitored by the Commission and the gateway coordination group.

Amendment 51

**Proposal for a regulation
Article 5 – paragraph 6**

Text proposed by the Commission

6. Nothing in this Article shall prevent Member States from offering users the **additional** possibility of accessing and completing procedures as referred to in Article 2(2)(b) by other means than an online channel.

Amendment

6. Nothing in this Article shall prevent Member States from offering users the possibility of accessing and completing procedures as referred to in Article 2(2)(b) by other means than an online channel.

Or. en

Justification

This amendment is necessary in order to ensure the internal logic and coherence of the text.

Amendment 52

**Proposal for a regulation
Article 6 – paragraph 3 – point b**

Text proposed by the Commission

(b) the service is offered free of charge or at a price which is affordable for **micro-enterprises** or citizens;

Amendment

(b) the service is offered free of charge or at a price which is affordable for **micro or small enterprises, non-profit organisations** or citizens;

Or. en

Justification

This amendment is necessary to clarify that not only micro enterprises will benefit access to assistance or problem solving services provided by private or semi-private entities.

Amendment 53

Proposal for a regulation

Article 6 – paragraph 3 – point c

Text proposed by the Commission

(c) the service complies with the requirements laid down in Articles 9 and 13.

Amendment

(c) the service complies with the **quality** requirements laid down in Articles 9 and 13.

Or. en

Justification

This amendment is necessary in order to ensure the internal logic and coherence of the text.

Amendment 54

Proposal for a regulation

Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The competent authorities shall ensure that where, in accordance with Article 4 they are responsible for ensuring access to information as referred to in point (a) of Article 2(2), the information on national webpages is presented in compliance with the requirements of the Website Accessibility Directive.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 55

Proposal for a regulation

Article 7 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Commission shall ensure that where, in accordance with Article 4 it is responsible for ensuring access to information as referred to in point (a) of Article 2(2), that information is accessible to users with disabilities.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 56

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. The competent authorities shall provide the information in at least one official language of the Union in addition to the national language or, where applicable, the national languages.

2. The competent authorities shall provide the information in at least one official language of the Union in addition to the national ***or official*** language or, where applicable, the national ***or official*** languages ***of their Member State***.

Or. en

Justification

It should be up to the Member States to decide in which additional language the information is to be provided. The choice of the additional language should better enable cross-border users to effectively use this instrument.

Amendment 57

Proposal for a regulation

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. The competent authorities and the Commission shall, for the purposes of complying with Article 4, ensure that users have access to a clear and user-friendly explanation of the following elements of the procedures referred to in Article 2(2)(b) before **having** to identify **themselves** prior to launching the procedure:

1. The competent authorities and the Commission shall, for the purposes of complying with Article 4, ensure that users have access to a clear, **concise, precise, accessible** and user-friendly explanation of the following elements of the procedures referred to in **point (b) of** Article 2(2), **and, where relevant,** before **the user has** to identify **him or herself** prior to launching the procedure:

Or. en

Justification

Requiring the explanation to be concise and precise ensures that the information does not, on the one hand overburden the reader with too-lengthy or non-relevant information. On the other hand, the explanation should be detailed enough to provide all the necessary information on the procedures

Amendment 58

Proposal for a regulation

Article 8 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the different steps **of** the procedure;

(a) the different steps **and stages required to navigate throughout** the procedure;

Or. en

Justification

Requiring the explanation to be concise and precise ensures that the information does not, on the one hand overburden the reader with too-lengthy or non-relevant information. On the other hand, the explanation should be detailed enough to provide all the necessary information on the procedures

Amendment 59

Proposal for a regulation

Article 8 – paragraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) the competent authorities it involves and the organisation with the lead responsibility for the procedure, including its contact details in case of complaints;

Or. en

Justification

Users should be able to make easily direct contacts with the relevant authorities or organisations for any queries, complaints or for other matters.

Amendment 60

Proposal for a regulation

Article 8 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) the language or, where applicable, the languages in which the procedure can be carried out.

(g) any additional language in which the procedure can be carried out.

Or. en

Justification

An editorial amendment to clarify the text as the procedures referred to here will anyway be provided in at least one language.

Amendment 61

Proposal for a regulation

Article 8 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(g a) any exception to the obligation of Member States to provide the procedures fully online as referred to in Article 5;

Or. en

Justification

If any exception to the obligation of Member States to provide the procedures in Article 5 fully online exists, than Member States should inform users in advance of those exceptions and requirements.

Amendment 62

**Proposal for a regulation
Article 8 – paragraph 1 a (new)**

Text proposed by the Commission

Amendment

1a. The competent authorities shall ensure that where, in accordance with Article 4, they are responsible for ensuring access to information referred to in point (b) of Article 2(2), the information on national webpages is presented in compliance with the requirements of the Website Accessibility Directive.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 63

**Proposal for a regulation
Article 8 – paragraph 1 b (new)**

Text proposed by the Commission

Amendment

1b. The Commission shall ensure that where, in accordance with Article 4, it is responsible for ensuring access to information referred to in point (b) of Article 2(2), the information is accessible to users with disabilities.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 64

Proposal for a regulation

Article 8 – paragraph 2

Text proposed by the Commission

2. Where the explanation referred to in paragraph 1 is already made available for national users, it may be reused for the purposes of this Regulation, provided that it contains information in relation to the situation of ***non-national*** users, where applicable.

Amendment

2. Where the explanation referred to in paragraph 1 is already made available for national users, it may be reused for the purposes of this Regulation, provided that it contains information in relation to the situation of ***cross-border*** users, where applicable.

Or. en

Justification

An editorial amendment to clarify the text as the procedures referred to here will have to be non-discriminatory to cross-border users.

Amendment 65

Proposal for a regulation

Article 8 – paragraph 3

Text proposed by the Commission

3. The competent authorities shall provide the explanation referred to in paragraph 1 in at least one official language of the Union in addition to the ***national*** language or, where applicable, the ***national*** languages.

Amendment

3. The competent authorities shall provide the explanation referred to in paragraph 1 in at least one official language of the Union in addition to the ***official*** language or, where applicable, the languages ***of their Member State***.

Or. en

Justification

It should be up to the Member States to decide in which additional language the information is to be provided. The choice of the additional language should better enable cross-border users to effectively use this instrument.

Amendment 66

Proposal for a regulation

Article 9 – paragraph 1 – point e

Text proposed by the Commission

(e) *the* language *or, where applicable, the languages* in which the request can be submitted and which can be used in subsequent contacts.

Amendment

(e) *any additional* language in which the request can be submitted and which can be used in subsequent contacts.

Or. en

Justification

An editorial amendment to clarify the text as the information referred to here will anyway be provided in at least one language.

Amendment 67

Proposal for a regulation

Article 9 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The competent authorities shall ensure that where, in accordance with Article 4, they are responsible for ensuring access to information referred to in point (c) of Article 2(2), the information on national webpages is presented in compliance with the requirements of the Website Accessibility Directive.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 68

Proposal for a regulation

Article 9 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1b. The Commission shall ensure that where, in accordance with Article 4, it is responsible for ensuring access to information referred to in point (c) of Article 2(2), the information is accessible to users with disabilities.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 69

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

Amendment

2. The competent authorities shall provide the explanation referred to in paragraph 1 in at least one official language of the Union in addition to the ***national*** language or, where applicable, the ***national*** languages.

2. The competent authorities shall provide the explanation referred to in paragraph 1 in at least one official language of the Union in addition to the ***official*** language or, where applicable, the languages ***of their Member State***.

Or. en

Justification

It should be up to the Member States to decide in which additional language the information is to be provided. The choice of the additional language should better enable cross-border users to effectively use this instrument.

Amendment 70

Proposal for a regulation Article 10 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

The competent authorities shall ensure that the following requirements are fulfilled in relation to the procedures referred to in

The competent authorities shall ensure that the following requirements are fulfilled in relation to the procedures referred to in

Article 5(1) for which they are responsible:

Articles 5 and 11 for which they are responsible:

Or. en

Justification

An editorial amendment to clarify the text as Article 5(1) has been moved to Article 11 and that quality criteria should apply to all online procedures.

Amendment 71

Proposal for a regulation

Article 10 – paragraph 1 – point b

Text proposed by the Commission

(b) in case of non-compliance with applicable deadlines, users are informed ***in advance*** of the reasons thereof and a new deadline is given.

Amendment

(b) in ***the*** case of ***a delay or*** non-compliance with applicable deadlines, users are ***immediately*** informed of the reasons thereof and a new deadline is given.

Or. en

Justification

This amendment is needed to clarify that not only non-compliance but also delays should be communicated immediately to the user.

Amendment 72

Proposal for a regulation

Article 11 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Member States shall ensure that, where a procedure referred to in point (b) of Article 2(2) and established at national level can be accessed and completed online by users of that Member State, it can also be accessed and completed by users of other Member States in a non-discriminatory way.

Or. en

Justification

This paragraph is moved from Article 5(1), where it was wrongly placed.

Amendment 73

Proposal for a regulation

Article 11 – paragraph 1 – introductory part

Text proposed by the Commission

1. The competent authorities shall ensure that where the procedures referred to in Article 5(1) are offered online, at least the following requirements are met:

Amendment

1. The competent authorities shall ensure that where the procedures referred to in **paragraph -1 of this** Article are offered online, at least the following requirements are met:

Or. en

Justification

An editorial amendment to clarify the text as Article 5(1) has been moved to Article 11.

Amendment 74

Proposal for a regulation

Article 11 – paragraph 1 – point a

Text proposed by the Commission

(a) users are able to access and receive instructions for completing the procedure in at least one official language of the Union **other than** the **national** language or, where applicable, the **national** languages;

Amendment

(a) users are able to access and receive instructions for completing the procedure in at least one official language of the Union, **in accordance with Article 8(2), in addition to** the **official** language or, where applicable, the languages **of the Member State**;

Or. en

Justification

It should be up to the Member States to decide in which additional language the information is to be provided. The choice of the additional language should better enable cross-border users to effectively use this instrument.

Amendment 75

Proposal for a regulation

Article 11 – paragraph 1 – point c

Text proposed by the Commission

(c) users are able to identify themselves, sign and authenticate documents using electronic identification and authentication means, as provided for under Regulation (EU) 910/2014 of the European Parliament and of the Council, where identification and signature are required;

Amendment

(c) users are able to identify ***and authenticate*** themselves, sign and authenticate documents using electronic identification and authentication means, as provided for under Regulation (EU) 910/2014 of the European Parliament and of the Council, where identification and signature are required ***and where this is also possible for users established in that Member State***;

Or. en

Justification

This amendment is necessary in order to ensure that there is no discrimination between cross-border users and national users.

Amendment 76

Proposal for a regulation

Article 11 – paragraph 1 – point d

Text proposed by the Commission

(d) users are able to provide evidence of compliance with applicable requirements in electronic format;

Amendment

(d) users are able to provide evidence of compliance with applicable requirements in electronic format ***in all cases where this is also possible for national users and in accordance with the national procedures and requirements***;

Or. en

Justification

This amendment is necessary in order to ensure that there is no discrimination between cross-border users and national users.

Amendment 77

Proposal for a regulation

Article 11 – paragraph 2

Text proposed by the Commission

2. Where competent authorities accept digitalised copies of non-electronic evidence of identity such as identity cards or passports for national users, they shall accept such digitalised copies for users from other Member States.

Amendment

2. ***Where the procedure does not require the electronic identification or authentication referred to in point (c) of paragraph 1 and*** where competent authorities accept digitalised copies of non-electronic evidence of identity such as identity cards or passports for national users, they shall accept such digitalised copies for users from other Member States.

Or. en

Justification

This amendment is necessary in order to ensure that there is no discrimination between cross-border users and national users.

Amendment 78

Proposal for a regulation

Article 11 – paragraph 3

Text proposed by the Commission

3. Competent authorities shall cooperate through the Internal Market Information system (IMI), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council, where necessary to verify the authenticity of evidence submitted to them in electronic format by the user for the purpose of an online procedure.

Amendment

3. Competent authorities shall cooperate through the Internal Market Information system (IMI), established by Regulation (EU) No 1024/2012 of the European Parliament and of the Council, where necessary to verify the authenticity of evidence submitted to them in electronic format by the user for the purpose of an online procedure ***referred to in Article 11.***

Or. en

Justification

Reference should be made to Art. 11 to ensure legal certainty and to clarify that the system for exchange of evidence in Article 11 and Article 12 are covering two different procedures.

Amendment 79

Proposal for a regulation

Article 12 – title

Text proposed by the Commission

Cross-border exchange of evidence
between competent authorities

Amendment

Technical system for the cross-border
electronic exchange of evidence between
competent authorities

Or. en

Justification

The proposed title of the Article better reflects the content of Art. 12 which focuses on the technical system.

Amendment 80

Proposal for a regulation

Article 12 – paragraph 1

Text proposed by the Commission

1. For the purpose *of* the exchange of evidence for online procedures listed in Annex II and procedures provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU, a technical system for the electronic exchange of evidence between competent authorities in different Member States ("***the technical system***") shall be ***established by the Commission in cooperation with the Member States.***

Amendment

1. For the purpose ***limited to*** the exchange of evidence for online procedures listed in Annex II and procedures provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU ***the Commission shall, in cooperation with the Member States, in compliance with data protection rules, including the principles of purpose limitation and ensuring data subjects' rights, establish*** a technical system ("***the technical system***") for the electronic exchange of evidence between competent authorities in different Member States ***for the procedures listed in Annex II to this Regulation and Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU. Such exchange of evidence shall be based on the explicit request of the user.***

Or. en

Justification

Editorial changes to emphasise the technical system's compliance with data protection laws and principles in line with the recommendations of the European Data Protection Supervisor. The Amendment also clarifies that the system established in Article 12 should be limited to the exchange of evidence for online procedures listed in Annex II and procedures provided for in Directives 2005/36/EC, 2006/123/EC, 2014/24/EU and 2014/25/EU. This clarification is needed to avoid misunderstandings which potentially can include a broad range of personal data, since the definition of evidence provided in this regulation will cover not only available documents, but also any extracts from those documents, or other information or data available to the requested competent authority in any format.

Amendment 81

Proposal for a regulation

Article 12 – paragraph 2 – point a

Text proposed by the Commission

(a) it shall enable the processing of requests for evidence to be exchanged;

Amendment

(a) it shall enable the processing of **users'** requests for evidence to be exchanged;

Or. en

Justification

Specification that the technical system may only process data upon a request from the user.

Amendment 82

Proposal for a regulation

Article 12 – paragraph 2 – point e

Text proposed by the Commission

(e) it shall ensure that the user has the possibility to preview the evidence to be exchanged.

Amendment

(e) it shall ensure that the user has the possibility to preview the evidence to be exchanged **before it is made accessible to the competent authorities requesting the evidence.**

Or. en

Justification

This amendment is needed to ensure that individuals remain in control of their personal data, including by offering the possibility for the user to 'preview' the evidence to be

exchanged before it is made accessible.

Amendment 83

Proposal for a regulation

Article 12 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(e a) it shall ensure that the user has the possibility to withdraw the request at any time.

Or. en

Justification

The user should be able to withdraw the initial request on any grounds before or after the preview. This ensures that the user has appropriate control of the process for cross-border exchange of evidence.

Amendment 84

Proposal for a regulation

Article 12 – paragraph 2 – point e b (new)

Text proposed by the Commission

Amendment

(e b) it shall enable the processing of the explicit request of the user referred to in paragraph 4 as well as the withdrawal of such request;

Or. en

Justification

The technical system must function in a way that the user may withdraw the request directly through the system.

Amendment 85

Proposal for a regulation

Article 12 – paragraph 2 – point e c (new)

Text proposed by the Commission

Amendment

(e c) it shall enable the user to monitor the exchange of evidence by providing transparent information to the user about the evidence to be exchanged and the different stages of the processed transfer.

Or. en

Justification

This ensures that the user has appropriate control of the process, allowing the user to monitor the progress of the exchange of evidence through the technical system.

Amendment 86

Proposal for a regulation

Article 12 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. The technical system shall enable the interaction between the user and relevant competent authorities, in particular when submitting a request or previewing evidence. The use of the technical system shall not be mandatory for the user who shall also be able to make his or her request directly via other means outside the technical system. The user shall also be able to submit the evidence outside the technical system directly to the concerned competent authority.

Or. en

Justification

There should be no obligation for the users to submit evidence or make a request for the exchange of evidence through the technical system. However, it should be clearly stated that the user should be able to use the technical system to be able to preview the evidence or withdraw a request.

Amendment 87

Proposal for a regulation

Article 12 – paragraph 4

Text proposed by the Commission

4. The competent authorities responsible for online procedures referred to in paragraph 1 shall, upon an explicit request of the user, request evidence directly from competent authorities issuing evidence in other Member States through the technical system. The issuing authorities shall, subject to paragraph 2(d), make such evidence available through the same system.

Amendment

4. The competent authorities responsible for online procedures referred to in paragraph 1 shall, upon an explicit, ***freely given, specific, informed and unambiguous*** request of the user ***concerned***, request evidence directly from competent authorities issuing evidence in other Member States through the technical system. The issuing authorities shall, subject to ***points (d), (e), (f) and (g)*** of paragraph 2, make such evidence available through the same system ***after the user has previewed the evidence to be exchanged. The exchange of evidence shall only be possible via the technical system if the user has made an explicit request authorising the exchange and has not withdrawn that request.***

Or. en

Justification

The consent fulfil the requirements of the GDPR, if it is also given freely given, specific, informed and unambiguous. It should be clear from the provision that a simple request or indication of willingness to complete a procedure does not give the authorisation to transfer the evidence to authorities of another Member State.

Amendment 88

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

6. The evidence made available by a competent authority shall be strictly limited to what has been requested and shall only be used by the receiving authority for the purpose of the procedure for which the evidence was exchanged.

Amendment

6. The evidence made available by a competent authority shall be strictly limited to what has been requested and shall only be used ***once*** by the receiving authority for the purpose of the procedure for which the evidence was exchanged.

Justification

This amendment is necessary in order to ensure that the Proposal does not in any way aim to provide a restriction on the principle of purpose limitation pursuant to Articles 6(4) and 23(1) of the GDPR.

Amendment 89
Proposal for a regulation
Article 12 – paragraph 7
Text proposed by the Commission

7. The Commission shall adopt implementing acts to set out the specifications of the technical system necessary for the implementation of this Article. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 34(2).

Amendment

7. The Commission shall adopt implementing acts to set out the ***technical*** specifications of the technical system necessary for the implementation of this Article ***and for the interaction of the user with the system and with the competent authorities, for the interaction between the competent authorities via the technical system***. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2) ***and taking into account the fundamental rights of the users***.

Justification

Emphasis that the technical features of the systems must ensure that the exchange of evidence can be conducted in a secure way minimising risks of intentional and unintentional data breaches. Due regard should be given to respect of fundamental rights also in implementing acts. This should be highlighted as the technical system may have important consequences on rights, such as on the protection of personal data and right to good administration.

Amendment 90
Proposal for a regulation
Article 13 – paragraph 1 – point -a (new)
*Text proposed by the Commission**Amendment*

(-a) the assistance and problem solving services are executed within a reasonable

timeframe taking into account the complexity of the request; and

Or. en

Justification

If the provision of these services is untimely, the user may have to resort to other mechanisms, wasting the users and the services providers' resources. This may lead to frustration and inefficiencies and potentially decrease the users' satisfaction with the gateway and the EU in general.

Amendment 91

Proposal for a regulation

Article 13 – paragraph 1 – point a

Text proposed by the Commission

(a) any deadlines applying to competent authorities in the course of the service are respected;

Amendment

(a) any deadlines applying to competent authorities in the course of the service are respected; **and**

Or. en

Justification

If the provision of these services is untimely, the user may have to resort to other mechanisms, wasting the users and the services providers' resources. This may lead to frustration and inefficiencies and potentially decrease the users' satisfaction with the gateway and the EU in general.

Amendment 92

Proposal for a regulation

Article 13 – paragraph 1 – point b

Text proposed by the Commission

(b) in case of non-compliance with applicable deadlines, users are informed **in advance** of the reasons thereof and a new deadline is given;

Amendment

(b) in case of **a delay or** non-compliance with applicable deadlines, users are **immediately** informed of the reasons thereof and a new deadline is given;

Or. en

Justification

This amendment is needed to clarify that not only non-compliance but also delays should be communicated immediately to the user.

Amendment 93

Proposal for a regulation

Article 13 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) the assistance and problem solving services are accessible through different appropriate channels including through mobile devices;

Or. en

Justification

To maximise the use and benefits of the assistance and problem solving services, they should be accessible through different channels to accommodate for differing user preferences and to take into consideration the popularity of the use of mobile devices.

Amendment 94

Proposal for a regulation

Article 13 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(c b) the organisation behind the assistance and problem-solving service, including the ownership, legal identity and contact details of that organisation, is clearly identified.

Or. en

Justification

The user must be sufficiently informed of the service provided and have relevant contact details to be able to easily enter into contact with the provided in case of complaints or questions.

Amendment 95

Proposal for a regulation

Article 13 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The competent authorities shall ensure that the services that have been included in the gateway in accordance with Article 6(2), (3) and (4) comply with the requirements of the Website Accessibility Directive.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 96

Proposal for a regulation

Article 13 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. The Commission shall ensure that the services listed in Annex III are accessible for users with disabilities.

Or. en

Justification

Better reflections the current state of communication by persons with disabilities.

Amendment 97

Proposal for a regulation

Article 14 – paragraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(d a) after discussion in the gateway coordination group impose penalties in case of a serious and continuous deterioration in the quality of the services

and if no remedial action has been taken to improve or fix the service that has been temporarily disconnected.

Or. en

Justification

Commission should have the possibility to resource to penalties if the quality criteria are seriously and continuously deteriorated and if after continuous disconnection of the service establish that there will be no further actions to improve or fix the problems.

Amendment 98

Proposal for a regulation
Article 14 – paragraph 3

Text proposed by the Commission

3. Where an assistance or problem solving service to which links are provided in accordance with Article **6(2)** consistently does not comply with requirements laid down in **Article** 13, or no longer meets the needs of the users as indicated by the data gathered in accordance with Article 22, the Commission may disconnect it from the gateway.

Amendment

3. Where an assistance or problem solving service to which links are provided in accordance with Article **6(1) and (2)** consistently does not comply with *the* requirements laid down in **Articles 9 and** 13, or no longer meets the needs of the users as indicated by the data gathered in accordance with Article 22, the Commission may disconnect it from the gateway *after consultation with the relevant national coordinator and, where necessary, with the gateway coordination group. The Commission and the national coordinator of the Member State or Member States concerned shall adopt a joint action plan proposing measures to improve the service and to connect it back to the gateway. Where necessary, these measures may be discussed by the gateway coordination group.*

Or. en

Justification

The relevant national authorities should be consulted and given the chance to fix the issue prior to the disconnecting from the Gateway. If the service is disconnected the Commission and national authorities should implement a join action plan to improve the service and connect it back to the gateway. The Coordination group should also be consulted on the

matter.

Amendment 99

Proposal for a regulation Article 15 – paragraph 2

Text proposed by the Commission

2. The common user interface shall give access to the information, procedures and assistance or problem solving services by means of links to the relevant national and Union level websites, provided in the repository referred to in Article 16.

Amendment

2. The common user interface shall give access to the information, procedures and assistance or problem solving services by means of links to the relevant national and Union level websites **or webpages**, provided in the repository referred to in Article 16.

Or. en

Justification

Webpages should also be mentioned as Art. 16 refers to webpages. Links should be provided both on relevant websites or webpages.

Amendment 100

Proposal for a regulation Article 15 – paragraph 3

Text proposed by the Commission

3. Member States and the Commission, acting in accordance with their respective roles and responsibilities, as provided for under Article 4, shall ensure that the information, procedures and assistance and problem solving services are organised, structured and marked in a way that improves findability through the user interface.

Amendment

3. **The** Member States and the Commission, acting in accordance with their respective roles and responsibilities, as provided for under Article 4, shall ensure that the information **on rights, obligations and rules, on** procedures and **on** assistance and problem solving services are organised, structured and marked in a way that improves findability through the user interface **through effective signposting between existing and complementary websites or webpages, streamlining and grouping of websites or webpages and improved links to Union and national level online services and information.**

Justification

In 2013 there were 44 different European-level online contact points for citizens, consumers and businesses. Streamlining, signposting, grouping of websites and better interlinking of EU and national services have the potential to reduce the complexity of the current online service framework. This requirement would thus improve the users' ability to navigate between different services and to easily identify the relevant services and information.

Amendment 101
Proposal for a regulation
Article 15 – paragraph 4
Text proposed by the Commission

4. The Commission may adopt implementing acts laying down the **detailed** organisation, structure and marking of **each of** the information, procedures and assistance or problem solving services to enable proper functioning of the common user interface. Those implementing acts shall be adopted in accordance with the procedure referred to in Article 35(2).

Amendment

4. The Commission may, **after consulting the coordination group**, adopt implementing acts laying down the organisation, structure and marking of the information **on rights, obligations and rules, on** procedures and **on** assistance or problem solving services to enable proper functioning of the common user interface. Those implementing acts shall **also reflect the organisation, structure and marking that are better suited to represent national information, procedures and assistance or problem solving services. Those implementing acts shall** be adopted in accordance with the procedure referred to in Article 35(2).

Justification

In 2013 there were 44 different European-level online contact points for citizens, consumers and businesses. Streamlining, signposting, grouping of websites and better interlinking of EU and national services have the potential to reduce the complexity of the current online service framework. This requirement would thus improve the users' ability to navigate between different services and to easily identify the relevant services and information.

Amendment 102
Proposal for a regulation
Article 15 a (new)

Article 15 a

***Quality requirements related to the
common user interface***

***The Commission shall ensure that the
common user interface complies with the
following quality requirements:***

- (a) it shall be available and accessible
online through an easily identifiable
portal and through various electronic
channels, on all mainstream devices and
platforms, including mobile applications;***
- (b) it shall use clear, user-friendly,
jargon-free information corresponding to
the users' needs, including for non-native
speakers and end-users with disabilities;***
- (c) it shall be easily recognisable
through its Union level online service
logo and link, which shall be both made
visible and available on national and
Union level websites or webpages;***
- (d) it shall be accessible to users with
disabilities, meaning that it shall be
perceivable, operable, understandable,
and robust;***
- (e) the design of the website shall also
facilitate interoperability with a variety of
user agents and assistive technologies
available at Union and international
level;***
- (f) it shall be easy to navigate with
good signposting between the different
steps and to other complementary
services;***
- (g) it shall provide practical, accurate,
precisely specified and up-to-date
information in all official languages of
the Union.***

Or. en

Justification

Given the abundance of existing online service at an EU and national level, it is crucial that the common user interface serves the needs of citizens and businesses. Therefore, a certain number of quality requirements are necessary as these ensure that the interface is useful and accessible to as many users as possible through different devices. These requirements also reflect the recommendations of the authors and features identified by users as important in the study “A European Single Point of Contact” (2013).

Amendment 103

Proposal for a regulation

Article 16 – paragraph 1

Text proposed by the Commission

1. The Commission shall establish and maintain an electronic repository for links to the information, procedures and assistance and problem solving services referred to in Article 2(2) allowing the connection between such services and the common user interface of the gateway.

Amendment

1. The Commission shall establish and maintain an electronic repository for links to the information, procedures and assistance and problem solving services referred to in Article 2(2) allowing the connection **and interlinking** between such services and the common user interface of the gateway.

Or. en

Justification

In 2013 there were 44 different European-level online contact points for citizens, consumers and businesses. Interlinking of EU and national services have the potential to reduce the complexity of the current online service framework. This requirement would thus improve the users’ ability to navigate between different services and to easily identify the relevant services and information.

Amendment 104

Proposal for a regulation

Article 16 – paragraph 5

Text proposed by the Commission

5. The Commission and the national coordinators shall ensure that the information, procedures and assistance or problem solving services offered through the gateway do not contain any unnecessary full or partial duplication that

Amendment

5. The Commission and the national coordinators shall ensure that the information, procedures and assistance or problem solving services offered through the gateway do not contain any unnecessary full or partial duplication **and**

is likely to confuse users.

*overlaps that **are** likely to confuse users.
The Commission, Union institutions, bodies and agencies of the Union and the coordinators and national authorities shall ensure that broken and missing links and webpages are immediately corrected or replaced by accurate, up-to-date links and webpages.*

Or. en

Justification

Broken and missing links and webpages should be corrected or replaced immediately.

Amendment 105

**Proposal for a regulation
Article 19 – paragraph 1**

Text proposed by the Commission

1. The name and the logo by which the gateway shall be known and promoted to the general public, **will** be decided by the Commission in close cooperation with the gateway coordination group, at the latest by the date of application of this regulation.

Amendment

1. The name and the logo by which the gateway shall be known and promoted to the general public **shall** be decided by the Commission in close cooperation with the gateway coordination group, at the latest by the date of application of this Regulation. ***The Union level online service logo of the gateway and link shall be made available on the national and Union level websites and webpages linked to the gateway.***

Or. en

Justification

Findability and visibility are an important elements for the success of the Single digital gateway.

Amendment 106

**Proposal for a regulation
Article 20 – paragraph 1**

Text proposed by the Commission

1. The **competent authorities** and the Commission shall promote the awareness and the use of the gateway amongst citizens and businesses and shall ensure the accessibility and visibility of the gateway and its services through search engines accessible to the public.

Amendment

1. The **Member States** and the Commission shall promote the awareness and the use of the gateway amongst citizens and businesses and shall ensure the accessibility and visibility of the gateway and its services through search engines accessible to the public.

Or. en

Justification

The promotion activities should not be done only by the competent authorities but more widely by the Member States.

Amendment 107

Proposal for a regulation

Article 20 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Member States shall ensure that the single digital gateway can be found easily within the national organisations' webpages and where available within the internal search engines of the national organisations' webpages.

Or. en

Justification

Findability and visibility are an important elements for the success of the Single Digital gateway.

Amendment 108

Proposal for a regulation

Article 20 – paragraph 2

Text proposed by the Commission

Amendment

2. The **competent authorities** and the Commission shall coordinate their

2. The **Member States** and the Commission shall coordinate their

promotion activities referred to in paragraph 1 and shall refer to the gateway using its logo and reference in such activities together with any other brand names as appropriate.

promotion activities referred to in paragraph 1 and shall refer to the gateway using its logo and reference in such activities together with any other brand names as appropriate.

Or. en

Justification

The promotion activities should not be done only by the competent authorities but more widely by the Member States.

Amendment 109

**Proposal for a regulation
Article 20 – paragraph 3**

Text proposed by the Commission

3. The **competent authorities** and the Commission shall ensure that the gateway is easily findable through the related portals for which they are responsible and that clear links to the gateway are included in all relevant websites.

Amendment

3. The **Member States** and the Commission shall ensure that the gateway is easily findable through the related portals for which they are responsible and that clear links to the gateway are included in all relevant websites.

Or. en

Justification

The promotion activities should not be done only by the competent authorities but more widely by the Member States.

Amendment 110

**Proposal for a regulation
Article 21 – paragraph 3**

Text proposed by the Commission

3. The Commission is empowered to adopt delegated acts in accordance with Article 34 concerning the detailed categories of data to be recorded in accordance with **paragraph 2**, in relation to the information, procedures and assistance and problem solving services to which the

Amendment

3. The Commission is empowered to adopt delegated acts in accordance with Article 34 concerning the detailed categories of data to be recorded in accordance with **paragraphs 1 and 2**, in relation to the information, procedures and assistance and problem solving services to

gateway links.

which the gateway links.

Or. en

Justification

Technical adjustment

Amendment 111

Proposal for a regulation
Article 22 – paragraph 1

Text proposed by the Commission

1. In order to gather direct information from users about their satisfaction with the services provided within the gateway, the Commission shall provide users through the gateway with a user-friendly tool allowing them to comment anonymously, immediately after using any of the services referred to in Article 2(2), on quality and availability of the services provided through the gateway and of the common user interface.

Amendment

1. In order to gather direct information from users about their satisfaction with the services provided within the gateway, the Commission shall provide users through the gateway with a user-friendly tool ***combined with a free-text box*** allowing them to comment anonymously, immediately after using any of the services referred to in Article 2(2), on ***the*** quality and availability of the services provided through the gateway and of the common user interface.

Or. en

Justification

The user-friendly tool should also contain a free-text option so that freely formulated comments can also be given in addition to potential questionnaires in which the answer options are pre-set.

Amendment 112

Proposal for a regulation
Article 22 – paragraph 2

Text proposed by the Commission

2. The competent authorities and the Commission shall ***include an appropriate link*** to this tool on all webpages that are part of the gateway. The competent authorities shall cooperate with the

Amendment

2. The competent authorities and the Commission shall ***give users access*** to this tool on all webpages that are part of the gateway. The competent authorities shall cooperate with the Commission and shall

Commission and shall integrate such a tool into the webpages for which they are responsible.

integrate such a tool into the webpages for which they are responsible.

Or. en

Justification

Better reflecting the internal logic of the text

Amendment 113

**Proposal for a regulation
Article 22 – paragraph 4**

Text proposed by the Commission

4. By derogation from paragraph 2, the competent authorities are not required to integrate the user feedback tool referred to in paragraph 1 in their webpages that are linked to the gateway where a user feedback mechanism of similar functionalities as the tool referred to in paragraph 1 is available on those webpages to monitor service quality. The competent authorities shall collect **the** user feedback received through the user feedback tool and shall share it with the Commission and the national coordinators of the other Member States.

Amendment

4. By derogation from paragraph 2, the competent authorities are not required to integrate the user feedback tool referred to in paragraph 1 in their webpages that are linked to the gateway where a user feedback mechanism of similar functionalities as the tool referred to in paragraph 1 is available on those webpages to monitor service quality. ***In such a case,*** the competent authorities shall collect ***their own*** user feedback received through the user feedback tool and shall share it with the Commission and the national coordinators of the other Member States.

Or. en

Justification

Technical adjustment

Amendment 114

**Proposal for a regulation
Article 23 – paragraph 1 – point a**

Text proposed by the Commission

(a) provide users of the gateway with a user-friendly tool to signal anonymously obstacles encountered by them in

Amendment

(a) provide users of the gateway with a user-friendly tool to signal anonymously obstacles encountered by them in

exercising their internal market rights;

exercising their internal market rights; ***the user-friendly tool referred to in this point shall also include a free-text box where users can describe the obstacle encountered;***

Or. en

Justification

The user-friendly tool should contain a free-text option so that freely formulated comments can also be given in addition to potential questionnaires in which the answer options are pre-set.

Amendment 115

**Proposal for a regulation
Article 23 – paragraph 3**

Text proposed by the Commission

3. Member States ***and*** the Commission shall analyse and investigate the problems raised and address them wherever possible, by appropriate means.

Amendment

3. ***The*** Member States, the Commission, ***the European Parliament and the European Economic and Social Committee*** shall analyse and investigate the problems raised and address them wherever possible, by appropriate means.

Or. en

Justification

As a co-legislator the European Parliament and the European Economic and Social Committee representing the civil society should be included as actors in the analysis and investigation of problems that have been signalled on the functioning of the internal market.

Amendment 116

**Proposal for a regulation
Article 26 – paragraph 1 – introductory part**

Text proposed by the Commission

1. The gateway coordination group shall support the implementation of ***the gateway***. In particular it shall:

Amendment

1. The gateway coordination group shall support the implementation of ***this Regulation***. In particular it shall:

Justification

The coordination group should be involved in monitoring compliance with all the provisions of this regulation. This formulation is also consistent with paragraph 2 stating that “The Commission may consult the coordination group on any matter relating to the application of this Regulation.”

Amendment 117**Proposal for a regulation****Article 26 – paragraph 1 – point e***Text proposed by the Commission*

(e) assist the Commission in monitoring the compliance with the requirements set out in Articles **7 to 11 and 13**;

Amendment

(e) assist the Commission in monitoring the compliance with the requirements set out in Articles **7 to 13**;

Or. en

Justification

There is no obvious reason on why the Coordination group should not also be involved in monitoring compliance with the provisions on cross-border exchange of evidence. It is the national authorities that also form the coordination group who are best aware of issues related to the implementation of the technical system.

Amendment 118**Proposal for a regulation****Article 26 – paragraph 1 – point h a (new)***Text proposed by the Commission**Amendment*

(h a) provide opinions and exchange best practices on the detailed organisation, structure and marking of the information, procedures and assistance or problem solving services provided through the gateway to enable the proper functioning of the common user interface referred to in Article 15(3);

Or. en

Justification

Best practices should also be exchanged on how to improve the findability of information, procedures and assistance or problem solving services through the common user interface of the Single Digital Gateway.

Amendment 119

Proposal for a regulation

Article 26 – paragraph 1 – point h b (new)

Text proposed by the Commission

Amendment

(h b) discuss issues related to the collection of the user feedback and statistics referred to in Articles 21, 22 and 23, so that the services offered at Union and national level are continuously improved;

Or. en

Justification

The Coordination group should also be involved in monitoring compliance referred to in Article 21, 22 and 23.

Amendment 120

Proposal for a regulation

Article 26 – paragraph 1 – point l a (new)

Text proposed by the Commission

Amendment

(l a) provide recommendations on the additional language or languages to be used by national authorities in addition to the official language or languages being used in accordance with Articles 7(2), 8(3) and 9(2), and point (a) of Article 11(1); the opinion of the coordination group shall take into account what is the most used and widely spoken language or languages by citizens and businesses in cross-border activities.

Or. en

Justification

The coordination group should provide recommendations for the additional language to be used in the provision of information, information on procedures, information on assistance and problem-solving services and for the completion of online procedures. This would help to ensure that coherent approach for cross-border users.

Amendment 121

Proposal for a regulation

Article 27 – paragraph 1 – introductory part

Text proposed by the Commission

1. The Commission shall adopt the annual work programme which shall specify, in particular:

Amendment

1. The Commission shall adopt, ***after consulting the gateway coordination group***, the annual work programme which shall specify, in particular:

Or. en

Justification

Better reflecting the internal logic of the text

Amendment 122

Proposal for a regulation

Article 28 – paragraph 1 – point a

Text proposed by the Commission

(a) development and maintenance of the IT tools supporting the implementation of this Regulation at Union level;

Amendment

(a) development and maintenance of the IT tools supporting the implementation of this Regulation at Union level, ***including the development and maintenance of the technical tool supporting the cross-border exchange of evidence referred to in Article 12;***

Or. en

Justification

Better reflecting the internal logic of the text

Amendment 123

Proposal for a regulation

Article 28 – paragraph 1 – point c

Text proposed by the Commission

(c) translation of a maximum volume per Member State of information referred to in Article 2(2)(a) and instructions for completing procedures referred to in Article 11(1)(a), into an official language of the Union, other than the national language.

Amendment

(c) translation of a maximum volume per Member State of information referred to in Article 2(2)(a) and instructions for completing procedures referred to in Article 11(1)(a), into an official language of the Union, other than the national ***or official language or languages of the Member State.***

Or. en

Justification

Better reflecting the internal logic of the text

Amendment 124

Proposal for a regulation

Article 33 – paragraph 1

Text proposed by the Commission

By four years after the entry into force of this Regulation and once every two years thereafter, the Commission shall review the application of this Regulation and submit to the European Parliament ***and*** the Council an assessment report on the functioning of the gateway and on the functioning of the internal market on the basis of the statistics and feedback collected in accordance with Articles 21, 22 and 23. The review ***will***, in particular, evaluate the scope of Article 12 of this Regulation taking into account technological, market and legal developments concerning the exchange of evidence between competent authorities.

Amendment

By ... [four years after the entry into force of this Regulation] and once every two years thereafter, the Commission shall review the application of this Regulation and submit to the European Parliament, the Council ***and the European Economic and Social Committee*** an assessment report on the functioning of the gateway and on the functioning of the internal market, ***including on the application of the data protection requirements laid down in this Regulation,*** on the basis of the statistics and feedback collected in accordance with Articles 21, 22 and 23. The review ***shall***, in particular, evaluate the scope of Article 12 of this Regulation taking into account technological, market and legal developments concerning the exchange of evidence between competent authorities.

By ... [the date of the application of this Regulation referred to in the second paragraph of Article 37] and every five years thereafter, the Commission shall report to the European Data Protection Supervisor on aspects relating to the protection of personal data, including data security in relation to Article 12.

Or. en

Justification

It is necessary to ensure that the quality monitoring of the application of this Regulation is also reported to the European Parliament, the Council and the European Economic and Social Committee.

Amendment 125

Proposal for a regulation

Article 36 – paragraph 1 – point 8 a (new) **Regulation (EU) No 1024/2012**

Annex – point 13 (new)

Text proposed by the Commission

Amendment

(8a) In the Annex, the following point is added:

‘13. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)...’

Or. en

Amendment 126

Proposal for a regulation

Annex I – Areas of information related to citizens – table

Area	INFORMATION REGARDING RIGHTS, OBLIGATIONS AND RULES
Travel within the Union	<ul style="list-style-type: none">• Documents required of Union citizens, their family members who are not Union citizens, minors travelling alone, non-Union citizens when travelling across borders within the Union (ID card, visa, passport)• rights and obligations of travellers by plane, train, ship, bus in and from the Union, and of those who buy travel packages or linked travel arrangements• assistance in case of reduced mobility when travelling in and from the Union• transport of animals, plants, alcohol, tobacco, cigarettes and other goods when travelling in the Union• voice calling and sending and receiving electronic messages and electronic data within the Union
Work and retirement within the Union	<ul style="list-style-type: none">• seeking employment in another Member State• taking up employment in another Member State• recognition of qualifications with a view to employment in another Member State• taxation in another Member State• terms of employment (including working hours, paid leave, holiday entitlements, rights and obligations regarding overtime work, health checks, termination of contracts, dismissal and redundancies)• equal treatment (rules against discrimination in the workplace, equal pay for men and women, equal pay for employees on fixed-term / permanent employment contracts)• health and safety obligations in relation to different types of activity• social security rights and obligations in the Union including those related to getting pensions
Vehicles in the Union	<ul style="list-style-type: none">• taking a motor vehicle temporarily or permanently to another Member State• acquiring and renewing a driving license

	<ul style="list-style-type: none"> • taking out mandatory motor insurance • buying and selling a motor vehicle in another Member State • renting a motor vehicle • national traffic rules and requirements for drivers
Residence in another Member State	<ul style="list-style-type: none"> • moving temporarily or permanently to another Member State • participating in municipal elections and elections to the European Parliament • requirements for residence cards for Union citizens and their - family members, including family members who are not Union citizens
Education or traineeship in another Member State	<ul style="list-style-type: none"> • attending school in another Member State • attending university in another Member State • volunteering in another Member State • traineeships in another Member State • conducting research in another Member State as part of an education programme
Healthcare	<ul style="list-style-type: none"> • getting medical treatment in another Member State • buying prescribed pharmaceutical products in Member State other than the one where the prescription was issued, on-line or in person
Cross-border family rights, obligations and rules	<ul style="list-style-type: none"> • birth, custody for minor children, parental responsibilities, maintenance obligations in relation to children in a cross-border family situation • living in a couple with different nationalities (marriage, separation, divorce, marital property rights, the rights of cohabitants) • rights in relation to succession in another Member State
Consumers <i>in cross-border situations</i>	<ul style="list-style-type: none"> • buying goods and services from another Member State (including financial), on-line or in person • holding a bank account in another Member State

	<ul style="list-style-type: none"> • connection to utilities, such as gas, electricity, water, telecom and internet • payments, including credit transfers, delays in cross-border payments
	<ul style="list-style-type: none"> • consumer rights and guarantees related to buying goods and services

Amendment

Area	INFORMATION REGARDING RIGHTS, OBLIGATIONS AND RULES
Travel within the Union	<ul style="list-style-type: none"> • Documents required of Union citizens, their family members who are not Union citizens, minors travelling alone, non-Union citizens when travelling across borders within the Union (ID card, visa, passport) • rights and obligations of travellers by plane, train, ship, bus in and from the Union, and of those who buy travel packages or linked travel arrangements • assistance in case of reduced mobility when travelling in and from the Union • transport of animals, plants, alcohol, tobacco, cigarettes and other goods when travelling in the Union • voice calling and sending and receiving electronic messages and electronic data within the Union
Work and retirement within the Union	<ul style="list-style-type: none"> • seeking employment in another Member State • taking up employment in another Member State • recognition of qualifications with a view to employment in another Member State • taxation in another Member State • terms of employment (including working hours, paid leave, holiday entitlements, rights and obligations regarding overtime work, health checks, termination of contracts, dismissal and redundancies) • equal treatment (rules against discrimination in the workplace, equal pay for men and women, equal pay for employees on fixed-term / permanent employment contracts) • health and safety obligations in relation to different types of activity

	<ul style="list-style-type: none"> • social security rights and obligations in the Union including those related to getting pensions
Vehicles in the Union	<ul style="list-style-type: none"> • taking a motor vehicle temporarily or permanently to another Member State • acquiring and renewing a driving license • taking out mandatory motor insurance • buying and selling a motor vehicle in another Member State • renting a motor vehicle • national traffic rules and requirements for drivers
Residence in another Member State	<ul style="list-style-type: none"> • moving temporarily or permanently to another Member State • participating in municipal elections and elections to the European Parliament • requirements for residence cards for Union citizens and their - family members, including family members who are not Union citizens • <i>purchase, sale and taxation of real estate in another Member State, including rights and obligations associated with the ownership and use of real estate</i>
Education or traineeship in another Member State	<ul style="list-style-type: none"> • attending school in another Member State • attending university in another Member State • volunteering in another Member State • traineeships in another Member State • conducting research in another Member State as part of an education programme • <i>recognition of vocational education and training</i>
Healthcare	<ul style="list-style-type: none"> • getting medical treatment in another Member State • buying prescribed pharmaceutical products in Member State other than the one where the prescription was issued, on-line or in person • <i>medical insurance coverage in an other Member State</i>
Cross-border	<ul style="list-style-type: none"> • birth, custody for minor children, parental responsibilities,

family rights, obligations and rules	<p>maintenance obligations in relation to children in a cross-border family situation</p> <ul style="list-style-type: none"> • living in a couple with different nationalities (marriage, separation, divorce, marital property rights, the rights of cohabitants) • rights in relation to succession in another Member State
Consumers' <i>rights</i>	<ul style="list-style-type: none"> • buying goods and services from another Member State (including financial), on-line or in person • holding a bank account in another Member State • connection to utilities, such as gas, electricity, water, telecom and internet • payments, including credit transfers, delays in cross-border payments • consumer rights and guarantees related to buying goods and services • <i>safety of consumer products</i> • <i>consumer redress and judicial procedure</i>
<i>Citizens</i>	<ul style="list-style-type: none"> • <i>filing administrative and judicial petitions at national and Union level</i> • <i>protection of personal data</i>

Or. en

Amendment 127

Proposal for a regulation

Annex I –Areas of information related to businesses – table

Text proposed by the Commission

Area	INFORMATION REGARDING RIGHTS, OBLIGATIONS AND RULES
Starting, running and closing a business	<ul style="list-style-type: none"> • registering a business (registration procedures and legal forms for carrying out business) • intellectual property rights (applying for a patent, registering a trademark, a drawing or a design, getting a license for reproduction)

	<ul style="list-style-type: none"> • fairness and transparency in commercial practices, including consumer rights and guarantees related to selling goods and services • offering online facilities for cross-border payments when selling goods and services online • rights and obligations arising under contract law, including late payment interests • insolvency proceedings and liquidation of companies • credit insurance • mergers of companies or selling a business
Staff	<ul style="list-style-type: none"> • terms of employment (including working hours, paid leave, holiday entitlements, rights and obligations regarding overtime work, health checks, termination of contracts, dismissals and redundancies) • social security rights and obligations in the Union (registering as employer, registering employees, notifying the end of contract of an employee, paying social contributions, rights and obligations related to pensions) • employment of workers on other Member States (posting of workers, rules on freedom to provide services, residency requirements for workers) • equal treatment (rules against discrimination in the workplace, equal pay for men and women, equal pay for employees on fixed-term / permanent employment contracts) • rules on staff representation
Taxes	<ul style="list-style-type: none"> • VAT: information on the general rules, rates and exemptions, registering for and paying VAT, getting a refund • excise duties: information on the general rules, rates and exemptions • other taxes: payment, rates
Goods	<ul style="list-style-type: none"> • obtaining CE marking • identifying applicable standards, technical specifications and getting products certified • mutual recognition of products not subject to Union-specifications • requirements regarding classification, labelling and packaging for hazardous chemicals

	<ul style="list-style-type: none"> • distance/off-premises selling: information to be given to customers in advance,, confirmation of the contract in writing, withdrawal from a contract, delivering of the goods, other specific obligations • defective products: consumer rights and guarantees, after-sale responsibilities , means of redress for an injured party • certification, labels (EMAS, energy labels, Eco-design, EU eco-label) • recycling and waste management
Services	<ul style="list-style-type: none"> • acquiring licenses, authorisations or permits with a view to starting a business • notifying the authorities of cross-border activities • recognition of professional qualifications
Funding a business	<ul style="list-style-type: none"> • getting access to finance at the Union level, including Union funding programmes and business grants • getting access to finance at national level • initiatives addressed to entrepreneurs (exchanges organised for new entrepreneurs, mentoring programmes etc.)
Public contracts	<ul style="list-style-type: none"> • Participating in public tenders: rules and procedures • submitting a bid online in response to a public call for tender • reporting irregularities in relation to the tender process
Health and safety at work	<ul style="list-style-type: none"> • Health and safety obligations in relation to different types of activity, including prevention of risks, information and training

Amendment

Area	INFORMATION REGARDING RIGHTS, OBLIGATIONS AND RULES
Starting, running and closing a business	<ul style="list-style-type: none"> • registering a business (registration procedures and legal forms for carrying out business) • intellectual property rights (applying for a patent, registering a trademark, a drawing or a design, getting a license for reproduction) • fairness and transparency in commercial practices, including consumer rights and guarantees related to selling goods and services

	<ul style="list-style-type: none"> • offering online facilities for cross-border payments when selling goods and services online • rights and obligations arising under contract law, including late payment interests • insolvency proceedings and liquidation of companies • credit insurance • mergers of companies or selling a business
Staff	<ul style="list-style-type: none"> • terms of employment (including working hours, paid leave, holiday entitlements, rights and obligations regarding overtime work, health checks, termination of contracts, dismissals and redundancies) • social security rights and obligations in the Union (registering as employer, registering employees, notifying the end of contract of an employee, paying social contributions, rights and obligations related to pensions) • employment of workers on other Member States (posting of workers, rules on freedom to provide services, residency requirements for workers) • equal treatment (rules against discrimination in the workplace, equal pay for men and women, equal pay for employees on fixed-term / permanent employment contracts) • rules on staff representation
Taxes	<ul style="list-style-type: none"> • VAT: information on the general rules, rates and exemptions, registering for and paying VAT, getting a refund • excise duties: information on the general rules, rates and exemptions • other taxes: payment, rates, <i>tax returns</i>
Goods	<ul style="list-style-type: none"> • obtaining CE marking <i>and product requirements</i> • identifying applicable standards, technical specifications and getting products certified • mutual recognition of products not subject to Union-specifications • requirements regarding classification, labelling and packaging for hazardous chemicals • distance/off-premises selling: information to be given to customers in advance,, confirmation of the contract in writing, withdrawal from a contract, delivering of the goods, other specific obligations

	<ul style="list-style-type: none"> defective products: consumer rights and guarantees, after-sale responsibilities , means of redress for an injured party certification, labels (EMAS, energy labels, Eco-design, EU eco-label) recycling and waste management
Services	<ul style="list-style-type: none"> acquiring licenses, authorisations or permits with a view to starting a business notifying the authorities of cross-border activities recognition of professional qualifications, <i>vocational education and trainings</i>
Funding a business	<ul style="list-style-type: none"> getting access to finance at the Union level, including Union funding programmes and business grants getting access to finance at national level initiatives addressed to entrepreneurs (exchanges organised for new entrepreneurs, mentoring programmes etc.)
Public contracts	<ul style="list-style-type: none"> Participating in public tenders: rules and procedures submitting a bid online in response to a public call for tender reporting irregularities in relation to the tender process
Health and safety at work	<ul style="list-style-type: none"> Health and safety obligations in relation to different types of activity, including prevention of risks, information and training

Or. en

Amendment 128

Proposal for a regulation ANNEX II – table

Text proposed by the Commission

Life events	Procedures	Expected output
Birth	Requesting a birth certificate	Birth certificate
Studying	Applying for a study grant from a public institution	Decision regarding the application for a grant
Working	Registering for social security benefits	Acknowledgement of receipt
	Requesting recognition of	Decision on the request for

	diploma	recognition
Moving	Registering a change of address	Confirmation of the registration of the new address
	Requesting/renewing ID card or passport	Issue or renewal of an ID card or a passport
	Registering a motor vehicle	Registration certificate
Retiring	Claiming pension and pre-retirement benefits from public or semi-public schemes	Decision regarding the claim for a pension or pre-retirement benefits
Starting a business	General registration of business activity, excluding procedures concerning the constitution of companies or firms within the meaning of the second paragraph of Article 54 TFEU	Confirmation of the completion of all steps necessary to start operating as a business
	Registration of an employer (a natural person) with public or semi-public pension and insurance schemes	Social security registration number
	Registration of employees with public or semi-public pension and insurance schemes	Social security registration number
Doing business	Notification to the social security schemes of the end of contract with an employee	Confirmation of the receipt of the notification
	Payment of social contributions for employees	Receipt or other form of confirmation of payment of social contributions for employees

Amendment

Life events	Procedures	Expected output
Birth	Requesting a birth certificate	Birth certificate or proof of registration of birth
Residence	Requesting a residence certificate	Proof of registration and residence
Studying	Applying for a study grant from a public body or institution	Decision regarding the application for a grant

	<i>Enrolling in higher education institutions</i>	<i>Decision regarding the enrolment</i>
Working	Registering for social security benefits	Acknowledgement of receipt
	<i>Requesting recognition of professional qualification</i>	<i>Decision on the request for recognition</i>
	Requesting recognition of diploma	Decision on the request for recognition
Moving	Registering a change of address	Confirmation of the registration of the new address <i>and de-registration of the previous address</i>
	Requesting/renewing ID card or passport	Issue or renewal of an ID card or a passport
	Registering a motor vehicle	Registration certificate
Retiring	Claiming pension and pre-retirement benefits from public or semi-public schemes	Decision regarding the claim for a pension or pre-retirement benefits
Starting a business	<i>deleted</i>	<i>deleted</i>
	Registration of an employer (a natural person) with public or semi-public pension and insurance schemes	Social security registration number
	Registration of employees with public or semi-public pension and insurance schemes	Social security registration number
Doing business	Notification to the social security schemes of the end of contract with an employee	Confirmation of the receipt of the notification
	Payment of social contributions for employees	Receipt or other form of confirmation of payment of social contributions for employees

Or. en

Amendment 129

Proposal for a regulation Annex III – point 7 a (new)

Text proposed by the Commission

Amendment

**(7a) Data protection supervisory
authorities**

Or. en

Justification

Users should be able to easily access the relevant webpages and websites of the Data protection supervisory authorities.

Amendment 130

Proposal for a regulation Annex III – point 7 b (new)

Text proposed by the Commission

Amendment

**(7b) Voluntary assistance and problem
solving services offered by competent
authorities, the Commission or bodies,
offices and agencies of the Union or by
private or semi-private entities provided
that such services comply the quality
criteria set out in this Regulation**

Or. en

Justification

Users should be able to easily access the relevant webpages and websites of voluntary assistance and problem solving services.

EXPLANATORY STATEMENT

I. Introduction

In response to achieving a deeper and fairer internal market for citizens and businesses, as one of the 10 key priorities of the Juncker Commission, together with the development of the Digital Single Market, this initiative delivers a key action, set out to help citizens and businesses to take full advantage of the benefits offered by new digital tools and e-government strategies when they travel, work and study or do business in any EU Member State.

Unfortunately, significant obstacles still exist for both citizens and businesses interested in moving to, studying, living, selling products or providing services in another EU Member State. Finding relevant, accurate and understandable online information about their day-to-day activities as well as being able to access and carry out national administrative procedures online often remains complicated, time-consuming and expensive, if at all possible. Such problems can also be faced by nationals of one Member State who are living in another and seek to access procedures in their Member State of origin. Europe and Member States need stronger incentives to adopt more ambitious cross-border and national e-government strategies, so that EU citizens and business can benefit fully from the available technological developments.

The proposed Regulation puts forward this new initiative aimed at meeting Europe's growing need for an open, efficient and inclusive public administration oriented towards ambitious e-government approaches, providing borderless, personalised, user-friendly, end-to-end digital public services. The Regulation puts forward a centralised single entry point, a "Single Digital Gateway" which will provide access for EU citizens and businesses to all the information necessary when enjoying their rights to free movement in the EU. It also ensures full access to online procedures in a non-discriminatory way (if a procedure is available for a national of a specific Member State, it should also be accessible to users from other Member States) and to problem solving and assistance services. It also imposes an obligation on Member States to create full online access to the most important and most often used procedures by citizens and business.

II. Preparation of the proposal

The proposal is based on extensive consultations with stakeholders and an impact assessment. The consultation included a dedicated stakeholders' workshop, an online public consultation, meetings with stakeholder representatives, as well as exchanges with Member States. The main elements that emerge from the consultation are the need to tackle the quantity and quality of single market-related information, e-procedures and assistance services available. There is broad support for the aims of the initiative and a high level of stakeholder interest in successful implementation.

The proposal is supported by an impact assessment, which showed that the best option is providing an EU coordinated approach where information, procedures and assistance services are findable via an EU search facility. Member States will be the ones to manage the content and the substantial requirements of the national rules and obligations. This is complemented by clear and enforceable quality criteria and having key procedures available online.

III. Position of the Rapporteur

The Rapporteur broadly supports the overall objectives of the Commission's proposal, which aims to establish a single digital entry point that provides high quality information and access to online administrative procedures and assistance services to citizens and business.

Internet and digital technologies are transforming the way people and businesses live, work, study, do business and travel. Therefore, the Rapporteur supports the idea of moving the EU and Member States towards digitalisation of their administrations, providing some of the essential administrative procedures, information and remedies to citizens in an online format and in at least one additional foreign language in addition to their national or official languages. Having this information and these procedures available online in a non-discriminatory manner is also important for citizens to be able to use their rights in the internal market.

At the same time, however, the Rapporteur has identified a number of elements that require further discussion or clarification. First, the Rapporteur will address the opinion of the European Data Protection Supervisor that provides comments and recommendations on how to better safeguard the right to privacy and the protection of personal data in the proposed Regulation. Secondly, the Rapporteur puts forward a number of improvements as regards the quality requirements related to information, online procedures and assistance and problem solving services. Third, the Rapporteur suggests additional provisions to clarify the requirements on access to online procedures. Finally, the Rapporteur supports the changes introduced to the IMI Regulation.

1. Opinion of the European Data Protection Supervisor - “once only” principle

The Opinion of the European Data Protection Supervisor (EDPS) is issued upon the specific request of both the Commission and of the Parliament pursuant to Article 28(2) of Regulation 45/2001. The Opinion provides recommendations in relation to the implementation of the “once only” principle, which aims at ensuring that citizens and business are requested to supply the same information only once to a public administration, which can then be re-used.

The Rapporteur supports the recommendations addressed in the EDPS opinion and stresses that in order to ensure successful implementation of an EU-wide ‘*once-only*’, and enable lawful cross-border exchange of data, ‘*once-only*’ must be implemented in line with the relevant data protection principles. The Rapporteur also supports the efforts made to ensure that individuals remain in control of their personal data, including by requiring ‘*an explicit request of the user*’ before any transfer of evidence between competent authorities, and by offering the possibility for the user to ‘*preview*’ the evidence that will be exchanged.

However, the Rapporteur believes that there are still some elements that require further

clarification. To address those elements, the Rapporteur provides recommendations on a wide range of issues, focusing on the legal basis for the cross-border exchange of evidence, purpose limitation, and the scope of the ‘once-only principle’ as well as practical concerns surrounding user control. Key recommendations of the Rapporteur include clarifying that the proposal does not provide a legal basis for using the technical system for exchanging information for purposes other than those provided for in the four Directives listed or otherwise foreseen under applicable EU or national law. The proposal does not aim to provide a restriction on the principle of purpose limitation under the General Data Protection Regulation (GDPR).

2. Quality requirements related to information, online procedures and assistance and problem solving services

On the quality requirements, the Rapporteur supports the Commission’s overall approach. Her emphasis is that the quality of the single digital gateway depends on the quality of European and national services provided through the gateway. In order for the single digital gateway to meet the users’ needs, high quality standards should be set with regards to the information, online procedures and assistance and problem solving services. Poor experiences with the online information and services provided at European and national level will generate a negative perception of the single digital gateway.

Therefore, she introduces a number of improvements to the current draft, to strengthen the quality requirements. In line with the Rapporteurs’ recommendations, it should be ensured that the information is easy to understand so that a maximum number of users can benefit from the information and services foreseen in this Regulation. In this regard, the Rapporteur proposes a set of amendments to ensure that both the national and the Union webpages within the scope of the proposal are ensured to be accessible also for users with disabilities. The Rapporteur also suggests that a set of quality requirements need to be introduced to the common user interface supported by the Commission. The Commission and national coordinators should through the coordination group monitor the compliance of the quality criteria, and if there is serious and persistent deterioration be able to temporarily disconnect the service or, as a last resort, consider penalties or joint actions with the Member States to improve or fix the services.

3. Access to online procedures

The Rapporteur moves Article 5 (1) to Article 11. The change is needed in order to clarify the difference between the online procedures set out in Article 5 and in Article 11. The online procedures listed in Annex II in relation to Article 5 will be obligatory for Member States. Consequently, Member States need to ensure that the procedures in Article 5 are fully online and accessible to all users. Furthermore, the Rapporteur clarifies what fully online means and which procedures need to be covered in Annex II. For the Rapporteur it is important to stress that this Regulation will not affect the substantial provisions of the existing provisions in Union and/or national law and that Member States will continue to organise their national services and procedures in the way that meets their national needs.

Article 11 on the other side ensures that if Member States provide certain procedures to their

national citizens, they should also provide those procedures in non-discriminatory way to cross-border users so that they can exercise their internal market rights derived from Union law and comply with those obligations and rules. The Rapporteur supports this objective, but further stresses that technical requirements used for cross-border users should also be possible for national users in accordance with national procedures and requirements.

4. Revision of IMI Regulation

The Rapporteur agrees with the proposed changes to the IMI Regulation that confirm and update the provisions on the coordinated supervision mechanism foreseen for IMI and would also enable the European Data Protection Board (*EDPB*) to benefit from the technical possibilities offered by IMI for information exchange in the context of the General Data Protection Regulation (GDPR). With regard to the amendments to the IMI Regulation, the EDPS recommends adding the GDPR to the Annex of the IMI Regulation to allow the potential use of IMI for purposes of data protection.